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## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

# PLAN TO UTILIZE THE FY 2009 APPROPRIATION FOR THE REMOVAL OF CRIMINAL ALIENS

IN ALIGNMENT WITH

## SECURE COMMUNITIES:

A COMPREHENSIVE PLAN TO IDENTIFY AND REMOVE CRIMINAL ALIENS

DECEMBER 2008

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## 1 Executive Summary

For Fiscal Year (FY) 2008, Congress provided Immigration and Customs Enforcement (ICE) with \$200 million to “improve and modernize efforts to identify aliens convicted of a crime, sentenced to imprisonment, and who may be deportable, and remove them from the United States once they are judged deportable.” Before the funds could be expended, Congress asked for a plan to modernize the policies and technologies used to identify and remove aliens.

On March 24, 2008, ICE submitted Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens (SC/CIRCA) to Congress. SC/CIRCA sets out a comprehensive plan to improve community safety by transforming the way the Federal Government cooperates with state and local law enforcement agencies to identify, detain, and remove all criminal aliens held in custody. Once implemented, SC/CIRCA will revolutionize immigration enforcement by using technology to share information between law enforcement agencies and by applying risk-based methodologies to focus resources on assisting all local communities in the removal of those criminal aliens representing the greatest threat to community safety.

To meet its stated mission, SC/CIRCA sets four goals along with a number of operational objectives that will move ICE toward achievement of those goals. The SC/CIRCA goals are:

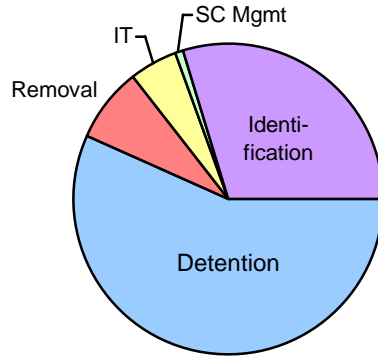
- **Strategic Goal 1** – Identify and process all criminal aliens amenable for removal while in federal, state and local custody;
- **Strategic Goal 2** – Enhance current detention strategies to ensure no removable criminal alien is released into the community due to a lack of detention space or an appropriate alternative to detention;
- **Strategic Goal 3** – Implement removal initiatives that shorten the time criminal aliens remain in ICE custody prior to removal, thereby maximizing the use of detention resources and reducing cost; and
- **Strategic Goal 4** – Maximize cost effectiveness and long term success through deterrence and reduced recidivism of criminal aliens returning to the United States.

In the FY 2009 DHS Appropriations Act (P.L. 110-329) Congress appropriated an additional \$150 million for SC/CIRCA to meet the program’s goals. Congress further required ICE to utilize at least \$850 million of existing programs’ resources “to identify aliens convicted of a crime, and who may be deportable, and to remove them from the United States once they are judged deportable.” This report describes how ICE plans to obligate over \$1.4 billion in total funds provided by Congress in FY 2009 toward achievement of the four stated SC/CIRCA goals. This amount is comprised of over \$1.15 billion in base funds, over \$180 million of FY 2008/2009 SC/CIRCA funds and over \$75 million of FY 2009/2010 SC/CIRCA funds. In addition, the document describes how ICE will utilize the full \$150 million provided in its FY 2009 appropriation over the next two years to improve its ability to identify and remove criminal

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aliens. Table 1 provides a summary of ICE’s planned combined obligations in FY 2009 from all appropriation sources.

**Table 1: Planned FY 2009 Obligations**  
(dollars in thousands)



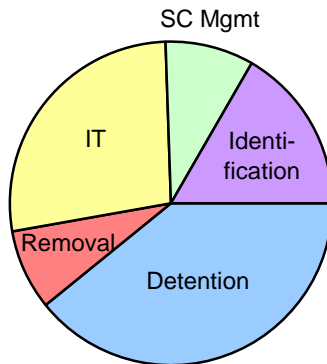
Category of Activity	Purpose	Total FY09 Obligations <sup>1</sup>
<b>Identification and Processing</b>		<b>\$419,291</b>
Criminal Alien Program	Identifies criminal aliens incarcerated in US prisons and jails	\$172,309
Interoperability Response	Initiates enforcement on Interoperability-identified criminal aliens	\$25,733
Joint Criminal Alien Removal	Identifies violent at-large criminal aliens for arrest	\$4,077
Fugitive Operations	Apprehends criminal alien absconders	\$36,236
Criminal Alien Investigations	Investigates criminal aliens engaging in continued criminal activity	\$38,900
287(g) Delegation of Authority	Extends immigration enforcement through trained LEA personnel	\$54,130
Law Enforcement Support Center	Provides LEAs with alien status of criminals/suspects	\$50,995
Operation Repeat Offender	Prosecutes violent criminal alien recidivists	\$36,129
Operation Last Call	Targets captured criminal aliens as intelligence/lead sources	\$782
<b>Detention and Removal</b>		<b>\$910,993</b>
Availability of Detention Beds	Provides detention space for holding apprehended criminal aliens	\$612,777
Operation of Detention Beds	Provides personnel to operate detention space	\$188,378
Removal Transportation	Provides transportation to remove criminal aliens from the US	\$109,838
<b>Information Technology</b>		<b>\$70,507</b>
Identification Systems	Provides automation support for identifying criminal aliens	\$41,140
Detention and Removal Systems	Provides automation support for detaining/removing criminal aliens	\$20,300
Video Teleconferencing	Enables remote criminal alien identification and removal processing	\$6,007
IT Management & Architecture	Manages and ensures integration of automation support projects	\$3,060
<b>Management Support</b>		<b>\$11,004</b>
Program Management Office	Performs comprehensive SC/CIRCA planning and management	\$6,902
Facilities and Mission Support	Provides acquisitions, HR, facilities and other mission support	\$4,102
<b>Total</b>		<b>\$1,411,795</b>

<sup>1</sup> Combines planned obligations in FY 2009 using FY 2009 ICE Base funds, \$200 million of FY 2008/2009 SC/CIRCA funds and \$150 million of FY 2009/2010 SC/CIRCA funds. Amounts in this column do not include obligations made in FY 2008 using FY 2008/2009 SC/CIRCA funds or amounts planned for obligation in FY 2010 using FY 2009/2010 SC/CIRCA funds.

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Table 2 provides a summary of ICE’s planned utilization of the \$150 million in SC/CIRCA funds provided as part of the FY 2009 Appropriation. It shows funding that will be obligated in both FY 2009 and FY 2010. Table 5 shows use of FY 2009/2010 SC/CIRCA funds by year of obligation. ICE may continue to revise SC/CIRCA fund obligation and utilization plans stated within this document as the component refines plans and assesses operational successes or challenges encountered over the next months.

**Table 2: Planned Use of FY 2009/2010 SC/CIRCA Funds**  
(dollars in thousands)



Category of Activity	Use of FY09/10 SC/CIRCA Funds	Amount
<b>Identification and Processing</b>		
Interoperability Response	Adds high, HRAs and pilots 3 command centers	\$14,233
Joint Criminal Alien Removal	Adds pilot JCART teams	\$4,077
Operation Repeat Offender	Adds high, VCAS teams	\$6,749
<b>Detention and Removal</b>		
Availability of Detention Beds	Adds 0 beds	\$42,638
Operation of Detention Beds	Adds high, personnel to operate new beds	\$16,080
Removal Transportation	Provides transportation to remove criminal aliens from the US	\$12,210
<b>Information Technology</b>		
Identification Systems	Expands automation support for identifying criminal aliens	\$32,553
Video Teleconferencing	Extends VTC to addition prison/jail, EOIR and ICE locations	\$6,127
IT Management & Architecture	Extends IT management and integration oversight	\$2,158
<b>Management Support</b>		
Program Management Office	Expands comprehensive SC/CIRCA planning and management	\$9,660
Facilities and Mission Support	Expands acquisitions, HR, facilities and other mission support	\$3,515
<b>Total</b>		<b>\$150,000</b>

As the graphs accompanying Tables 1 and 2 illustrate, detention costs comprise the majority of annual criminal alien identification and removal costs. Personnel engaging in criminal alien identifications comprise the second largest cost. ICE plans to invest SC/CIRCA funds in Information Technology and Management/Planning activities at substantially greater proportions than the annual costs associated with these activities. These efforts will be the primary drivers for developing the new methods and efficiencies needed to achieve SC/CIRCA Strategic Goals.

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## 2 Background

### 2.1 FY 2008 Legislation

Congress provided ICE with \$200 million in FY 2008/2009 to “improve and modernize efforts to identify aliens convicted of a crime, sentenced to imprisonment, and who may be deportable, and remove them from the United States once they are judged deportable.” Before the funds could be expended, Congress required a plan to modernize the policies and technologies used to identify and remove aliens, that:

- Presents a strategy for ICE to identify every criminal alien at the prison, jail, or correctional facility in which they are held;
- Establishes the process ICE, in conjunction with the Department of Justice (DOJ), will use to make every reasonable effort to remove, upon their release from custody, all criminal aliens judged deportable;
- Presents a methodology ICE will use to identify and prioritize for removal criminal aliens convicted of a crime; and
- Defines associated activities, milestones, resources, and performance measurements.

On March 24, 2008, ICE submitted to Congress SC/CIRCA, a comprehensive plan to improve community safety by transforming the way the Federal Government cooperates with state and local law enforcement agencies to identify, detain and remove all criminal aliens held in custody. Once implemented, SC/CIRCA will revolutionize immigration enforcement by using technology to share information between law enforcement agencies and by applying risk-based methodologies to focus resources on assisting all local communities in the removal of those criminal aliens representing the greatest threat to community safety.

