**Privacy Impact Assessment Update
for the**

Enforcement Integrated Database (EID)

Risk Classification Assessment (RCA 1.0), ENFORCE Alien Removal Module (EARM 5.0), and Crime Entry Screen (CES 2.0)

DHS/ICE/PIA-015(d)

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Abstract

The Enforcement Integrated Database (EID) is a Department of Homeland Security (DHS) shared database repository for several DHS law enforcement and homeland security applications. EID, which is owned and operated by U.S. Immigration and Customs Enforcement (ICE), captures and maintains information related to the investigation, arrest, booking, detention, and removal of persons encountered during immigration and criminal law enforcement investigations and operations conducted by the ICE, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) components within DHS. DHS personnel access the data in EID using the ENFORCE applications, referred to generally as ENFORCE. The Privacy Impact Assessment (PIA) for EID was last updated in November 2011.[1] ICE is now adding additional functionality to ENFORCE thus necessitating this PIA update. The first major addition is technology which helps ICE prioritize aliens for immigration enforcement action based on criminal history. The second addition is a methodology which helps ICE conduct risk classification assessments of aliens arrested under the immigration laws during the intake process and while in ICE custody.

Introduction

Within ICE, EID and the ENFORCE applications are used primarily by ICE personnel in the ICE Offices of Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO).[2] HSI and ERO personnel use ENFORCE to support ICE's arrest of individuals for criminal violations of laws enforced by ICE and administrative violations of the Immigration and Nationality Act (INA). ENFORCE also supports the detention, processing, and removal of aliens from the United States who are in violation of administrative requirements of the INA. With the publication of this PIA, ICE is updating EID and ENFORCE to: 1) further automate the Crime Entry Screen (CES); 2) to deploy the Risk Classification Assessment capability in the ENFORCE application called ENFORCE Alien Removal Module (EARM); and 3) to upgrade EARM to include new forms and a new repository.

Crime Entry Screen (CES) 2.0

The CES was a 2010 enhancement to EID that allowed ICE officers to manually enter an alien's criminal history information which had been manually retrieved from other federal law enforcement systems.[3] EID used this information to manually calculate the ICE criminal offense

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[1] *See* DHS/ICE/PIA-015(c) - EID ENFORCE Alien Removal Module Update, Nov. 7, 2011
(http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_eidupdate-15c.pdf).
[2] ERO was previously known as the Office of Detention and Removal Operations (DRO).
[3] For more information on CES, see the DHS/ICE/PIA-020(a) - Alien Criminal Response Information Management System (ACRIMe) and EID PIA Update, Sept. 29, 2010,

level (called the ICE Level) for the crimes and for the alien. This information helped ICE to prioritize aliens for immigration enforcement action based on their criminal history.[4] ICE is updating the CES with the release of CES 2.0. CES 2.0 uses a query service to permit the electronic query and return of criminal history information about an alien, which is then automatically populated into EID. Under CES 2.0, an ICE officer uses EID to electronically request and retrieve criminal history information about an alien from the FBI's National Crime Information Center (NCIC) database, which maintains a repository of federal and state criminal history information.[5] EID ingests the NCIC criminal history information and uses business rules to analyze it and assign a criminal offense level (1, 2, or 3) to each crime in the person's criminal history. EID displays the criminal history information and the assigned criminal offense levels to the ICE officer in the CES, where the officer reviews and validates the information. ICE uses the criminal offense level to determine the alien's priority and to conduct appropriate immigration enforcement actions based on the severity of his or her crimes. EID users are also able to manually enter criminal history information in CES if they discover additional criminal history information that was not available in NCIC.

Criminal history information is stored in EID as part of the alien's record and is available for retrieval by users if the individual is encountered again at a later time. If an ICE officer wants to update previously retrieved criminal history information for an alien, he or she can do so via the CES in EARM by requesting an update. Any update follows the process described above for the initial retrieval of criminal history information from NCIC. Updates to the criminal history information do not overwrite the existing validated information. Instead, the user compares the existing validated information with the new criminal history information received from NCIC and approves any changes. The output of this process is a new, user-validated criminal history for the alien. The system stores each validated copy of the alien's criminal history information so that no information is lost.

