

# **EXHIBIT E**



**Privacy Impact Assessment Update  
for the  
Enforcement Integrated Database (EID)  
ENFORCE Alien Removal Module (EARM 3.0)**

**DHS/ICE-PIA-015(b)**

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## Abstract

The Enforcement Integrated Database (EID) is a Department of Homeland Security (DHS) shared common 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 ICE, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS), agencies within DHS. DHS personnel access the data in EID using the ENFORCE suite of software applications: ENFORCE Apprehension Booking Module (EABM), ENFORCE Alien Detention Module (EADM), and ENFORCE Alien Removal Module (EARM). The Privacy Impact Assessment (PIA) for EID was published in January 2010 and last updated in September 2010.<sup>1</sup> ICE is now deploying an upgrade to the ENFORCE applications, referred to as EARM version 3.0 (EARM 3.0), to merge two of the ENFORCE applications, and to modify the data collected by DHS, the capabilities of the software, and certain system interfaces. These changes require an update to the EID PIA.

## Introduction

Within ICE, EID and the ENFORCE applications are used primarily by ICE personnel in the ICE Office of Homeland Security Investigations and the Office of Enforcement and Removal Operations (ERO), previously known as the Office of Detention and Removal Operations, to support ICE's arrest, detention, processing, and removal of aliens from the United States. This PIA update describes the following changes to EID and the ENFORCE applications with the deployment of EARM 3.0:

- Two new system interfaces were added and other changes have been made to EID to support the electronic processing of immigration bonds;
- EADM was retired and its functions have been merged into EARM;

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<sup>1</sup> See EID PIA and EID PIA Update at <http://www.dhs.gov/privacy>.



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- Changes were made to EARM to enable ICE Health Services Corps (IHSC) personnel to enter limited medical information into EID. (IHSC is an office within ERO that oversees medical treatment of individuals in ICE detention (detainees).);
- Changes were made to EARM to support the Alternatives to Detention (ATD) program;
- Users logged into EARM now have single sign-on access to ICE's Electronic Travel Documents (eTD) System;
- EARM's interface with the Department of Justice's Case Access System (CASE) has changed; and
- EARM's Crime Entry Screen (CES) is also being deployed in EABM.

The following sections describe the above changes in more detail.

### *Electronic Bond Processing*

Two system-to-system interfaces have been added that provide data to EID in support of the electronic processing of immigration bonds. The first is an interface with ICE's Electronic Bond Online System (eBONDS) and the second is with ICE's Bond Management Information System (BMIS). eBONDS is a web-based application through which surety agents and ERO officers facilitate the application for and granting of immigration bonds for detained aliens. (For more information on eBONDS, please see the Electronic Bond Online System – Phase One PIA.<sup>2</sup>) The basic function of eBONDS is to allow surety companies to post immigration bonds online for aliens that ERO has determined are eligible for release on bond. A surety agent logs onto eBONDS to request bond verification for an alien from the relevant ERO field office. If the field office confirms the alien is eligible for a bond, eBONDS retrieves information about the alien and the bond amount from EARM. EARM also provides eBONDS with information about the surety company and Power of Attorney information that it receives from BMIS via a system-to-system interface between the two systems. (For more information on BMIS, please see the Bond Management Information System Web Version PIA.<sup>3</sup>) The confirmation with the information mentioned above is forwarded to the surety agent via eBONDS. The surety agent completes, digitally signs, and submits an electronic immigration bond form (Form I-

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<sup>2</sup> See Electronic Bond Online System – Phase One PIA at <http://www.dhs.gov/privacy>.

<sup>3</sup> See Bond Management Information System Web Version PIA at <http://www.dhs.gov/privacy>.



352) to the relevant field office for approval. An ERO officer reviews the bond documentation package in EARM for completeness and accuracy against the information in EARM and BMIS. If the bond documentation package is complete and accurate, the ERO officer approves and digitally signs it in EARM. EARM updates eBONDS, which notifies the surety agent via email that the bond has been approved.

When a person wants to post a cash bond for a detainee, the obligor (usually a family member or friend of the detainee) brings a cashier check or money order to the ERO field office. The ERO officer verifies the alien's custody status for release on bond and completes both the Form I-352 and the Form I-305, a receipt for the money posted for the bond. The ERO officer then enters information from the forms into EARM, which sends the information electronically to BMIS.