### 2.2 FY 2009 Legislation

Through P.L. 110-329, Congress appropriated an additional \$150 million for SC/CIRCA to meet the program’s goals. The statute includes the following language:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations...: \$4,927,210,000;...*Provided further*, That of the total amount available, not less than \$1,000,000,000, of which \$150,000,000 shall remain available until September 30, 2010, shall be available to identify aliens convicted of a crime, and who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary [of Homeland Security] shall report to the Committees on Appropriations of the Senate and the House of Representatives, at least quarterly, on progress implementing the preceding proviso, and the funds obligated during that quarter to make that

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progress: *Provided further*, That the Secretary shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime...

The Explanatory Statement accompanying P.L. 110-329 includes the following provision:

The bill includes \$4,927,210,000 for U.S. Immigration and Customs Enforcement (ICE) Salaries and Expenses. Within the total budget for Salaries and Expenses, \$1,000,000,000 is for efforts to identify individuals illegally present in the United States who have criminal records, whether incarcerated or at-large, and to remove those aliens once they have been judged deportable in immigration court.

The bill recognizes the complex mix of programs and priorities that ICE faces by providing a significant funding increase for the agency's overall operations. The bill requires that within the resources provided to ICE \$1,000,000,000 shall be to address the compelling need to remove from the United States deportable criminal aliens, whether in custody or at-large. Of this amount, \$150,000,000 is additional funding that was not requested by the President and \$850,000,000 is from within existing ICE programs to strengthen the agency's focus on this challenge.

The bill requires ICE to report to the Committees on exactly how it will allocate the funds provided for this purpose, and to provide quarterly updates on its expenditures and progress toward identifying and removing all deportable criminal aliens.

### 2.3 Report Purpose

In addition to legislative quarterly progress reporting requirements, the Explanatory Statement accompanying P.L. 110-329 further requires:

Within 30 days after the date of enactment of this Act, ICE shall submit a report detailing how the agency will utilize the additional \$150,000,000 provided in the bill, as well as an explicit plan for how ICE will allocate \$850,000,000 of existing program resources to the identification and removal of deportable criminal aliens. As discussed in the House report, ICE should clearly identify activities across the entire range of its programs and explain how they are focused on efforts to identify and remove deportable criminal aliens.

This report addresses the requirement above by describing how ICE plans to use the following appropriations to further its ongoing efforts to identify and remove criminal aliens:

- \$200 million for SC/CIRCA in excess of existing program resources provided in FY 2008, which shall remain available until September 30, 2009;
- At least \$850 million of existing program resources provided in FY 2009; and
- \$150 million for SC/CIRCA in excess of existing program resources provided in FY 2009, which shall remain available until September 30, 2010.

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### 3 FY 2009 Appropriation Utilization Plan to Remove Criminal Aliens

This section describes ICE FY 2009 obligation plans in support of efforts to identify and remove deportable criminal aliens from the three available appropriations provided by Congress: FY 2009 Base funds, FY 2008/2009 SC/CIRCA funds and FY 2009/2010 SC/CIRCA funds. It also describes how ICE plans to use \$150 million of FY 2009/2010 funds in both FY 2009 and FY 2010 within one comprehensive report.

To determine FY 2009 base funds that ICE will utilize to identify and remove deportable criminal aliens, ICE reviewed its entire range of programs. Table 3 displays base funded activities contributing toward criminal alien identification and removal as well as new efforts undertaken as part of SC/CIRCA to improve criminal alien identification and removal. Tables 4 and 5 display SC/CIRCA funded activities contributing toward criminal alien identification and removal as well as the expected obligations by year for each effort. SC/CIRCA funding levels are likely to change as planning progresses and execution continues. The following subsections explain how each funded activity contributes to criminal alien enforcement.

**Table 3: Planned FY 2009 Obligations by Category of Appropriation**  
(dollars in thousands)

Category of Activity	Planned FY 2009 Obligations by Appropriation			Total
	FY09 Base	FY09 Portion of FY08/FY09 SC/CIRCA	FY09 Portion of FY09/FY10 SC/CIRCA	
<b>Identification and Processing</b>	<b>\$352,585</b>	<b>\$41,647</b>	<b>\$25,059</b>	<b>\$419,291</b>
Criminal Alien Program	\$162,089	\$10,220	\$0	\$172,309
Interoperability Response	\$0	\$11,500	\$14,233	\$25,733
Joint Criminal Alien Removal	\$0	\$0	\$4,077	\$4,077
Fugitive Operations	\$36,236	\$0	\$0	\$36,236
Criminal Alien Investigations	\$38,900	\$0	\$0	\$38,900
287(g) Delegation of Authority	\$54,130	\$0	\$0	\$54,130
Law Enforcement Support Center	\$34,250	\$16,745	\$0	\$50,995
Operation Repeat Offender	\$26,980	\$2,400	\$6,749	\$36,129
Operation Last Call	\$0	\$782	\$0	\$782
<b>Detention and Removal</b>	<b>\$803,700</b>	<b>\$71,829</b>	<b>\$35,464</b>	<b>\$910,993</b>
Availability of Detention Beds	\$548,900	\$42,558	\$21,319	\$612,777
Operation of Detention Beds	\$163,700	\$16,638	\$8,040	\$188,378
Removal Transportation	\$91,100	\$12,633	\$6,105	\$109,838
<b>Information Technology</b>	<b>\$0</b>	<b>\$56,007</b>	<b>\$14,500</b>	<b>\$70,507</b>
Identification Systems	\$0	\$26,640	\$14,500	\$41,140
Detention and Removal Systems	\$0	\$20,300	\$0	\$20,300
Video Teleconferencing	\$0	\$6,007	\$0	\$6,007
IT Management & Architecture	\$0	\$3,060	\$0	\$3,060
<b>Management Support</b>	<b>\$0</b>	<b>\$11,004</b>	<b>\$0</b>	<b>\$11,004</b>
Program Management Office	\$0	\$6,902	\$0	\$6,902
Facilities and Mission Support	\$0	\$4,102	\$0	\$4,102
<b>Total</b>	<b>\$1,156,285</b>	<b>\$180,487</b>	<b>\$75,023</b>	<b>\$1,411,795</b>

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**Table 4: Planned Use of FY 2008/2009 SC/CIRCA Funds**  
(dollars in thousands)

Category of Activity	Planned Year of Obligation		Total
	FY 2008	FY 2009	
<b>Identification and Processing</b>	<b>\$1,665</b>	<b>\$41,647</b>	<b>\$43,312</b>
Criminal Alien Program	\$0	\$10,220	\$10,220
Interoperability Response	\$0	\$11,500	\$11,500
Law Enforcement Support Center	\$1,665	\$16,745	\$18,410
Operation Repeat Offender	\$0	\$2,400	\$2,400
Operation Last Call	\$0	\$782	\$782
<b>Detention and Removal</b>	<b>\$1,557</b>	<b>\$71,829</b>	<b>\$73,386</b>
Availability of Detention Beds	\$1,557	\$42,558	\$44,115
Operation of Detention Beds	\$0	\$16,638	\$16,638
Removal Transportation	\$0	\$12,633	\$12,633
<b>Information Technology</b>	<b>\$10,553</b>	<b>\$56,007</b>	<b>\$66,560</b>
Identification Systems	\$10,202	\$26,640	\$36,842
Detention and Removal Systems	\$0	\$20,300	\$20,300
Video Teleconferencing	\$351	\$6,007	\$6,358
IT Management & Architecture	\$0	\$3,060	\$3,060
<b>Management Support</b>	<b>\$5,738</b>	<b>\$11,004</b>	<b>\$16,742</b>
Program Management Office	\$5,738	\$6,902	\$12,640
Facilities and Mission Support	\$0	\$4,102	\$4,102
<b>Total</b>	<b>\$19,513</b>	<b>\$180,487</b>	<b>\$200,000</b>

**Table 5: Planned Use of FY 2009/2010 SC/CIRCA Funds**  
(dollars in thousands)

Category of Activity	Planned Year of Obligation		Total
	FY 2009	FY 2010	
<b>Identification and Processing</b>	<b>\$25,059</b>	<b>\$0</b>	<b>\$25,059</b>
Interoperability Response	\$14,233	\$0	\$14,233
Joint Criminal Alien Removal	\$4,077	\$0	\$4,077
Operation Repeat Offender	\$6,749	\$0	\$6,749
<b>Detention and Removal</b>	<b>\$35,464</b>	<b>\$35,464</b>	<b>\$70,928</b>
Availability of Detention Beds	\$21,319	\$21,319	\$42,638
Operation of Detention Beds	\$8,040	\$8,040	\$16,080
Removal Transportation	\$6,105	\$6,105	\$12,210
<b>Information Technology</b>	<b>\$14,500</b>	<b>\$26,338</b>	<b>\$40,838</b>
Identification Systems	\$14,500	\$18,053	\$32,553
Video Teleconferencing	\$0	\$6,127	\$6,127
IT Management & Architecture	\$0	\$2,158	\$2,158
<b>Management Support</b>	<b>\$0</b>	<b>\$13,175</b>	<b>\$13,175</b>
Program Management Office	\$0	\$9,660	\$9,660
Facilities and Mission Support	\$0	\$3,515	\$3,515
<b>Total</b>	<b>\$75,023</b>	<b>\$74,977</b>	<b>\$150,000</b>

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### 3.1 Identification and Processing

In FY 2009, ICE will conduct seven activities to identify criminal aliens for removal in alignment with SC/CIRCA Strategic Goal 1. These activities are:

- Criminal Alien Program (CAP)
- Interoperability Response
- Joint Criminal Alien Removal
- Fugitive Operations (Fug Ops)
- Criminal Alien Investigations
- 287(g) Delegation of Authority
- Law Enforcement Support Center (LESC)
- Operation Last Call (OLC)

ICE also currently runs Operation Repeat Offender to identify violent criminal alien recidivists apprehended through the above ICE initiatives. Once identified, ICE aggressively seeks prosecution of these aliens for felony immigration violations in alignment with SC/CIRCA Strategic Goal 4. Felony immigration convictions remove these dangerous criminals from the streets and serve as a deterrent.