Risk Classification Assessment (RCA)

ICE has added a new tab in EARM for the Risk Classification Assessment (RCA). Risk classification is an existing assessment process that ICE uses to identify and categorize the risk to public safety and the risk of flight posed by an alien arrested by ICE for immigration violations. ICE uses the outcome of the RCA process to determine what the alien's custodial

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(http://www.dhs.gov/xlibrary/assets/privacy/pia-ice-acrime-eid-update-20100929.pdf) and the DHS/ICE/PIA-015(b) - EID ENFORCE Alien Removal Module (EARM) 3.0 PIA Update, May 20, 2011, (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_eidupdate(15b).pdf).

[4] An ICE Level is a classification assigned to aliens charged with or convicted of a criminal offense. The ICE Level is used to prioritize immigration enforcement actions only. For more information on ICE Levels, see the DHS/ICE/PIA-020(a) - ACRIMe & EID PIA Update, Sept. 29, 2010, (http://www.dhs.gov/xlibrary/assets/privacy/pia-ice-acrime-eid-update-20100929.pdf).

[5] *See* JUSTICE/FBI-001 National Crime Information Center (NCIC) System of Records Notice (last full publication on Sept. 28, 1999, 64 Fed. Reg. 52343).

status should be pending the outcome of their immigration case, specifically, whether they should be detained or released on bond or under other supervision. Currently, ICE officers and contractors working at facilities housing ICE aliens perform risk assessments manually using a paper form at the time of arrest and booking.[6] The risk classification process is based on the existing ICE policies and guidance regarding detention or release of the alien, the alien's eligibility for bond, and determining levels for custody classification or community supervision. Those policies have not changed with the addition of the RCA tab. Using the existing policies and guidance, ICE is automating the assessment process and using technology to generate a custody recommendation. Final custody determinations are made by personnel. (Note: the process for how custody recommendations are generated and reviewed is discussed below in more detail.) The deployment of RCA in EID will ensure that ICE policies and guidance governing custody and classification decisions are applied consistently across the organization.

Because ICE is already performing risk classifications manually, this update will not change the information that ICE collects about aliens. ICE will continue to collect the same information about aliens as it does currently. The information ICE uses in the risk assessment process includes personally identifiable information (PII) about the alien and associated information such as criminal history; special vulnerabilities, such as disability or status as a crime victim; substance abuse history; immigration history and case status; ties to the community, including the length of time at current address, the number of family members residing with the alien, and property ownership; and authorization to work or enrollment in school.

When developing RCA, ICE created a methodology which incorporates the current ICE policies and guidance on detention decisions into a set of business rules. Information about the alien stored in EID will now be processed electronically through these business rules and a detention or release recommendation generated. If RCA produces a recommendation to detain the alien, the recommendation will also indicate whether the alien is eligible for release on bond. When continued detention is recommended, RCA also assigns to the alien a detention custody classification level of Low, Low/Medium, High/Medium, or High. ICE uses the custody classification level to plan for the provision of appropriate security measures during the housing or transportation of the alien while in ICE custody. Aliens with a Low custody classification level pose a low threat to the community and a minimal risk of flight, whereas aliens with a High custody classification level may pose a more significant threat to the community and/or a more significant risk of flight. If the recommendation is to release the alien into the community under ICE supervision, RCA recommends whether the alien should be monitored by technology. If the

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[6] Risk classification assessments are conducted at the time an alien first enters ICE custody (time of arrest), and at various times thereafter. Subsequent evaluations may be triggered by changes in ICE policies, disciplinary infractions committed by the alien, the discovery of new case information about the alien, or violations by the alien of the conditions of release.

alien is to be monitored by technology, the ERO officer determines the type of technology to be used (e.g., telephonic or GPS).[7]

Although RCA produces a custody recommendation, ICE officers make the final custody determination. ICE officers must review each RCA recommendation and consider the information about the alien in EID and other sources. Following the review, the officer may either accept the recommendation or recommend that his or her supervisor (who is always an ICE officer) change it. Following the officer's determination, the supervisor reviews the decision and either accepts it or changes it to generate a final decision. In cases where the officer or supervisor rejects the RCA recommendation, a reason must be entered into the system explaining why the system's recommendation was rejected.

