



Secure Communities: Quarterly Report

Fiscal Year 2010 Report to Congress

First Quarter

March 1, 2010



Homeland
Security

U.S. Immigration and Customs Enforcement

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Message from the Assistant Secretary

March 1, 2010

I am pleased to present "Secure Communities: Quarterly Report," which has been prepared by U.S. Immigration and Customs Enforcement.

This report was prepared in response to a requirement found in the Fiscal Year (FY) 2010 Department of Homeland Security Appropriations Act (P.L. 111-83) and covers First Quarter FY 2010.



Pursuant to congressional requirements, I am transmitting a copy of this report to the following Members of Congress:

The Honorable David E. Price
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Harold Rogers
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Robert Byrd
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable George V. Voinovich
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries about the contents of this report should be directed to me at (202) 732-3000 or to the Department's Acting Chief Financial Officer, Peggy Sherry, at (202) 447-5751.

Sincerely yours,


John Morton
Assistant Secretary
U.S. Immigration and Customs Enforcement

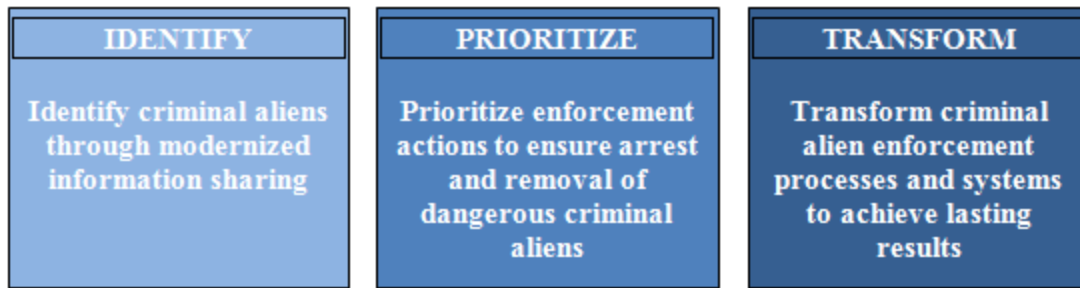
Executive Summary

In Fiscal Year (FY) 2008, Congress appropriated \$200 million for ICE 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...”¹ In response, ICE launched Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens (SC/CIRCA) to transform the way ICE identifies and removes criminal aliens from the United States. In the FY 2009 Department of Homeland Security (DHS) Appropriations Act (P.L. 110-329), Congress appropriated an additional \$150 million for SC/CIRCA while expanding the initiative’s scope to “prioritize the identification and removal of aliens convicted of a crime by the severity of that crime”² and “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 an immigration court.”³ Congress further required ICE to utilize at least \$850 million of existing program resources to support these efforts.

In the FY 2010 DHS Appropriations Act (P.L. 111-83), Congress required that ICE obligate at least \$1.5 billion from the Salaries and Expenses appropriation “to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable...[and to] prioritize the identification and removal of aliens convicted of a crime by the severity of that crime,” of which \$200 million would be available to SC/CIRCA through FY 2011 to meet its program goals.

To meet a congressional requirement for reporting on exactly how it will allocate the funds provided for criminal alien enforcement, ICE prepared the “Plan to Utilize the FY 2010 Appropriation for the Removal of Criminal Aliens in Alignment with Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens.” This document describes ICE plans to obligate \$1.769 billion of ICE base funding, including \$31.4M and \$1.8M from the base Automation and Construction appropriations respectively, \$56.5 million from the SC/CIRCA two-year FY 2009 appropriation and \$200.0 million from the SC/CIRCA two-year FY 2010 appropriation during FY 2010 – bringing the total planned FY 2010 obligations in support of criminal alien enforcement to \$2.025 billion. At the end of First Quarter FY 2010, ICE had obligated \$505.4 million in alignment with its plan.⁴ For additional information on ICE FY 2010 obligations toward criminal alien enforcement, see Appendix A.