Among existing operations predating SC/CIRCA, CAP has effectively targeted incarcerated criminal aliens within large, concentrated criminal alien population centers. Fug Ops and Criminal Alien Investigations have effectively targeted certain at-large criminal alien populations such as fugitives and gang members. In support of these efforts, 287(g) provides additional officers from participating LEAs to enforce immigration law. For the many LEAs not participating in 287(g), the LESC acts as a single DHS point of contact for sharing information on suspected criminal aliens.

While existing ICE criminal alien identification programs have proven successful at helping ICE remove over 110,000 criminal aliens in FY 2008, SC/CIRCA plans call for expanded capacity and new methods to improve upon existing identification capabilities. As a critical part of SC/CIRCA plans, ICE will more actively prioritize enforcement against identified criminal aliens based upon threat to the community as determined by the severity of the aliens' criminal histories and proximity of release back into the community. Improved enforcement prioritization within all identification activities will maximize the use of ICE's available resources to protect the American public. Another major new activity under SC/CIRCA plans, Interoperability Response, will leverage information sharing through the FBI on arrested persons to develop criminal alien identification methods and 24x7x365 enforcement responses more suitable to nationwide identification of criminal aliens. By using technology over manual identification methods, this effort will extend more proactive identification capabilities to regions of our nation having smaller, dispersed criminal alien populations. Two new pilot programs will test new methods for identifying criminal aliens. First, Joint Criminal Alien Removal will target the apprehension of high-threat at-large criminal aliens not traditionally focused upon by Fug Ops

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and Criminal Alien Investigations. Second, since ICE will aim to apprehend the “worst of the worst”, ICE plans to pilot Operation Last Call to target use of apprehended criminal aliens as intelligence sources.

**Criminal Alien Program (CAP)**

CAP is the current ICE model for identifying, charging and removing criminal aliens from the United States. Under the CAP program, ICE assigns teams comprised of up to 10 CAP individuals to work at the local level in direct coordination with ICE offices and LEAs to remove criminal aliens from the nation’s prisons and jails. CAP utilizes these direct LEA partnerships to identify and initiate removal proceedings against criminal aliens while they are incarcerated for the crimes they have committed. This model has proven very successful in building effective working relationships between ICE and LEA partners at prisons and jails with large, concentrated criminal alien populations.

In FY 2008, Congress authorized ICE to hire an additional CAP teams. ICE has deployed authorized Y 2008 CAP teams, for a total of operational CAP teams. teams in are still pending deployment. Deploying t has allowed ICE to expand full screening to all federal, all state and 13 percent of local prisons and jails. Where full screening is not in place, ICE has provided local jails with ICE points of contact and 24x7 call-in numbers to make additional inquiries regarding foreign born detainees. Through existing screening capabilities, CAP issued charging documents against 221,085 identified criminal aliens in FY 2008. This criminal alien identification level represents greater than a 34% increase compared to FY 2007.

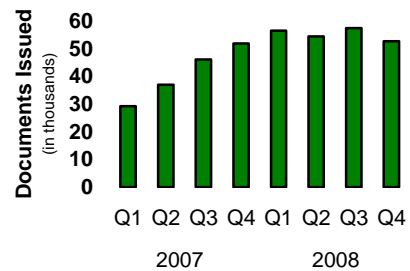
While supporting Interoperability rollout, CAP will continue to expand ICE criminal alien screening of current inmate populations held at prisons and jails across the nation. ICE will continue screening jails and prisons as part of the overall SC/CIRCA plan in order to identify criminal aliens incarcerated prior to the implementation of Interoperability and to act as a second layer of identification for criminal aliens with no biometric identifier recorded in IDENT, who may not be detected through Interoperability. In FY 2009, CAP plans to obligate \$162,089,000 in base funds to support its ongoing efforts. Further, ICE plans to obligate \$10,220,000 of FY 2008/2009 SC/CIRCA funds to deploy new CAP teams to sites selected to align with Phase 1 of the Interoperability rollout. ICE has established plans to deploy the new teams to

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**CAP: Key Information**

- Issued 221,085 charging documents in FY08, a 34% increase over FY07
- Current teams screen all federal, all state and 13% of local prisons using \$162.1M of base FY09 funds
- ICE will add teams in FY09 using \$10.2M of SCIRCA FY08/09 funds

**CAP Charging Documents Issued**



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## Interoperability Response

ICE will leverage Interoperability between the Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division (CJIS) Integrated Automated Fingerprint Identification System (IAFIS) and DHS' United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Automated Biometric Identification System (IDENT) to perform full nationwide criminal alien identifications. By taking advantage of existing nationwide criminal identifications performed by IAFIS at the time of every arrest and matching each arrest submission to IDENT for quick biometric identification of subjects who may be aliens, Interoperability provides ICE with a cost effective mechanism for conducting nationwide criminal alien screening. To identify high-threat criminal aliens among numerous Interoperability hits, ICE will require field personnel to support criminal alien identifications and initiate immediate enforcement actions on a 24x7x365 basis in order to prevent the aliens' release from LEA custody back into the community. These personnel will possess the same skills as CAP personnel, but will operate at LEA sites across entire jurisdictions in support of Interoperability hits upon arrest instead of focusing solely on jails and prisons. Eventually CAP and IRA operations will merge as ICE moves to more integrated criminal alien identification processes both inside jails and prisons and at points of arrest. ICE plans to use a combined \$23,861,000 of FY 2008/2009 and FY 2009/2010 SC/CIRCA funds to hire <sup>b2 high, b7E</sup> new Interoperability Response Agents (IRAs) and \$1,872,000 of FY 2009/2010 SC/CIRCA funds to expand three existing offices to create regional command centers from which the IRAs can operate.

## Joint Criminal Alien Removal

To target at-large criminal aliens in the systematic manner that CAP targets criminal aliens held in LEA custody, ICE plans to pilot <sup>b2 high, b7E</sup> Joint Criminal Alien Removal Task Force (JCART) teams. These teams will concentrate initial efforts on developing repeatable methods for apprehending high-threat at-large criminal aliens.

JCART pilot teams will set previously deported at-large criminal aliens as one of their first target populations. This population includes all aliens who have been previously deported and reentered the U.S and who also have been convicted of a crime and released from jail. A recent study of Los Angeles County inmates by RAND Corporation found that previously deported criminal aliens are far more likely than other inmates to commit additional crimes upon their release. Nearly 75% of the previously

## **IRA: Key Information**

- Provide 24x7x365 enforcement against criminal aliens identified via Interoperability
- ICE will add <sup>b2 high, b7E</sup> IRAs in FY09 using \$11.5M of SC/CIRCA FY08/09 funds
- ICE will add <sup>b2 high, b7E</sup> IRAs and pilot 3 command centers in FY09 using \$14.2M of SC/CIRCA FY09/10 funds

## **JCART: Key Information**

- A RAND study found recidivist criminal aliens to have very high risk for committing additional crimes
- About 5 million people are actively on probation and parole in the US, 49% of whom are convicted felons
- ICE will pilot <sup>b2 high, b7E</sup> JCART teams in FY09 using 1M of SC/CIRCA FY09/10 funds
- JCART teams will develop methods to systematically apprehend at-large high-threat criminal aliens

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deported criminal alien population went on to be arrested for suspicion of additional criminal activity within one year and 28% were arrested three or more times during the one-year period. ICE believes that the findings of this study apply to similar urban counties throughout the nation. Since this study finds previously deported criminal aliens to be among the greatest dangers to the American public for committing additional crimes, ICE will more aggressively target apprehension of these individuals before they commit new crimes, reenter LEA custody and become subject to identification through CAP and Interoperability.

To achieve their stated mission, JCART pilot teams will develop systematic methods to locate high-threat at-large criminal aliens, including those who have been previously deported. Central to developing successful operations, JCART teams will pursue partnerships with other federal, state and local law enforcement agencies to leverage their existing workforce knowledge and information sources. One key information source will be probation and parole records. The Bureau of Justice Statistics estimates the current probation and parole population in the United States at 5 million offenders, of whom about half (49 percent) have been convicted of a felony. ICE will determine the extent that criminal alien probation and parole records can be used to determine last known addresses, upcoming hearing dates and other subject information that could assist in making apprehensions. ICE will also test other location and apprehension techniques developed by Fugitive Operations and LEA partners. ICE plans to obligate \$4,077,000 of FY 2009/2010 SC/CIRCA funds to hire the pilot JCART teams.