Once a final determination has been made, a detailed summary of the information about the alien is printed and placed in the alien's A-File. This document is called the RCA Detailed Summary and it contains the alien's biographic information, criminal history, special vulnerabilities, risk to public safety factors, risk of flight factors, mandatory detention factors, the alien's current custody classification, and the history of the alien's custody classification recommendations and final ERO decisions. The RCA Detailed Summary is used by ICE and the detention facilities that house ICE detainees to ensure that appropriate conditions of custody are provided with regard to the alien's safety and flight risk factors, as well as his or her special vulnerability status. Due to the sensitivity of the information in the RCA Detailed Summary, ICE has put safeguards in place to ensure that it is properly protected when it is shared with detention facilities. For aliens sent to a detention facility with access to EARM, facility personnel will access the RCA Detailed Summary via EARM. For aliens sent to a detention facility without access to EARM, the RCA Detailed Summary will be sent to the detention facility using the following methods (listed in the order of preference): 1) e-mail in an encrypted and password protected file; 2) fax; or 3) hard-copy print out that is transported to the facility with the alien in a secure container in accordance with current ICE procedures for transporting other sensitive documents, such as A-Files. Once the alien arrives at the detention facility, a copy of the RCA Detailed Summary is placed in the alien's detention file. If the Summary was faxed to the facility or sent in a hard-copy print out, this is placed in the alien's detention file. If the facility personnel accessed the RCA Detailed Summary via EARM, they print a copy of it and place it in the detention file.

As noted above, RCA benefits ICE in several ways. First, it automates a process that is currently manually performed by ERO officers and contractors. Second, it makes the intake process more efficient and improves the consistency and quality of the data collected. ERO officers and contractors use a structured interview process to obtain additional information about

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[7] For more information on the Alternatives to Detention program and monitoring of released aliens, *see* DHS/ICE/PIA-015(b) - EID ENFORCE Alien Removal Module (EARM 3.0) Update, May 20, 2011, (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_eidupdate(15b).pdf).

the alien such as the individual's ties to the local community, substance abuse history, and the length of time the person has lived at his or her current address. This information is no longer collected at the discretion of the officer or contractor in narrative format in free-text fields. It is now entered into structured fields in EID so that it can be processed by the RCA business rules when the system is generating a custody recommendation. Third, RCA helps to ensure that current ICE policies and procedures on detention and release are applied consistently for all aliens. Finally, whenever a custody recommendation is made by the system, RCA saves a copy of all information used to generate that recommendation, the recommendation itself, the version of the methodology used, and the agency's decision to either accept or reject the recommendation. This data is useful for evaluating and reporting on the intake assessment process used by ICE, and enables ERO personnel, including data quality analysts and field operations personnel, to better assess situations where aliens with similar characteristics seem to have different detention outcomes.

ENFORCE Alien Removal Module (EARM) 5.0

With the release of this update, ICE is modifying the ENFORCE Alien Removal Module (EARM) to add additional bond forms that ICE officers will be able to generate and complete electronically. Today, these forms are completed manually. This change will improve overall efficiency as well as the accuracy of the information on these forms, as key alien information will be auto-populated from the alien's EID records. The specific bond forms that are now automated in EARM are as follows:

- I-210 (Voluntary Departure Form) – The Form I-210 documents an alien's agreement to voluntarily depart from the United States. EARM automatically populates the form with the alien's name and Alien Registration Number (A-Number). The ICE officer enters information regarding the alien's plans to depart. The alien signs the printed form and is given a copy of it. Upon returning to his or her home country, a State Department official at a U.S. consulate or embassy completes the remainder of the form and sends it to ICE ERO showing that the alien did depart. ICE then uploads the form to the Bond Document Repository, which is discussed below.