#### *Retirement of the ENFORCE Alien Detention Module (EADM)*

EADM is used by ERO officers to book detainees into and out of ICE detention facilities while EARM supports ICE's processing and removal of aliens from the United States. Having detention and removal data in different modules is problematic because ERO personnel do not have an integrated and comprehensive view of a detainee's detention and removal information. In an effort to improve the integration and operational flow of data within the detention and removal process, ERO is retiring EADM and merging its data and capabilities into EARM. By combining the detention management capabilities in EADM with the removal management capabilities in EARM, EARM 3.0 provides users an integrated and comprehensive view of a detainee's detention and removal status in a single application.

With the merger of EADM into EARM, changes have been made to improve data quality and integrity. For example, business rules have been added to ensure that a detainee cannot have multiple active detention records. Additionally, the capability to create and manage detainee travel manifests has been moved to EARM. Business rules were added to ensure that a detainee is booked into a facility before he or she is able to be added to a travel manifest. The business rule changes are designed to help improve the quality of the data and prevent errors in detainee information.

Additionally, new capabilities have been added to EARM to help ICE enforce important detention and management policies. For example, ERO policy allows a detainee to make a phone call each time he or she is transferred to a new detention facility. In order to help ensure compliance with the policy, the ERO officer manually enters information into EARM about the detainee's phone call including the person who was called, the person's relationship to the detainee, the date and length of the call, the phone number that was called, whether the call was successful, and any related comments. Although not required by the policy, EARM 3.0 enables ERO officers to make a notation about other phone calls that detainees make.



EARM also reminds ERO officers of actions they need to take, such as allowing a detainee to make a phone call or bringing a detainee to an appointment or office visit. Finally, multiple photos for a detainee can now be uploaded allowing ERO officers to track changes in a detainee's appearance throughout the person's interaction with ERO. Previously, only one photo could be uploaded.

### *Medical Screening Information*

Prior to EARM 3.0, EID contained limited medical information relevant to a detainee, specifically: an indicator whether or not there is a medical alert on the detainee, a general assessment of the detainee's apparent health (good or poor), and whether the detainee arrived with or without medication. This information was entered in EADM or EARM by either IHSC personnel or by non-medical ICE or detention facility personnel. With the release of EARM 3.0, IHSC users are able to input additional medical information about detainees in IHSC-staffed detention facilities. Specifically, IHSC personnel can create a new medical hold indicating medical-based restrictions on transporting detainees. The hold is associated with business rules that will prevent detainees from being booked out of detention facilities using EARM. IHSC users are also able to input the date detainees received or are scheduled to receive their medical screening and indicate whether the screening is pending or complete.

### *Alternatives to Detention (ATD) Module*

In FY 2002, Congress authorized the use of alternatives to detention programs as a mechanism to facilitate alien compliance with attendance at immigration court hearings and departure from the United States. The program allows certain aliens whose detention is not statutorily mandated to remain in their communities while their removal process is pending. ERO's Alternatives to Detention (ATD) program meets this critical need for community supervision of the non-detained alien population using technology and case specialists to actively engage aliens until a final determination of their immigration status can be made.

The ATD program releases detainees (called "participants" in the ATD program) who are not required by statute to be detained. Prior to enrollment in the program, ERO officers vet the individuals to ensure that they are eligible to participate. Those who are eligible to participate choose whether or not they want to participate in the program. Those who choose to participate sign the rules of participation indicating their willingness to comply and those who do not want to participate are housed in a detention facility. In EARM, ERO officers note those who choose to participate, the date the participant was enrolled, and the type of supervision that the individual will receive.

ERO uses two approaches (called "components") to supervise the participants in the program. The first approach is the full-service component. This supervision is performed by an ERO contractor. The ERO officer sends the contractor an enrollment form with the participant's name, A-number, date of birth, country of birth, contact information, and stage in the immigration court proceedings. In addition to in-person visits, the ERO officer also tells the contractor if the participant will be subject to telephonic



reporting or global positioning system (GPS) monitoring, to ensure that the participant remains within authorized boundaries. One of the contractor's case specialists enters the information provided on the enrollment form into the contractor's system that it uses to track participants.<sup>4</sup> The case specialist interviews the participant and may collect additional information about the individual including gender, height, weight, marital status, and address. The case specialist creates an individualized supervision plan that describes when the case specialist will meet with the participant and when the participant must report in.

The second supervision approach used in ATD is the technology-only component. Participants with the technology-only component are overseen by ERO officers and not by the contractor's case specialists and case specialists are unable to access the records for these participants. The ERO officer logs into the contractor's system, creates the record for the new participant, assigns the appropriate technology to be used, and sets all the monitoring provisions. Using the contractor's system, ERO officers monitor participants using either GPS monitoring devices or telephonic reporting.