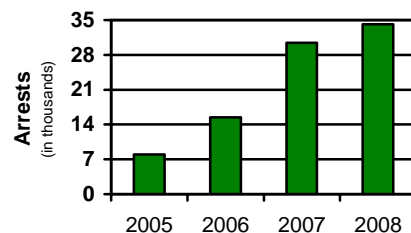
### Fugitive Operations (Fug Ops)

The primary mission of Fug Ops is to identify, locate, arrest, or otherwise reduce the at-large fugitive alien population in the United States. An ICE fugitive is defined as an alien who has failed to depart the United States based upon a final order of removal, deportation, or exclusion; or who has failed to report to a Detention and Removal Officer after receiving notice to do so. ICE's Fugitive Operations teams give top priority to cases involving aliens who pose a threat to national security and community safety, including members of transnational street gangs, child sex offenders, and aliens with prior convictions for violent crimes. In 2007, the nation's fugitive alien population declined for the first time. As of September 30, 2008, ICE's fugitive case backlog was 557,762 fugitive aliens, which was approximately 36,994 fewer fugitives than the population recorded on October 1, 2007.

### Fug Ops: Key Information

- Apprehended 5,652 criminal fugitive aliens in FY08, which represents 16% of all fugitive apprehensions
- The nation's fugitive alien population declined for the first time in FY07
- Current teams arrest fugitives costing \$226.5M of base FY09 funds
- \$36.2M (16% of base funds) support criminal fugitive apprehensions
- ICE is not planning to expand Fug Ops with SC/CIRCA funds

Fug Ops Nationwide Arrests



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While some of the backlog reduction resulted from recordkeeping cleansing, much of the credit for those results can be attributed to the rapid expansion of the Fug Ops program, the establishment of the Fugitive Operation Support Center (FOSC) and the apprehension of at-large absconders in record numbers. When the initiative launched in 2003, there were 2 high, b7c fugitive operations teams nationwide. ICE met its goal of deploying high, b7c teams by the end of FY 2007; up from high, b7c teams at the end of FY 2006. Today, ICE has high, b7c teams deployed across the country. These teams apprehended 5,652 criminal fugitive aliens in FY 2008, which is 16% of the total 34,155 aliens arrested. In FY 2009, Fug Ops plans to obligate at least \$36,236,000 of base funds, which is 16% of the total \$226,477,000 Fug Ops budget, to continue efforts to reduce the backlog of criminal fugitive aliens.

### **Criminal Alien Investigations**

ICE regularly conducts investigations to identify and remove criminal aliens who are no longer incarcerated for their crimes and who have rejoined criminal organizations. For example, ICE National Gang Unit investigations led to 1,654 criminal arrests in FY 2008 and ICE Human Smuggling and Trafficking investigations led to 2,133 criminal arrests in FY 2008. These arrest levels represent a 10% increase over criminal arrests made through such investigations in FY 2007. While some such investigations target aliens with no prior criminal record, ICE estimates that 89% of its gang investigations are focused on aliens who have prior criminal records. In addition, investigations often lead to arrests and prosecutions for new crimes. In cases where new charges are filed, ICE will work with partner LEAs to obtain new convictions against the subject aliens prior to their removal. In cases where convictions lead to criminal incarcerations, ICE will remove the aliens only after they have served their criminal sentences. In FY 2009, ICE plans to obligate \$38,900,000 of base funds to continue conducting investigations targeted at criminal aliens. ICE anticipates that this allocation will grow as ICE works to refine its data collection as it pertains to criminal aliens across its various investigative programs.

#### **Investigations: Key Information**

- Gang investigations led to 1,654 criminal arrests in FY08
- Human Trafficking investigations led to 2,133 criminal arrests in FY08
- Criminal alien investigation activities will use \$38.9M of base FY09 funds
- ICE is not planning to expand criminal alien investigations with SC/CIRCA funds

### **287(g) Delegation of Authority**

The 287(g) program, as authorized by Section 287(g) of the Immigration and Nationality Act, provides LEA officers with the necessary delegation of authority, training, resources, and latitude to enforce immigration law against aliens who they encounter as part of their law enforcement duties. It is one of several ICE Agreements of Cooperation in Communities to Enhance Safety and Security (ICE ACCESS) partnership programs through which ICE works with LEAs to identify and apprehend

#### **287(g): Key Information**

- Delegates immigration enforcement authority to over 840 LEA officers working for 63 participating LEAs
- 287(g) officers identified over 70,000 suspected criminal aliens since January 2006
- 287(g) operations will use \$54.1M of base FY09 funds
- ICE is not planning to expand 287(g) with SC/CIRCA funds

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criminal aliens. Most often, 287(g) officers act as IRA and CAP force multipliers to screen for criminal aliens upon arrest or incarceration. Some 287(g) partnerships may also target specific at-large criminal aliens for investigation by being combined with other ICE ACCESS partnership programs, which include joint investigations programs relating to violent crimes, human smuggling, gang/organized crime activity, sexual-related offenses, narcotics smuggling and money laundering. The range of ICE ACCESS programs allows for comprehensive partnerships with LEAs to combat specific criminal alien threats to their communities. To date, ICE has established 287(g) programs with 63 participating LEAs. As part of this effort, ICE has trained and certified more than 840 LEA officers. Since January 2006, these officers have been credited with identifying over 70,000 individuals, mostly in jails, who are suspected of being criminal aliens. In FY 2009, the 287(g) program plans to obligate \$54,130,000 toward 287(g) to continue delegating authority to participating LEAs for the enforcement of immigration law against criminal aliens.

**Law Enforcement Support Center (LESC)**

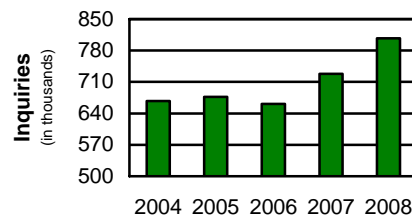
The LESL is DHS' single national point of contact for providing timely immigration status, identity information and real-time assistance to federal, state and local LEAs regarding suspected aliens accused or convicted of criminal activity. The LESL operates 24 hours a day, 7 days a week, 365 days a year. The primary users of the LESL are state and local law enforcement officers seeking information about aliens encountered in the course of their daily enforcement activities. The LESL also receives queries from federal, state and local correctional and court systems seeking information about individuals in custody or encountered elsewhere in the criminal justice system.

The LESL has immediate access to approximately 100 million records containing immigration information from every alien file maintained by DHS so that it may provide informative, accurate and timely immigration status determinations and other criminal alien identification support to its LEA customers. In FY 2008, the LESL handled 807,106 LEA inquiries representing a 9% increase over FY 2007. In FY 2009, ICE plans to obligate \$34,250,000 of base funds to continue providing support to LEAs for identifying criminal aliens held in their custody. Further, in FY 2008, ICE obligated \$1,665,000 of FY 2008/2009 SC/CIRCA funds to detail individuals to the LESL until planned new hires arrive. In FY 2009, ICE plans to obligate \$16,745,000 of additional FY 2008/2009 SC/CIRCA funds toward expanding LESL operational capacity. This funding includes hiring high, new LESL Law Enforcement Specialists (LESs) and related support/supervisory positions, ongoing detailee travel, and facilities costs to expand and outfit additional workspaces within the LESL.

**LESL: Key Information**

- Handled 807,106 LEA inquiries in FY08, a 9% increase over FY07
- Expecting several-fold increases in status determination volume due to Interoperability rollouts
- Uses \$34.3M of base FY09 funds to sustain current LEA service volumes
- ICE will add high, positions and fund detailee travel in FY09 using \$16.7M of SC/CIRCA FY08/09 funds

**LESL Inquiries Handled**



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### Operation Repeat Offender

Operation Repeat Offender ensures prosecution of aliens who continue to violate federal immigration law. Upon apprehension by any ICE enforcement effort, Violent Criminal Alien Section (VCAS) teams screen for violent criminal alien recidivists. These are aliens who have been convicted of a major crime and have returned to the U.S. after a prior deportation. Once identified, VCAS presents violent criminal alien recidivists for prosecution under applicable federal felony immigration law violations, including reentry after deportation under 8 U.S.C. § 1326. These charges invoke severe consequences against recidivists and act as a strong deterrent against further immigration law violations. Since its inception, Operation Repeat Offender has led to dramatic increases in the number of felony immigration prosecutions accepted by U.S. Attorneys. In FY 2008, 6,793 presented cases were accepted for prosecution. This represents greater than a 275% increase in accepted prosecutions compared to FY 2007. Recent Repeat Offender successes include:

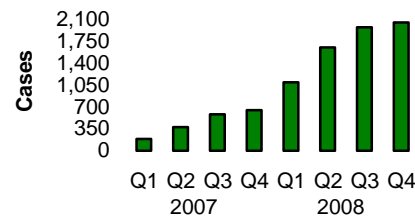
- A felony conviction and 60 month sentence against a recidivist criminal alien with multiple prior felony convictions and arrests for offenses including carjacking, assault with a deadly weapon, and robbery;
- A pending prosecution against a recidivist criminal alien previously convicted of attempted murder who was removed from the United States three times between 1998 and 2007. This is the second set of felony immigration charges brought against the alien, with the prior 2002 charges resulting in conviction and a 57 month sentence; and
- A pending prosecution against a recidivist criminal alien and member of the South Side street gang in Compton, California who was previously convicted of assault with a deadly weapon, possession of a firearm by a felon, evading a peace officer, and hit and run/injury/death.

In FY 2009, ICE plans to obligate \$26,980,000 in base funds to continue VCAS nationwide coverage as detailed above. Further, in FY 2009, ICE plans to hire high agents and additional VCAS teams who will support prosecutions against the greater number of violent criminal alien recidivists that ICE expects to identify as a result of Interoperability rollouts and JCART pilot operations. ICE plans to obligate \$9,149,000 of combined FY 2008/2009 and 2009/2010 SC/CIRCA funds to hire the additional teams.