- I-352 (Immigration Bond Form) – The Form I-352 is the immigration bond form that is completed at the time the bond is posted. EARM automatically populates the form with the alien's name, A-Number, nationality, date of birth, country of birth, and the port and means of entry. EARM retrieves the bond obligor's information from the Bond Management Information System (BMIS)[8] and populates the bond obligor's name, tax identification number (which may be a Social Security number), and contact information. (Note: if the bond obligor's information is not already in BMIS, the ICE officer enters it

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[8] For more information on BMIS, *see* DHS/ICE/PIA-005 - Bond Management Information System Web Version PIA, August 25, 2008. (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_bmisweb.pdf).

on the form and EARM sends the information to BMIS.) The ICE officer then enters the alien's planned residential address upon release and the bond number. The form is signed by the bond obligor using a signature pad and the ERO official approves the bond with a digital signature.

- I-305 (Cash Bond Receipt) – The Form I-305 is the receipt given to the bond obligor who posts a cash bond. EARM automatically populates the form with the alien's name and A-Number and EARM retrieves the name and contact information for the bond obligor from BMIS. The ICE officer enters the form of payment accepted for the bond (e.g., money order or cashier's check). The form is digitally signed by the ICE officer and a printed copy is provided to the bond obligor.

- I-340 (Notice to Deliver Alien) – The Form I-340 is the notice that is sent to the bond obligor when an alien needs to appear at an ICE location. EARM automatically populates the form with the alien's name and A-Number and the name and contact information for the bond obligor which EARM retrieves from BMIS. The ICE officer completes the date, time, and location where the alien must be presented and digitally signs the notice before sending it to the obligor via certified mail.

- I-323 (Notice of Immigration Bond Breached) – The Form I-323 is generated and sent to the bond obligor if the conditions of the bond are not met and the bond is breached. EARM automatically populates the form with the alien's name and A-Number and the name and contact information for the bond obligor which EARM retrieves from BMIS. The ICE officer enters the breach date, the breach number, and the reason for the breach and digitally signs the form.

- I-391 (Notice of Immigration Bond Cancelled) – The Form I-391 is generated and sent to the bond obligor if the conditions of the bond are met and the bond is cancelled. EARM automatically populates the form with the alien's name and A-Number and the name and contact information for the bond obligor, which EARM retrieves from BMIS, and the ICE officer digitally signs the form.

- I-830 (Alien Address Notification to the Department of Justice) – The Form I-830 form is used to notify the DOJ Executive Office for Immigration Review (EOIR) of changes to the alien's address. EOIR operates the U.S. immigration courts and must be notified of changes to an alien's mailing address so court notices will be delivered to the correct address. EARM automatically populates the form with the alien's name and A-Number and the form is sent to EOIR by mail, fax, or e-mail.

ICE is also modifying EID to share more bond information electronically with two other ICE systems, the Electronic Bond Online System (eBONDS) and BMIS, which help support the

issuance and processing of immigration bonds at ICE.[9] With this update, EARM-generated demand notices (I-340), bond breach notices (I-323), and bond cancellation notices (I-391) for surety bonds are now sent electronically from EARM to eBONDS via an existing system-to-system interface. The surety agent who issued the bond accesses eBONDS to view and acknowledge these notices. The date and time that a notice is viewed and acknowledged by the surety agent in eBONDS is sent to and stored in EID and becomes part of the alien's record. Currently these forms are sent to surety agents via certified or regular mail.

With this update, EARM-generated bond cancellation (I-391) and breach (I-323) notices and motion to reopen (MTR) memos[10] will be sent from EARM to BMIS electronically via an existing system-to-system interface. Currently, these forms must be transmitted by fax. BMIS has been modified to add a new queue which stores the documents sent by EARM. BMIS users access the queue in order to review and process the forms. If BMIS users reject a form, it is sent back to EARM electronically along with a message stating the reason for its rejection. The ERO user can view the rejection reason in EARM and can correct and resubmit the form.

Also, ICE is deploying the Bond Document Repository that electronically stores bond-related documents created in EARM and eBONDS. The Bond Document Repository will be administered by an ICE system administrator, who will have direct access to the repository and who will be responsible for its operation and maintenance. Individual EARM and eBONDS users will not have direct access to the repository, and will only be able to access the records in the Bond Document Repository through EARM and eBONDS.