Case specialists and ERO officers use the contractor's system to record participant activities that are relevant to the participant's terms of release, such as meeting with case specialists. Additionally, the GPS monitoring devices send information to the contractor's system. The devices collect a participant's current latitude and longitude coordinates, the direction the person is moving, and the person's current speed every one to three minutes, and then relay the information to the contractor's system every 30 minutes to four hours depending on how the devices are configured. The contractor's system does not display location information for all participants at one time. Instead, case specialists and ERO officers are only able to see location information related to the participants assigned to their office and they can only see the information for one participant at a time.

The contractor's system contains information for participants currently in the ATD program and for participants who were discontinued from the program up to six months ago. Records for inactive cases older than six months are archived by the contractor. GPS data for archived records is retained for one year and then deleted. There is no data exchange or interface between EARM and the contractor's system. Any information in the contractor's system that an ERO officer wants to enter in EARM must be

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<sup>4</sup> The contractor supporting the ATD program also monitors individuals on supervised release for other federal, state, and local law enforcement agencies. The contractor's information technology system is completely separate from ICE's systems and is used to support all of its customers.



entered manually. Typically, officers only copy information relevant to a participant's participation in the ATD program such as incidents of non-compliance with the terms of release (e.g., failure of a participant to attend an in-person meeting). Detailed data from the GPS monitoring devices such as latitude and longitude coordinates is not generally placed in EARM.

The EARM 3.0 release makes several changes to the ATD information in EARM. First, ERO officers are able to input information regarding participants' automobiles. Second, ERO officers are able to input information from the "emergency reports" provided by the contractor regarding participants receiving full-service supervision who have not complied with the rules of their supervision including those having unauthorized absences, having absconded, or having been arrested. Finally, three new reports related to ATD have been added. The ATD Eligible for Participation Report identifies candidates for the ATD program. The Active ATD Participants Report identifies all participants currently in the ATD program and the Inactive ATD Participants Report identifies all individuals whose participation in the program has been terminated.

#### *Electronic Travel Document (eTD)*

The ICE Electronic Travel Document (eTD) system is currently used to generate travel documents for aliens who are being repatriated to their country of citizenship. (For more information, please see the eTD PIA.<sup>5</sup>) EARM 3.0 enables ERO officers who are logged into EARM to view records in eTD without having to log into eTD separately. While viewing a record in EARM, an ERO officer can choose to view travel document information stored in eTD. The officer is automatically authenticated in eTD and is able to view the travel document request and/or the issued travel document.

#### *Executive Office for Immigration Review's (EOIR) Case Access System (CASE)*

With the release of EARM 3.0, the interface used to share data from CASE to EID is changing. Previously, EID manually ingested immigration court scheduling information from CASE so that ERO officers could view upcoming court dates for an alien. With the release of EARM 3.0, EARM and CASE established a direct system-to-system interface through which EARM queries CASE to obtain the latest information for a particular court case, as required by the user. With this new interface CASE data will no longer be ingested and stored in EID.

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<sup>5</sup> See ICE Electronic Travel Document System PIA at <http://www.dhs.gov/privacy>.





### *Crime Entry Screen (CES)*

With the release of EARM 3.0, CES is available to EABM and EARM users. This enables users at ICE, CBP, and USCIS to use CES and allows authorized users to enter criminal history information into EID during the booking phase of an enforcement action. This also supports the generation of ICE levels for an alien at an earlier stage of the enforcement process. The ICE Level information helps ICE law enforcement personnel in the field prioritize their enforcement activities on high-priority criminal aliens in line with ICE's enforcement policies. (For more information on the CES and ICE Levels, please see the Alien Criminal Response Information Management System (ACRIME) & Enforcement Integrated Database (EID) PIA Update.<sup>6</sup>)

## **Reason for the PIA Update**

The PIA for EID was last updated in September 2010, and reflected the system at that time. 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 additional information to better assist ERO personnel with the booking, detention, and removal of aliens. Most of the new information is obtained from other systems and is not collected directly from individuals.

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<sup>6</sup> See Alien Criminal Response Information Management System (ACRIME) & Enforcement Integrated Database (EID) Update at <http://www.dhs.gov/privacy>.



### *Electronic Bond Processing*

EID contains additional types of information related to electronic bond requests; however, none of the new information is related to detainees:

- Information about forms submitted as part of the bond process including the date the form was received, the document's ID, the date it was reviewed, and by whom;
- Information about the bond including the date it was received, the document's ID, the date it was either approved or denied, and the person who either approved or denied it;
- Names of surety companies and their agents; and
- System identifiers for documents and individuals that enable data to be exchanged between EARM and eBONDS and EARM and BMIS Web.