### VCAS: Key Information

- Initiated 6,793 prosecutions against violent criminal alien recidivists in FY08, a 275% increase over FY07
- Screens aliens apprehended nationwide for prosecution referral using \$27.0M of base FY09 funds
- ICE will add high agents in FY09 using \$2.4M of SC/CIRCA FY08/09 funds
- ICE will add high teams in FY09 using \$6.7M of SC/CIRCA FY09/10 funds

### DRO Prosecution Cases Accepted



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## Operation Last Call (OLC)

Using SC/CIRCA funds, ICE plans to pilot OLC as an initiative to identify, assess, collect, exploit, process, analyze, and disseminate intelligence against criminal alien organizations derived from custodial interviews of detained criminal aliens. ICE aims to utilize policies, procedures and capabilities originally developed in counter-terrorism intelligence gathering efforts as a model for developing intelligence from apprehended high-threat criminal aliens. Intelligence analysts and investigators will use gathered intelligence related to gang activity, routes and methods used by removed aliens to reenter the country, weapons trafficking, narcotics distribution, money laundering, and other threats to public safety to break criminal networks, arrest conspiring criminal aliens and improve officer safety. Examples of counter-terrorism successes using the intelligence-gathering techniques that ICE will pilot for use with criminal aliens include:

### OLC: Key Information

- Pilots use of apprehended criminal aliens as intelligence sources against at-large criminal aliens
- Modeled after successful ICE counter-terrorism intelligence effort
- ICE will pilot ~~b2 high, b7e~~ OLC criminal alien intelligence team in FY09 using \$0.8M of SC/CIRCA FY08/09 funds

- In May 2008, the Field Intelligence Group in San Diego conducted a targeted interview of a Lebanese national who was apprehended by Customs and Border Patrol (CBP) after being smuggled into the United States from Mexico. ~~b2 high, b7e~~

~~b2 high, b7e~~

~~b2 high, b7e~~

The smuggler, believed to have ceased operations, had been implicated in the movement of hundreds of Lebanese and Iraqi nationals into the United States. The new information, provided by the IC in response to the HIR, enabled ICE to reopen its investigation of this national security threat who has reinvigorated his criminal enterprise and is once again smuggling aliens into the United States.

- In June 2008, the Field Intelligence Group in Washington DC interviewed a criminal gang member at a local jail in Houston, Texas in support of ICE Gang Surge 2008. The criminal alien was an admitted Lieutenant for the Sureno organization, a violent Latin American street gang active in El Paso and Los Angeles. The alien admitted to receiving orders from the California-based Mexican Mafia, which included execution orders or “hits” on rival gang members. He also provided information on MS-13 Gang members who were attempting to reenter the United States after having been removed. According to the alien, these gang members are seeking to return to the Alexandria, Virginia area. ICE plans follow up interviews and the alien remains cooperative.

In FY 2009, ICE plans to obligate \$782,000 of FY 2008/2009 SC/CIRCA funds to pilot OLC for use with high-threat criminal aliens apprehended through SC/CIRCA.

### 3.2 Detention and Removal

Using FY 2008 detention and removal capacity, ICE removed at least 108,379 criminal aliens. Accounting for reporting lags related to this statistic, ICE estimates total removals for the year exceeded 110,000. This removal level represents greater than an 8% increase in removals compared to FY 2007. ICE expects that removals will continue to lag other SC/CIRCA performance indicators by several months to a few years because many identified and charged criminal aliens must complete extended prison sentences before ICE removes them from the country.

Despite the anticipated lag, ICE expects a significant increase in criminal alien removals during FY 2009. First, CAP has been identifying criminal aliens serving long sentences over the last few years, many of whom are likely to be released during FY 2009. Second, as Interoperability rolls out, ICE expects to identify greater numbers of criminal aliens in FY 2009 who have violent criminal histories and have been arrested on new charges that are not likely to lead to long criminal sentences. To accommodate additional criminal alien removals, ICE is significantly expanding its detention and removal capacity using both base and SC/CIRCA funds in alignment with SC/CIRCA Strategic Goal 2.

Currently, ICE plans to obligate only base and FY 2008/2009 SC/CIRCA funds for immediate capacity needs. Prior to moving forward with plans stated in this section for making additional detention and removal capacity expansions using FY 2009/2010 SC/CIRCA funds, ICE expects to more thoroughly evaluate detention and removal capacity needs within context of the entire Secure Communities Concept of Operations. In particular, as part of this assessment, ICE will more closely consider the effects that planned process improvements aligned with SC/CIRCA Strategic Goal 3 may have on capacity needs. Many potential process improvements described in the SC/CIRCA Strategic Plan, such as increasing the use of stipulated orders for removal and implementing aggressive case management practices, are being made without significant use of additional funds; so, they are not thoroughly described in this document. Nevertheless, they should reduce average criminal alien detention times and thus limit the long-term required expansion of detention capacity. ICE will complete its Secure Communities Concept of Operations assessment, accounting for potential efficiency gains on capacity needs, within six months so that ICE can validate, adjust or select alternative capacity expansion plans prior to moving forward with execution toward the end of FY 2009 and into FY 2010.

#### Detention: Key Information

- ICE detains aliens awaiting removal at over 300 locations, most of which operate through IGSAs
- ICE expects to detain 15,192 criminal aliens on average in FY09
- 42% of beds will be devoted to criminal alien detentions, using \$548.9M of base FY09 funds
- ~~b2 high, b7e~~ detention personnel are required to operate 15,192 beds, using \$163.7M of base FY09 funds
- ICE added 43 beds in FY08 using \$1.6M of SC/CIRCA FY08/09 funds
- ICE will add 1,203 beds and ~~b2 high, b7e~~ positions in FY09 using \$59.2 of SC/CIRCA FY08/09 funds
- ICE will add up to 1,230 beds and ~~b2 high, b7e~~ positions in FY09 and FY10 using up to \$58.7M of SC/CIRCA FY09/10 funds

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### Availability of Detention Beds

ICE secures bed space capacity, monitored for compliance with National Detention Standards, in numerous detention facilities to detain criminal aliens between apprehension and removal. ICE currently uses over 300 local and state facilities operating under intergovernmental service agreements (IGSA), seven contract detention facilities, and seven ICE owned facilities. In FY 2008, approximately 68% of the ICE population was detained in a local or state facility, 17% in a Contract Detention Facility (CDF), 12% in an ICE owned facility or Service Processing Center (SPC) and 3% in other facilities. ICE estimates that 15,192 beds will be used to detain criminal aliens in FY 2009, based upon a projection that 42% of the average daily detainee population will be criminal aliens. In FY 2009, ICE plans to obligate \$548,900,000 of base funds to maintain this capacity. Further, in FY 2008, ICE obligated \$1,557,000 of SC/CIRCA FY 2008/2009 funds to add 43 beds in Krome, FL in support of Phase 1 Interoperability rollout. In FY 2009, ICE plans to obligate an additional \$42,558,000 of FY 2008/2009 SC/CIRCA funds to add 1,203 beds in support of Phase 1 Interoperability rollouts. ICE currently plans to concentrate additional beds in support of five Phase 1 Interoperability states: California, Florida, Massachusetts, North Carolina, and Texas since other Phase 1 Interoperability rollout states: Arizona, Pennsylvania, and Virginia have comparatively sufficient bed capacity available today. In FY 2009 and FY 2010, ICE plans to obligate up to \$42,638,000 of FY 2009/2010 SC/CIRCA funds to add up to 1,230 beds in support of Phase 2 and 3 Interoperability rollouts.

### Operation of Detention Beds

To operate the projected criminal alien detention capacity of 15,192 beds through FY 2009, ICE estimates that [b2 high, b7e] detention management personnel will be required. In FY 2009, ICE plans to obligate \$163,700,000 of base funds to meet this staffing level. Further, in FY 2009, ICE plans to obligate \$16,638,000 of FY 2008/2009 SC/CIRCA funds to add [b2 high, b7e] personnel who will operate 1,246 additional criminal alien beds in support of Phase 1 Interoperability rollout (43 new beds in Krome, FL plus 1,203 new beds in other stated locations). ICE will locate bed-related positions in proportion with planned bed placements. In FY 2009 and 2010, ICE plans to obligate up to \$16,080,000 of FY 2009/2010 SC/CIRCA funds to add up to [b2 high, b7e] personnel who will operate additional criminal alien beds in support of Phase 2 and 3 Interoperability rollouts.

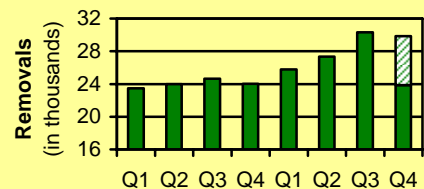
### Removal Transportation

ICE must operate air and ground transportation to return identified criminal aliens back to their countries of origin.

#### Removal: Key Information

- Removed >110,000 criminal aliens in FY08, an 8% increase over FY07
- 33% of removal capacity will be devoted to criminal aliens, using \$91.1M of base FY09 funds
- ICE will expand removal capacity by 12,633 in FY09 using \$12.6M of SC/CIRCA FY08/09 funds
- ICE will expand removal capacity by at least 12,210 in FY09 and FY10 using at least \$12.2M of SC/CIRCA FY09/10 funds

ICE Criminal Aliens Removed



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Last year, ICE estimates it removed over 110,000 criminal aliens. This removal level represents greater than an 8% increase in removals compared to FY 2007. As SC/CIRCA identifies increased numbers of criminal aliens for pickup and removal, ICE will expand both commercial and government managed alien transportation capacity.