Additionally, with the release of this update, EARM is being modified to allow ERO ICE Health Services Corps (IHSC) personnel and other ERO personnel to enter and view additional information in EID. These changes are intended to fix the following problems that were generated with the release of EARM 3.0, where the privileges of some IHSC and ERO users in EARM were erroneously restricted:

- EARM 3.0 created a restriction that limited privileges to create new medical holds on aliens, to enter medical screening dates, and to indicate the status of the screening to only IHSC medical personnel. After EARM 3.0 was released, ICE determined that permissions to do these functions should have been provided to select ICE ERO detention officers, who are not part of IHSC, but who are responsible for updating EARM to note medical holds and medical screening information. With this update, a new EARM user

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[9] For more information on the bond process, *see* DHS/ICE/PIA-015(b) - EID ENFORCE Alien Removal Module (EARM 3.0) PIA Update, May 20, 2011, (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_eidupdate(15b).pdf). For more information on eBONDS, *see* DHS/ICE/PIA-008 - Bonds Online System (eBONDS) - Phase One PIA, July 14, 2009, (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_ebonds.pdf). For more information on BMIS, *see* DHS/ICE/PIA-005(a) - Bond Management Information System Web Version PIA Update, November 20, 2009. (http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ice_bmisweb_update.pdf).

[10] A Motion to Reopen memo reopens a bond that was previously breached or cancelled.

role has been added that will allow these ERO detention officers to enter this medical information in EARM.

- EARM 3.0 only permitted IHSC users to enter medical information concerning medical alerts, medical holds and medical screening information at the time an alien was transferred between facilities. ICE determined such information needed to be entered at the discretion of IHSC and not just at the time of a transfer. With this update, IHSC users are granted permission to enter or update this information in EARM at any time.

- Prior to the EARM 3.0 release, IHSC users could view immigration case and detention information for aliens but after EARM 3.0 was released, they no longer had access to the information. Since they need this information in order to properly care for aliens, and since this information was previously available to IHSC users, with this update, IHSC users will once again be able to view this information in a read-only format. IHSC user access is limited to only the categories information they need to carry out their medical responsibilities, specifically immigration case and detention information. They are not permitted access to other types of alien information stored in EID such as bond, alternatives to detention, the CES, or the RCA tab.

Finally, this release will include a modification to allow EARM users to enter information about an alien's disciplinary infractions at detention facilities while in ICE custody. Previously, disciplinary infraction information was documented manually at each detention facility. Users will now enter the infraction date, the infraction type (from a standardized list), the user name of the individual recording the infraction, and a detailed comment describing the infraction. Infractions will only be added to an active detention record and infraction information will be used by RCA when assessing the risk an alien poses and generating a custody recommendation.

Reason for the PIA Update

The PIA for EID was last updated in November 2011 and reflected the system at that time. EID and the ENFORCE applications continue to be enhanced to support ICE's changing business and operational needs and the PIA is being updated to reflect those changes.

Privacy Impact Analysis

The System and the Information Collected and Stored within the System

As noted above, EID and the applications that use it capture and maintain information related to the investigation, arrest, booking, detention, and removal of persons encountered during immigration and criminal law enforcement investigations and operations. Enhancements have been made to the system to enable it to collect and use additional information to better assist ICE ERO personnel with the booking, detention, and removal of aliens. Most of the new information described in this update is obtained from other systems and is not collected directly from individuals.

Crime Entry Screen

As described above, EID retrieves the most recent criminal history information for an alien from NCIC and populates this information in the CES. This information is the same data that ICE officers are currently entering manually into the CES during booking or during removal proceedings. Additionally, CES now provides the user with two views of the criminal history data - a view of the raw data sent from NCIC and the view of the information after it has been processed and assigned a corresponding system-generated criminal offense level (ICE Level) for each crime. NCIC criminal history information is provided to the FBI by the arresting law enforcement agency. Individuals have a right to access, review, and seek correction of their criminal history information by writing to the FBI pursuant to the procedures in the NCIC System of Records Notice (SORN).

The new CES information will also be replicated in the data repositories that are associated with EID.[11] ICE will use this information to produce statistical reports on arrested aliens and the ICE detainee population.