### *ENFORCE Alien Detention Module (EADM)*

With the retirement of EADM, EARM was enhanced to provide an integrated and comprehensive view of the information regarding a detainee's detention and removal. Several new types of information are being added to EARM as a result:

- Previously, EARM could only store one photo of the detainee. EARM can now store multiple photos of the individual and other images associated with the individual including images of scanned documents or other objects.
- Information related to the phone calls that detainees make:
  - The person who was called;
  - The person's relationship to the detainee such as mother, brother, or attorney;
  - Date of the call;
  - Success of the call – whether the call went through or not;
  - Length of the call;
  - Phone number that was called;
  - The ERO officer who allowed the detainee to make the call; and
  - Any comments by the ERO officer related to the call.
- System-generated reminders to ERO officers prompting actions such as allowing a detainee to make a phone call or bringing a detainee to an appointment:
  - Date when the task needs to be done;
  - Indication that the task is either pending or completed; and
  - Instructions for the task.
- Information regarding the detainee's detention:
  - Indicator whether the detainee should be treated as a juvenile;
  - Detainee's assigned bed/unit; and
  - Date when the detainee's attorney was notified about the detainee being moved.



Four reports currently in EADM are being moved over to EARM. The Current Detainee Report shows detainees in ICE custody. The Man Days Report lists detainees and the number of days that each detainee has been in detention at their current facility. The Hanging Transfer Report shows detainees who have been transferred out of a detention facility but who have not yet been enrolled in another detention facility. The Alert Code Report lists detainees who have an alert code assigned to them such as “aggravated felon” or “dangerous – hostile toward law enforcement officers.” These reports function as they did in EADM.

### *Medical Screening Information*

As mentioned above, EID contains limited medical screening information about detainees. With the EARM 3.0 release, IHSC staff are able to input into EID additional information regarding detainees in IHSC-staffed facilities:

- Medical intake and book-out screening date;
- Screening status (pending or completed); and
- IHSC medical alert and IHSC medical hold which indicate whether there are medical-based restrictions on transporting the detainee.

### *ATD Module*

As mentioned above, the ATD program enables ICE to supervise the individuals that have been released into the community as part of the program. Below is the information that is stored in EID related to ATD:

- Dates of enrollment in ATD and termination from the program including reason for termination (e.g., person departed, person was removed, person has been granted an immigration benefit, etc.);
- Information used to evaluate the individual’s suitability for the program such as whether the person is subject to mandatory detention or whether the person is a threat to national security or public health or safety;
- Indication whether the individual is assigned to the full-service component or the technology-only component and the type of technology assigned;
- Information regarding incidents involving participants with full-service supervision that have not complied with the ATD requirements (e.g., those that have absconded, been arrested, or been hospitalized). The information that is recorded is:
  - Date of the incident report;
  - Incident type;



- Location where the incident occurred;
  - ERO and ICE HQ authorities that were notified; and
  - Scanned images of documents related to the incident such as an arrest sheet.
- Information regarding participants' automobiles such as vehicle type (e.g., recreational vehicle, motorcycle, bus, commercial vehicle), vehicle identification number, and license plate number. There is also a free text field that allows the user to include other information related to the vehicle.

Three new ATD reports have been created. As noted above, the ATD Eligible for Participation Report identifies candidates for the ATD program and contains information about each individual including:

- Biographic information such as name, A-Number, country of citizenship, and date of birth;
- Indication if the individual is a criminal and his or her aggravated felon code;
- Information about the individual's detention such as detention facility, book out or release reason if the individual has been released, and the ERO office overseeing the individual's case and detention; and
- Indication if there is an active bond for the individual, if it has been breached, and if there is a final order of removal.

The Active ATD Participants Report identifies all individuals currently in the ATD program and includes:

- Biographic information such as name, A-Number, country of citizenship, and date of birth;
- Indication if the individual is a criminal and his or her aggravated felon code;
- ERO office overseeing the individual's case;
- Indication if there is an active bond for the individual; and
- Information related to the individual's participation in the program including number of days, enrollment date, and level of supervision.

The Inactive ATD Participants Report identifies all individuals whose participation in the program has been terminated and includes:

- Biographic information such as name, A-Number, country of citizenship, and date of birth;
- Indication if the individual is a criminal and his or her aggravated felon code;
- ERO office overseeing the individual's case;
- Indication if there is an active bond for the individual; and



- Information related to the individual's participation in the program including number of days, enrollment date, type of supervision, number of missed appointments, date the individual was removed from the program, and the reason for removal from ATD.