For FY 2008, ICE's Flight Operations Unit (FOU) exceeded 145,000 foreign removals, which included over 60,000 criminal alien removals. This figure represents an 18% increase from the 50,702 criminal aliens removed via FOU in FY 2007. By the end of FY 2009, ICE will double the number of FY 2007 government managed aircraft from four to eight, consisting of four Justice Prisoner and Alien Transportation System (JPATS) aircraft and four ICE chartered aircraft. The extra aircraft will increase flight transportation capacity to approximately 300,000 alien transports per year. Each flight will be able to accommodate criminal and non-criminal aliens alike, covering potential changes in the ratio of criminal to non-criminal removals<sup>2007</sup> caused by SC/CIRCA. By increasing flight capacity according to this plan, FOU will support SC/CIRCA's FY 2009 removal needs while also providing greater flexibility in domestic alien movements, allowing for increased operational efficiencies.

In FY 2009, ICE plans to obligate \$91,100,000 of base funds to remove criminal aliens via both ground and air, based upon a projection that 33% of removals will be criminal aliens. ICE expects the criminal to non-criminal ratio to be lower for removals than detentions because criminal aliens on average remain in ICE detention longer than non-criminals. In addition to base funds, in FY 2009, ICE plans to obligate \$12,633,000 of FY 2008/2009 SC/CIRCA funds to expand criminal alien removal capacity by 12,633 removals. In FY 2009 and FY 2010, ICE plans to obligate at least \$12,210,000 of FY 2009/2010 SC/CIRCA funds to expand criminal alien removal capacity by at least 12,210 removals.

### 3.3 Information Technology

ICE will undertake Information Technology projects to support improved efficiency for most major planned SC/CIRCA Identification, Processing, Detention and Removal activities in alignment with the SC/CIRCA Strategic Goals related to the supported operational activity. The planned Information Technology projects, grouped by Category of Operational Activity, are:

- Identification Systems
- Detention and Removal Systems
- Video Teleconferencing (VTC)
- IT Management & Architecture

ICE expects its major planned technology projects to be multi-year efforts that deliver incremental improvements in support of operational efficiencies on a periodic basis. The cumulative effect of these improvements across all ICE criminal alien enforcement operations

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over the next few years will eventually culminate in fundamental advances in the speed, comprehensiveness and quality of criminal alien identifications, apprehensions and removals.

### Identification Systems

The process that ICE currently uses for identifying criminal aliens lacks the efficiencies needed to scale well in the face of rapidly growing workload demands. Today's identification process begins with ICE's receipt of incoming immigration status requests at the LESC. Once received, the Alien Criminal Response Information Management System (ACRIME) receives each request and balances the load of incoming requests across technician work queues, which are manually reviewed and prioritized by managers. The technician takes ownership of requests out of his queue one at a time and manually searches nine or more DHS and FBI databases to positively identify and determine the immigration status of the provided subject. Upon identification of a criminal alien, the technician requests system-issuance of a status determination response to the named LEA and local ICE office. The labor intensive nature of this process and the outdated systems supporting this process strain ICE's capacity to make criminal alien identifications in a timely manner. ICE must make significant improvements to automate and improve the efficiency of each step in the identification process in order to adequately handle the several-fold increase in queries expected as a result of Interoperability rollout.

#### **ID Systems: Key Information**

- Major systems will automate operational workflow management, threat assessments and support for alien status determinations
- ICE initiated technical planning, quick-win and major project implementation efforts in FY08 using \$10.2M of SC/CIRCA FY08/09 funds
- ICE will continue major identification projects in FY09 using \$26.6M of SC/CIRCA FY08/09 and \$14.5M of SC/CIRCA FY09/10 funds
- ICE will continue major identification projects in FY10 using at least \$18.1M of SC/CIRCA FY09/10 funds

ICE is expanding its immediate criminal alien identification capacity by increasing labor resources dedicated to this capability. In FY 2008, ICE also obligated \$10,202,000 of FY 2008/2009 SC/CIRCA funding to initiate technical planning, implement quick-win technology improvements and initiate longer-term major project implementation efforts. In FY 2009, ICE will use \$41,140,000 of combined FY 2008/2009 and FY 2009/2010 SC/CIRCA funding to continue implementing major technology projects according to phased schedules for delivering process efficiency improvements. In FY 2010, ICE plans to utilize at least \$18,053,000 of FY 2009/2010 SC/CIRCA funds to continue major multi-year efforts delivering additional process efficiency improvements.

The major planned information technology projects supporting criminal alien identifications are:

- ACRIME Stabilization
- Automated Threat Assessment
- Automated Support of Status Determinations
- ACRIME Modernization

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## ACRIME Stabilization

ICE must stabilize and expand the capacity of ACRIME for receiving, logging, and assigning both traditional LEA-generated immigration status requests providing only biographic identification of the subject and Interoperability-generated requests providing both biographic and biometric identification of the subject. The contract for ACRIME Stabilization has been awarded and work is underway. Key milestones of the ACRIME Stabilization effort include:

### Quarter 1, FY 2009

- Migrating to more stable production hardware. This will enhance system backup capabilities, improve scalability and availability, and will ensure compliance with ICE IT architecture standards.
- Resolving high priority defects. Defect resolutions will include eliminating application freezes and unavailability occurrences. The size of ACRIME message queues will also be increased, which will allow all immigration alien queries (IAQs) to be prioritized and worked in a timely manner, including roadside and other high priority IAQs.
- Stabilizing the LESC electronic fax server, which is used to issue detainers to LEAs concerning identified criminal aliens.

### Quarter 2, FY 2009

- Developing comprehensive system documentation.

### Quarter 4, FY 2009

- Migrating ACRIME from a FoxPro database to an Oracle database. This will further enhance system backup capabilities, improve scalability and availability, and ensure compliance with ICE IT architecture standards.

Once these improvements are completed, ICE will continue executing existing identification processes at increased volumes.

## Automated Threat Assessment

ICE has awarded a contract to gather requirements and document efforts to develop a system that will help ICE determine a subject's threat. ICE will assess a subject's threat based upon national security threat level, the severity of the subject's criminal history and projected release back into the community. The system will determine threat by using data provided directly in the immigration status request, national security threat lists, and NCIC-provided criminal history information. If early threat assessment efforts identify recurring data availability and data quality issues, ICE may also expand information sources to include state criminal history archives, prison release date sources and statistical inferences (such as probable custody release dates based on severity of pending charges, criminal history and holding jurisdiction). If ICE makes



the decision to obtain information from additional sources, it will do so in incremental phases based on priority of the source for improving assessment quality.

### **Automated Support of Status Determinations**

At this time, and for the foreseeable future, ICE does not believe it is possible to automate the entire immigration status determination processes due to the need for qualified and authorized agents to verify analyses for accuracy and assess appropriate law enforcement responses based upon their findings. However, to expand LESC capacity for handling expected increases in the number of immigration status requests through means other than hiring additional staff, ICE does believe it can automate many steps leading up to agent-approved reviews and responses. As a first step towards this effort, ICE has awarded a contract to upgrade the hardware used by a consolidated investigative tool called Immigration and Customs Enforcement Pattern Analysis Information Collection (ICEPIC). This hardware upgrade will improve system performance so that ICE can deploy ICEPIC to all LESC technicians by 2<sup>nd</sup> Quarter FY 2009. As a second step towards this effort, early in FY 2009, ICE will award an additional contract to expand the number of data sources from which ICEPIC consolidates investigative and enforcement information in support of performing immigration status determinations. This contract award will also provide for specialization of the ICEPIC user interface to more rapidly perform status determination research using Interoperability provided biometric identifiers. These first two phases of software enhancements will eliminate the need for technicians to traverse multiple data sources when researching subject alien status. In following phases, ICE will explore use of analytic support tools to recommend status determination assessments to technicians based on available information. The system would present the recommended assessments in a way that is quickly and easily traceable back to its underlying decision factors so that a technician can assure correct outcomes.

### **ACRIME Modernization**

Research and analysis automation will ease workloads related to individual status determination request responses. However, these improvements and ongoing efforts to stabilize existing systems will not be enough to manage rapidly expanding workflow complexities as ICE forms relationships with over 31,000 LEAs to identify and take custody of criminal aliens. Therefore, ICE has also initiated the ACRIME Modernization project that is focused on planning, documenting, and designing major system improvements that support sustained workflow quality and efficiency gains. ICE awarded a contract to initiate work on ACRIME Modernization in August 2008 and work began in September 2008. Initial efforts included a working session with internal ICE stakeholders to set and prioritize specific Modernization capabilities. The Q3 CSR provides an overview of planned Modernization workflow automation capabilities including Automated Queue Management, Automate Contact Management and Automated Communications Routing.

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## Detention and Removal Systems

Once ICE identifies and apprehends criminal aliens it must then detain, process, and finally remove aliens ordered removed. For the last 24 years, the Immigration and Naturalization Service (INS) and subsequently ICE relied on the same mainframe system, the Deportable Alien Control System (DACs), to manage information attendant to the alien detention and removal processes. The system contained numerous technological and usability limitations hampering the daily operational productivity of ICE personnel. To alleviate these limitations, in August 2008, ICE completed the development and deployment of a modern replacement system, the ENFORCE Alien Removal Module (EARM). EARM, in conjunction with the ENFORCE Alien Detention Module (EADM) deployed in 2007, replaces legacy DACs as ICE's official detention and removal system of record. The August deployment launched EARM to over 9,600 end-users world-wide. EADM and EARM have already generated major process efficiency improvements. For example, the new system has reduced average booking times from 30 minutes to 4 minutes, and has reduced data entry error rates from 20% to 2%.