Risk Classification Assessment

Several new types of information are either created or stored in RCA:

- System-generated recommendation to either detain or release the alien;

- System-generated recommendation for an alien's custody classification – Low, Low/Medium, High/Medium, or High, if ERO decides to detain the alien;

- System-generated recommendation for the bond amount, if the alien is eligible for bond;

- System-generated recommendation whether the alien should be monitored by technology if the alien is to be released under ICE supervision;

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[11] *See* DHS/ICE/PIA-020 EID PIA, Jan. 14, 2010, for a discussion of the data repositories associated with EID: EID Datamart (EID-DM), the EARM Datamart (EARM-DM), and the ICE Integrated Decision Support (IIDS) System.

- The version of the methodology and the information in EID used to generate a particular custody recommendation for an alien; and

- RCA Detailed Summary – a report containing an alien's information used to generate the RCA recommendation and decision including biographic information, criminal history, special vulnerabilities, risk to public safety factors, risk of flight factors, mandatory detention factors, the alien's current custody classification, and the history of the alien's custody classification recommendations and final ERO decisions.

The information recorded in RCA will also be replicated in the data repositories that are associated with EID. ICE will use this information to produce statistical reports about how aliens are categorized during the risk classification process.

ENFORCE Alien Removal Module (EARM) 5.0

As noted above, information about disciplinary infractions which occur at facilities during an alien's time in ICE custody will be recorded. The system stores in the alien's EID record:

- Date, time, and location of the infraction;

- Infraction type (selected from a list);

- The user name for the individual recording the infraction; and

- A detailed description of the infraction.

The new disciplinary infraction information recorded in EARM will also be replicated in the data repositories that are associated with EID. ICE will use this information to produce statistical reports on ICE detention management and custody classification processes.

Data Accuracy and Privacy Risks

This update has not resulted in the creation of any new significant privacy risks. Many of the changes improve data integrity and quality by reducing the need for manual entry and re-entry of data into systems, and by helping to standardize processes and decision-making in accordance with agency policies. EID now retrieves the most recent criminal history information for an alien and populates it in CES, thus eliminating manual entry of the information thereby minimizing the risk of human data entry errors. Additionally, updates to the criminal history information do not overwrite the existing validated information. Instead, the user compares the existing validated information with the new criminal history information received from NCIC and approves any changes thus creating a new, user-validated criminal history for the alien. Storing each validated copy of the alien's criminal history information ensures that information is not lost and that users can easily identify changes in the individual's criminal history.

RCA automates part of the custody determination process which is currently performed manually and helps ensure that the current ICE policies and procedures for determining whether to detain or release an alien are applied consistently for all aliens. RCA also makes the intake process more efficient and helps to reduce data quality issues since ERO officers and contractors no longer manually enter certain information about the alien into free text fields. Instead this information is entered into structured data fields. ICE officers maintain data accuracy and quality checks by making the final custody determination after reviewing the RCA custody recommendation.

Additionally, whenever a custody recommendation is made by the system, RCA saves a copy of the information analyzed to make the recommendation, a copy of the recommendation, and the version of the methodology that was used. This provides increased transparency into the intake assessment process used by ICE and enables ERO personnel to better respond to situations where aliens with similar characteristics seem to have different outcomes. Finally, ICE has implemented measures to protect the information in the RCA Detailed Summary and to ensure that it is accessible by only those with a need to know the information. Facilities with access to EARM retrieve the RCA Detailed Summary through the system while secure electronic or physical transmission methods are used to share the RCA Detailed Summary with facilities that do not have access to EARM.

Select information about the alien from EARM is pre-populated on certain bond forms and obligor information is retrieved from BMIS. This pre-population of information reduces the data entry error risk associated with the current manual form-completion process. The enhanced system-to-system sharing of bond forms between EARM and eBONDS and EARM and BMIS Web improves data security by reducing the need for paper copies and manual transmission methods. This also helps to ensure the data in each of these systems regarding the status of immigration bonds is synchronized, and that the bond information is only accessed by those who have a need to know.