### *Crime Entry Screen (CES)*

With the release of EARM 3.0, users in both EARM and EABM are able to access CES and input the following additional information:

- Date of conviction;
- Date the charge was dropped or dismissed;
- Length of sentence;
- Indicate whether a financial loss was incurred; and
- Indicate whether the crime was against a minor.

### *Data Accuracy and Privacy Risks*

The release of EARM 3.0 has not resulted in the creation of any new significant privacy risks. Many of the changes provide additional information to personnel who have a need for it. For example, combining the EADM and EARM information in one place or making the criminal history information in the CES accessible in both EABM and EARM ensures that personnel have the information they need in order to handle detainees appropriately.

As mentioned above, EARM 3.0 also implements new features that improve data accuracy. New business rules help to ensure that data is entered accurately. Additionally, EARM now queries CASE directly, meaning EID no longer ingests data from CASE. This reduces the proliferation of personally identifiable information within government information systems and improves the currency of the information available to ICE personnel regarding court schedules for detainees. This helps to reduce the possibility of errors based on out-of-date court scheduling data.

### **Uses of the System and the Information**

Externally, there is one new use of the data. The interaction of EID with BMIS Web and eBONDS enables surety agents to post immigration bonds online and to receive notification that a bond has been approved.

Internally, there are several new uses of the data. First, ERO officers use the electronic bond processing enhancements to better route, process, and manage bond requests. Second, several of the changes enable ERO to better manage the detention and removal of detainees, specifically the merging of



EADM information into EARM, the accessibility of the CES from both EABM and EARM, and enabling IHSC medical personnel to enter limited medical information including medical alerts and holds. Finally, the functionality that has been added to support ATD enables ERO officers to better manage individuals in the ATD program. The “emergency reports” provided by the contractor not only allow ERO officers to identify participants who do not comply with ATD requirements, but also enable ERO personnel to track program enrollment, provide statistical reporting, and reconcile invoices from the contractor. The new ATD reports that have been added in EARM 3.0 also help ERO to manage participants in the program, gather statistical information about the program, and calculate payment to the ATD contractor.

### **Retention**

There are no changes to records retention as a result of this PIA update.

### **Internal Sharing and Disclosure**

The release of EARM 3.0 has not resulted in any changes in the sharing of EID data with other DHS components.

### **External Sharing and Disclosure**

There have been two changes to how data is shared outside DHS. The first is that EARM sends a query to CASE in order to retrieve immigration court scheduling information. The second is that EARM shares data with surety companies via the eBONDS interface.

### **Notice**

Most of the new information being collected in EID as a part of the EARM 3.0 release comes from other systems that interact with EID; therefore, ICE is not in a position to provide notice at the time of its collection. The agencies that collect this information, including ICE, 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 Privacy Act System of Records Notices (SORN). The following SORNs are published in the Federal Register and describe the data that EID receives from other systems as part of the release of EARM 3.0:

<b>System Name</b>	<b>Agency</b>	<b>Systems of Records Notice</b>
BMIS Web and eBONDS	ICE	Bonds Management Information System (BMIS), DHS/ICE-004, February 15, 2011, 76 FR 8761
CASE	Department of Justice	Records and Management Information System, EOIR-001, January 25, 2007, 72 FR 3410
EID (EADM, EARM, EABM)	ICE	Immigration and Enforcement Operational Records System (ENFORCE), DHS/ICE-011, May 3, 2010, 75 FR 23274



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Detainees are aware that ICE collects information about their phone calls. They are asked to provide ERO officers with the name of the person to be called, the person's relationship to the detainee, and the phone number to be called and this information is noted in EARM. Detainees also receive notice regarding their participation in the ATD program. Participants sign the rules of participation indicating their willingness to comply with them. Individuals receiving technology-only oversight meet with an ERO officer to discuss their supervision plan while individuals receiving full-service supervision are interviewed by one of the contractor's case specialists. The case specialist may collect additional information directly from the detainee. It is important to note that any additional information that the detainee provides to the contractor is voluntary.

Because EID receives some data from other systems and is a system used for law enforcement purposes, individuals are 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. All of the information in EID is collected in order to help ICE with the booking, detaining, and removing of detainees. 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 ENFORCE SORN mitigate 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 access, redress, and correction procedures described in the EID PIA and subsequent PIA updates.

## **Technical Access and Security**

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

## **Technology**

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

## **Responsible Official**

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

## **Approval Signature**

Original signed copy on file with the DHS Privacy Office.

Mary Ellen Callahan  
Chief Privacy Officer  
Department of Homeland Security