### **DROM Systems: Key Information**

- Systems deployed in FY08 led to major improvements in process efficiency and information accuracy
- Planned systems will automate bed space management, transportation management, travel document management and detainee tracking
- ICE will begin implementing major DROM projects in FY09 using \$20.3M of SC/CIRCA FY08/09 funds

With the deployment of EADM and EARM, ICE made major improvements in automation support of its detention and removal processes compared to the support provided by DACs. However, the newly implemented systems did not extend automation support and efficiency improvements to key operational areas that remain completely manual. The most important of these areas are:

- Integration between Identification and Removal Systems
- Criminal Alien Tracking while in ICE Custody
- Expanded Electronic Support for Travel Documents

In FY 2009, ICE plans to obligate \$20,300,000 of FY 2008/2009 SC/CIRCA funds to design and initiate implementation of described Detention and Removal systems.

## **Integration between Identification and Removal Systems**

While the enterprise-wide deployment of EARM has already led to major process efficiency improvements, ICE continues to add functionality within EARM that will generate greater removal process efficiencies. For example, when ICE identifies a criminal alien today, enforcement agents must reenter information into EARM that is already contained in ICE's legacy identification systems described earlier in this section. ICE plans to integrate EARM with newly developed identification systems so that, when a criminal alien is identified, information regarding the alien will automatically be entered into EARM to initiate the removal process.

## **Criminal Alien Tracking while in ICE Custody**

ICE plans to further automate bed space management, transportation management and the ability to track the exact whereabouts of all criminal aliens from the time they enter ICE custody until the time they are removed from the United States. ICE must automate these functions to effectively manage its rapidly growing detention and removal resources as well as to better ensure officer safety while increasing numbers of high-threat criminal aliens are housed in ICE detention facilities. To provide these new automation capabilities, ICE initiated a single combined procurement to develop the DRO Modernization (DROM) Bed Space, Transportation, and Detainee Location Tracking Automation System (BST&T) modules. The resulting modules will be fully integrated with EADM and EARM to provide comprehensive, enterprise-wide, timely detention and removal information. ICE expects to make a contract award for this effort in 1st Quarter FY 2009. Once the contract is awarded, the selected vendor will create final work plans and schedules for the development of DROM BST&T modules.

## **Expanded Electronic Support for Travel Documents**

ICE has deployed the electronic Travel Document (*eTD*) system to Guatemala, Honduras and El Salvador to expedite removals to these countries by reducing average document processing times from about 21 days to 7 days. ICE is also electronically managing its internal travel document management process for all other countries for which documents are required. The *eTD* system now helps ICE monitor and administer over 7,000 travel documents received monthly. To obtain the full benefit of *eTD*, ICE continues to pursue Memorandums of Understanding (MOUs) with several countries to have them begin issuing travel documents electronically in the near future. ICE has signed an MOU with the Dominican Republic, who should have *eTD* deployed by December 2008. In addition, ICE recently signed an MOU with Colombia and they should have *eTD* deployed by January 2009. ICE continues to negotiate with three additional countries (Nicaragua, Jamaica, and Ecuador) to begin using the *eTD* system. A draft MOU with Nicaragua is currently being reviewed by the ICE Office of the Legal Principal Advisor while ICE has made presentations and/or system demonstrations to officials from Jamaica and Ecuador. Following any additional MOU signings, ICE will move forward with training and system installations.

## **Video Teleconferencing**

When identifying and determining immigration status of a subject, it is often necessary for ICE to augment information held in immigration and other status determination information support systems with new information or to ensure that certain systems records match the subject under review rather than another individual. One of the best means of conducting this supporting research is to interview the subject, the LEA arresting officer and other LEA personnel familiar with the subject. However, in-person interviews can be time consuming and expensive both in terms of travel costs and investigative personnel time. Therefore, ICE is currently in the process of adding video teleconferencing (VTC) capabilities at jails and prisons where ICE expects to

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conduct a sufficient number of interviews to make this a cost effective solution. Through VTC, ICE personnel can conduct subject interviews directly from their offices, boosting workforce productivity and increasing the number of determinations that ICE can complete each day.

In addition to identification process efficiencies, ICE uses VTC installations at prisons and jails participating in the Institutional Removal Program (IRP) to conduct removal proceedings. VTC supports conducting removal hearings in coordination with EOIR and conducting consular interviews to arrange travel documents among other removal important process actions. This allows ICE to process criminal aliens for removal while they are incarcerated so that ICE can execute their removal shortly after sentence completion, minimizing the need to detain the alien in ICE custody.

**VTC Systems: Key Information**

- VTC allows remote interviews to confirm subject alien status
- VTC allows remote removal processing, including EOIR and consular travel document hearings
- VTC saves ICE travel, EOIR travel and lowers ICE detention costs
- ICE procured equipment for 56 installations in FY08 using \$0.4M of SC/CIRCA FY08/09 funds
- ICE will complete 172 additional installations in FY09 using \$6.0M of SC/CIRCA FY08/09 funds
- ICE will complete 172 additional installations in FY10 using \$6.1M of SC/CIRCA FY09/10 funds

As of the end of FY 2008, ICE completed 119 VTC installations with an additional 50 installations in process. ICE awarded a \$351,000 contract that funded equipment for 56 of these installations in July 2008 using FY 2008/2009 SC/CIRCA funding. Other funding sources covered the remaining installation costs, including installation labor and telecommunications line costs. In FY 2009, ICE plans to obligate another \$6,007,000 of FY 2008/2009 SC/CIRCA funds to deploy 172 additional VTC sites in support of criminal alien identification and removal efforts. In FY 2010, ICE plans to obligate \$6,127,000 of FY 2009/2010 SC/CIRCA funds to deploy another 172 VTC sites in support of criminal alien identification and removal efforts, assuming that ICE identifies sufficient willing and cost effective prison or jail installation locations through expanded CAP operations as well as Phase 2 and 3 Interoperability rollout preparations.

**IT Management & Architecture**

To properly manage the numerous IT projects that ICE will implement in support of SC/CIRCA operations, ICE must employ staff with the specialized skills needed to manage IT projects, perform enterprise architecture services and perform Independent Verification and Validation (IV&V) system testing. Proper IT management and architecture will ensure that designed systems integrate well with each other and that they comply with the DHS and Federal Enterprise Architecture requirements. In FY 2009, ICE plans to obligate \$3,060,000 of FY 2008/2009 SC/CIRCA funds to provide required IT management and

**IT Mgmt: Key Information**

- ICE must ensure integration between major systems, comply with DHS Enterprise Architecture and conduct IV&V systems testing
- ICE will use \$3.1M of SC/CIRCA FY08/09 funds in FY09 for IT management and architecture
- ICE will use \$2.2M of SC/CIRCA FY09/10 funds in FY10 for IT management and architecture

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architecture. In FY 2010, ICE plans to obligate \$2,158,000 of FY 2009/2010 SC/CIRCA funds to continue required IT management and architecture.

### 3.4 Management Support

ICE must undertake some management activities to refine SC/CIRCA plans and ensure delivery of planned performance on schedule and within budget. The two major Management Support activities are:

- Program Management Office
- Facilities and Mission Support

#### PMO: Key Information

- ICE must effectively plan and manage SC/CIRCA activities
- ICE initiated SC/CIRCA PMO operations in FY08 using \$5.7M of SC/CIRCA FY08/09 funds
- ICE will use \$6.9M of SC/CIRCA FY08/09 funds in FY09 for the PMO
- ICE will use \$9.7M of SC/CIRCA FY09/10 funds in FY10 for the PMO

#### Program Management Office

Upon passage of the \$200 million appropriation for SC/CIRCA by Congress in FY 2008, ICE assigned senior personnel from key areas of the organization to develop the SC/CIRCA Strategic Plan. Once ICE delivered the SC/CIRCA Strategic Plan to Congress, ICE more formally assigned personnel participating in Plan development to found the SC/CIRCA Program Management Office (PMO). This PMO reports directly to the Deputy Assistant Secretary – Operations. One of the first actions undertaken by the PMO was to initiate procurement for contractor PMO support so that SC/CIRCA achieves full program and project management operations as soon as possible. In July 2008, ICE awarded a contract for Secure Communities PMO Support. To stand up initial PMO operations in FY 2008, ICE obligated \$5,738,000 of FY 2008/2009 SC/CIRCA funds.

SC/CIRCA PMO personnel have made significant progress in refining plans and conducting outreach activities, especially as they relate to rolling out Interoperability criminal alien identification capabilities to approximately 31,000 LEA booking locations nationwide. ICE will continue to expand both government and contractor members of the Program Management Office in the coming months as the program begins large-scale expansion of implementation efforts and refines long-term plans into a comprehensive schedule of activities that culminate in the achievement of stated program goals. In FY 2009, ICE plans to obligate an additional \$6,902,000 of FY 2008/2009 SC/CIRCA funds to expand required PMO support. In FY 2010, ICE plans to obligate \$9,660,000 of FY 2009/2010 SC/CIRCA funds to continue required PMO support, including government and contractor personnel.