Uses of the System and the Information

Internally, there are three new uses of the data in EID. First, RCA uses criminal history and other information about an alien to assess risk of flight and the risk to the community in order to make a custody recommendation for the alien. Second, ICE officers who are responsible for documenting certain medical information in EID are able to once again enter limited medical information in EARM. Third, IHSC users are able to once again access immigration case and detention information for which they have a need to know, but only in a "read-only" format to preserve data integrity. Being able to access this information on all aliens and not just those in a particular detention facility enables IHSC users to properly prepare for aliens coming to their facility, to interact with and treat the aliens in their facility, and to follow up on aliens who have left their facility and been moved to another facility. The information will also be used to

improve reporting and trend analysis, which ICE uses to help manage its resources and measure the impact of program and policy changes.

These new uses are consistent with the purposes for which the information was collected, namely to carry out the nation's immigration laws and to arrest, detain, provide medical care for, and remove aliens as required by law. The automation of certain portions of the custody decision process helps to ensure the consistent application of ICE's custody policies and guidance and to reduce the risk that decisions will be made arbitrarily and based on factors other than those permitted by law and policy.

Retention

This update results in only one change to record retention. As noted above, a copy of the RCA Detailed Summary is placed in the alien's A-File. The A-File is retained for 100 years by DHS and then is retired as a permanent record.

ICE maintains the new information in EID pertaining to RCA and to alien infractions while in custody as part of the alien's EID record and this information is retained for 100 years in accordance with the approved records schedule for EID.

Internal Sharing and Disclosure

This update has not resulted in any changes in the sharing of EID data with other DHS components.

External Sharing and Disclosure

There is one change to how EID data is shared outside of DHS in order to implement the automated change. Using a query service, EID electronically sends information about the alien, specifically the alien's FBI Number, to NCIC to retrieve criminal history information about an alien via electronic transmission. Currently, this information is retrieved manually by officers who log into NCIC and query the alien's criminal history. With this update, the query is performed electronically and the results are electronically transmitted to EID and automatically populated in CES.

Notice

With this update, EID is electronically retrieving and processing information from the FBI's NCIC system. The FBI has published a SORN pursuant to the Privacy Act of 1974, 5 U.S.C. § 552a, that describes and provides public notice of the NCIC system generally. *See* JUSTICE/FBI-001 National Crime Information Center (NCIC) (last published in entirety on Jan. 25, 2007, 72 Fed. Reg. 3410). ICE is not in a position to provide notice at the time the NCIC information is collected from the individual, which is usually by the arresting federal, state, or local law enforcement officer at the time of arrest and booking. The agencies that collect this information are responsible for providing appropriate notice, either on the forms they use to

collect the information and/or through other forms of public notice, such as a Privacy Act SORN or any equivalent notices that may be required in state and local jurisdictions. Individuals may seek access to and amendment of information in their criminal history record by following the instructions for record access and amendment in the NCIC SORN.

Because EID receives some data from other systems and is a system used for law enforcement purposes, individuals may be unable to give their consent as to how their data is used because requiring consent to the use of the data would compromise the system's law enforcement purpose. The information collected in EID supports ICE's arrest of individuals for criminal violations of laws enforced by ICE and administrative violations of the INA. The system also supports the detention, processing, and removal of aliens from the United States who are in violation of administrative violations of the INA. There is a potential risk that the general public is not aware of the existence of EID. The publication of the EID PIA, this PIA update, and the DHS/ICE0011 Immigration and Enforcement Operational Records System (ENFORCE) SORN (May 3, 2010, 75 Fed. Reg. 23274) mitigates this risk by describing the types of individuals whose information is contained in the system, the types of data it contains, and how the data is used.

Individual Access, Redress, and Correction

There are no changes to the individual access, redress, and correction procedures described in the EID PIA, subsequent PIA updates, and the DHS/ICE0011 Immigration and Enforcement Operational Records System (ENFORCE) (May 3, 2010, 75 Fed. Reg. 23274).

Technical Access and Security

The security features and access controls for EID have not changed. Please refer to the EID PIA and relevant PIA updates for more information.

Technology

The system is in the operations and maintenance phase of the software life cycle management process. No new technology is used that might raise privacy concerns.

Responsible Official

Lyn Rahilly
Privacy Officer
U.S. Immigration and Customs Enforcement

Approval Signature

Final signed version on file with the DHS Privacy Office

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Mary Ellen Callahan
Chief Privacy Officer
Department of Homeland Security