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**Facilities and Mission Support**

To support the large number of new acquisitions and that must be made and personnel that must be hired in support of SC/CIRCA efforts, ICE may increase the number of mission support personnel, to include: Office of Acquisitions (OAQ) contracting officers and contract specialists, human resources personnel, Office of the Principal Legal Advisor (OPLA) personnel, information technology support (help desk) personnel, and Office of Asset Management (OAM) personnel. ICE may also expand facilities and add facilities security personnel to accommodate increases in the size of the workforce supporting SC/CIRCA efforts. In FY 2009, ICE plans to obligate \$4,102,000 of FY 2008/2009 SC/CIRCA funds to provide required mission support. In FY 2010, ICE plans to obligate an additional \$3,515,000 of FY 2009/2010 SC/CIRCA funds to continue required mission support.

**Support: Key Information**

- ICE must support extensive volumes of new acquisitions and new hires resulting from SC/CIRCA plans
- ICE will use \$4.1M of SC/CIRCA FY08/09 funds in FY09 for facilities and mission support needs
- ICE will use \$3.5M of SC/CIRCA FY09/10 funds in FY10 for facilities and mission support needs

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**Attachment 1 – Legislative Requirements Mapping**

**Table 6: Summary of ICE Adherence to FY 2008 and FY 2009 Appropriations related to Criminal Alien Enforcement**  
(dollars in thousands)

Category of Activity	Category of Appropriation		
	FY08/FY09 SC/CIRCA <sup>2</sup>	FY09/FY10 SC/CIRCA	Total FY09 Obligations
<b>Identification and Processing</b>	<b>\$43,312</b>	<b>\$25,059</b>	<b>\$419,291</b>
Criminal Alien Program	\$10,220	\$0	\$172,309
Interoperability Response	\$11,500	\$14,233	\$25,733
Probation and Parole	\$0	\$4,077	\$4,077
Fugitive Operations	\$0	\$0	\$36,236
Criminal Alien Investigations	\$0	\$0	\$38,900
287(g) Delegation of Authority	\$0	\$0	\$54,130
Law Enforcement Support Center	\$18,410	\$0	\$50,995
Operation Repeat Offender	\$2,400	\$6,749	\$36,129
Operation Last Call	\$782	\$0	\$782
<b>Detention and Removal</b>	<b>\$73,386</b>	<b>\$70,928</b>	<b>\$910,993</b>
Availability of Detention Beds	\$44,115	\$42,638	\$612,777
Operation of Detention Beds	\$16,638	\$16,080	\$188,378
Removal Transportation	\$12,633	\$12,210	\$109,838
<b>Information Technology</b>	<b>\$66,560</b>	<b>\$40,838</b>	<b>\$70,507</b>
Identification Systems	\$36,842	\$32,553	\$41,140
Detention and Removal Systems	\$20,300	\$0	\$20,300
Video Teleconferencing	\$6,358	\$6,127	\$6,007
IT Management & Architecture	\$3,060	\$2,158	\$3,060
<b>Management Support</b>	<b>\$16,742</b>	<b>\$13,175</b>	<b>\$11,004</b>
Program Management Office	\$12,640	\$9,660	\$6,902
Facilities and Mission Support	\$4,102	\$3,515	\$4,102
<b>Total</b>	<b>\$200,000</b>	<b>\$150,000</b>	<b>\$1,411,795</b>
<b>Legislative Requirement</b>	<b>\$200,000</b>	<b>\$150,000</b>	<b>&gt;\$1,000,000</b>

<sup>2</sup> Includes revised amounts compared to 3<sup>rd</sup> and 4<sup>th</sup> Quarter Congressional Status Reports. See Attachment 2 for explanation of revisions.

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**Attachment 2 – FY 2008/2009 SC/CIRCA Use of Funds – Revised**

**Table 7: Revisions to FY 2008/2009 SC/CIRCA Funds**  
(dollars in thousands)

Category of Activity	Original	Revision	Revised
<b>Identification and Processing</b>	<b>\$43,312</b>	<b>+\$0</b>	<b>\$43,312</b>
Criminal Alien Program	\$10,220	\$0	\$10,220
Operation Repeat Offender	\$2,400	\$0	\$2,400
Law Enforcement Support Center	\$18,410	\$0	\$18,410
Interoperability Response	\$11,500	\$0	\$11,500
Operation Last Call	\$782	\$0	\$782
<b>Detention and Removal</b>	<b>\$73,386</b>	<b>\$0</b>	<b>\$73,386</b>
Availability of Detention Beds	\$44,115	\$0	\$44,115
Operation of Detention Beds	\$16,638	\$0	\$16,638
Removal Transportation	\$12,633	\$0	\$12,633
<b>Information Technology</b>	<b>\$68,500</b>	<b>-\$1,940</b>	<b>\$66,560</b>
Identification Systems	\$35,300	+\$1,542	\$36,842
Detention and Removal Systems	\$20,000	+\$300	\$20,300
IT Management & Architecture	\$5,000	-\$1,940	\$3,060
Video Teleconferencing	\$8,200	-\$1,842	\$6,358
<b>Management Support</b>	<b>\$14,802</b>	<b>+\$1,940</b>	<b>\$16,742</b>
Program Management Office	\$10,700	+\$1,940	\$12,640
Facilities and Mission Support	\$4,102	\$0	\$4,102
<b>Total</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$200,000</b>

**Revision 1: Realigned \$1,940,000 from IT Management & Architecture to Program Management Office** – ICE originally set aside funds for information technology program management in IT Management & Architecture and set aside funds for operational program management in Program Management Office. To encourage strong integration between information technology and operational efforts, ICE combined these management needs into a single contract awarded in July 2008 for Program Management services. As a result, ICE is realigning funds associated with information technology program management from IT Management & Architecture to Program Management Office.

**Revision 2: Realigned \$1,842,000 from Video Teleconferencing to Detention and Removal Systems and Identification Systems** – ICE revised the FY 2009 VTC cost estimate down by \$1,842,000 based on a preliminary review of the target site list that identified specific installation needs. As a result of reduced VTC funding needs, ICE will add \$300,000 toward funding Detention and Removal systems described earlier in this document and will add \$1,542,000 toward funding Identification systems described earlier in this document.

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**Attachment 3 – Acronym List**

Acronym/ Abbreviation	Full Text
ACCESS	Agreements of Cooperation in Communities to Enhance Safety and Security
ACRIMe	Alien Criminal Response Information Management System
APB	Advisory Policy Board
ATD	Alternatives to Detention Program
BEST	Border Enforcement Security Teams
BJS	Bureau of Justice Statistics
BOP	Bureau of Prisons
BST&T	Bed Space, Transportation, and Detainee Location Tracking Automation System
CAP	Criminal Alien Program
CBP	Customs and Border Protection
CIS	Citizenship and Immigration Services
CJIS	Criminal Justice Information Services Division
CMU	Case Management Unit
COE	Committed, Obligated and Expended
DACS	Deportable Alien Control System
DEPORT	Detention Enforcement and Processing Offenders by Remote Technology
DHS	Department of Homeland Security
DOJ	Department of Justice
DOS	Department of State
DRO	Detention and Removal Operations
DROM	Detention and Removal Operations Modernization
EADM	ENFORCE Alien Detention Module
EARM	ENFORCE Alien Removal Module
ENFORCE	Enforcement Case Tracking System
EOIR	Executive Office of Immigration Review
ER	Expedited Removal
eTD	Electronic Travel Documents
FBI	Federal Bureau of Investigation
FLETC	Federal Law Enforcement Training Center
FOD	Field Office Directors
FOSC	Fugitive Operations Support Center
FOU	Flight Operations Unit
IAFIS	Integrated Automated Fingerprint Identification System
IAQ	Immigration Alien Query
IAR	Immigration Alien Response
ICE	Immigration and Customs Enforcement
ICEPIC	Immigration and Customs Enforcement Pattern Analysis Information Collection
IDENT	Automated Biometric Identification System
iDSM	interim Data Service Model
IGSA	Inter-Government Service Agreement
INA	Immigration and Nationality Act

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Acronym/ Abbreviation	Full Text
INS	Immigration and Naturalization Services
Interoperability	IDENT/IAFIS Interoperability
IRA	Interoperability Response Agent
IRP	Institutional Removal Program
IT	Information Technology
IV&V	Independent Verification and Validation
JCART	Joint Criminal Alien Removal Task Force
JPATS	Justice Prisoner and Alien Transportation System
KST	Known or Suspected Terrorists
LEA	Law Enforcement Agency
LES	Law Enforcement Specialist
LESC	Law Enforcement Support Center
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NCIC	National Crimes Information Center
NFF	National Fingerprint File
NLETS	National Law Enforcement Telecommunications System, recently renamed to International Justice and Public Safety Network
OAM	Office of Asset Management
OAQ	Office of Acquisition
OI	Office of Investigations
OIA	Office of International Affairs
OLC	Operation Last Call
OMB	Office of Management and Budget
OPLA	Office of the Principal Legal Advisor
PMO	Program Management Office
Q3 CSR	3 <sup>rd</sup> Quarter FY 2008 SC/CIRCA Congressional Status Report
Rapid REPAT	Rapid Removal of Eligible Parolees Accepted for Transfer
SC/CIRCA	Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens
SIB	State Identification Bureau
SOP	Standard Operating Procedures
USMS	United States Marshal Service
US-VISIT	United States Visitor and Immigrant Status Indicator Technology
VCAS	Violent Criminal Alien Sections
VTC	Video Conferencing

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