This Quarterly Report describes how SC/CIRCA is utilizing technology to enhance enforcement activities, as well as focusing resources and activities on efforts to identify, arrest, detain, process and remove criminal aliens from the United States. These efforts are strategically planned around and focused on the following three pillars:



Section II of this report describes how ICE is employing technology to support the SC/CIRCA mission to identify and arrest criminal aliens, as well as to detain, process and remove these individuals from the United States. For example, ICE is deploying an information-sharing capability between the Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division Integrated Automated Fingerprint Identification System (IAFIS) and DHS US-VISIT Automated Biometric Identification System (IDENT), referred to as IDENT/IAFIS Interoperability. IDENT/IAFIS Interoperability has increased the volume of criminal history and immigration status information available to ICE and its law enforcement partners in support of enforcement efforts to identify and process criminal aliens for removal. At the close of First Quarter FY 2010, IDENT/IAFIS Interoperability had been deployed to 108 jurisdictions throughout the United States. ICE is also continuing efforts to modernize technological systems, as well as automate research and analysis functions, which contribute to more expeditious immigration status and threat level determinations.

In response to higher volumes of identified criminal aliens eligible for removal as a result of IDENT/IAFIS Interoperability deployment and other identification system enhancements, Section II also discusses SC/CIRCA efforts to improve detention, processing and removal operations. For example, funding is provided to implement various initiatives to develop technological capabilities intended to improve the tracking of detainees and resources, expand the use of Video Teleconferencing units and improve reporting capabilities. These efforts strengthen the capability of ICE to process increasing numbers of detained criminal aliens, decrease time detainees spend in federal custody and prevent criminal aliens from being released back into the community by removing them as soon as they have completed their sentences.

Section III of the report focuses on efforts to strengthen and expand ICE resources and activities focused on criminal alien enforcement. These activities include initiatives to identify and arrest criminal aliens both in law enforcement custody and at large. SC/CIRCA also provides funding and support for resources and activities that improve the detention, processing and removal of criminal aliens such as custody operations and removal efforts. In total, ICE programs and activities have contributed to the removal of over 37,300 criminal aliens during First Quarter FY 2010, which is an increase of more than 30 percent from the same period in FY 2009.⁵

Section III also describes efforts made by the SC Program Management Office (PMO) to provide mission support. For example, the office provides outreach and training to support IDENT/IAFIS Interoperability deployment, as well as various outreach initiatives for other SC stakeholders. In addition, the PMO conducts modeling and analysis activities that influence mission-centric decision making that impacts efficiency, resources and funds. This Quarterly Report describes in further detail the progress achieved during First Quarter FY 2010.



Secure Communities: Quarterly Report

First Quarter, Fiscal Year 2010

Table of Contents

| | |
|---|----|
| I. Legislative Language..... | 1 |
| II. Technology | 2 |
| A. Identify and Arrest | 2 |
| B. Detain, Process, and Remove..... | 9 |
| III. Criminal Alien Enforcement Resources and Activities..... | 13 |
| A. Identify and Arrest | 13 |
| B. Detain, Process, and Remove..... | 16 |
| C. Management Support..... | 19 |
| IV. The Way Forward..... | 22 |
| V. Appendices | 23 |
| A. FY 2010 Funding Plans and Obligations (\$000's) | 23 |
| B. Video Teleconferencing Deployments | 24 |
| C. Key Activities and Milestones | 25 |
| D. Acronyms and Abbreviations | 26 |
| E. Endnotes..... | 27 |

I. Legislative Language

Congress mandates that Immigration and Customs Enforcement (ICE) provide quarterly reports on its expenditure of appropriations from Congress for the purpose of identifying and removing criminal aliens from the United States, as provided in the Fiscal Year (FY) 2009 Department of Homeland Security (DHS) Appropriations Act (P.L. 110-329) and the FY 2010 DHS Appropriations Act (P.L. 111-83).

II. Technology

This section provides information and updates on ICE efforts to utilize and enhance technological systems and capabilities that support processes to identify, arrest, detain, process and remove criminal aliens from the United States.

A. Identify and Arrest

In support of efforts to identify and arrest criminal aliens, ICE continues to focus on the following initiatives further described in this section:

- Deploying an information sharing capability, referred to as IDENT/IAFIS Interoperability, to increase the volume of criminal history and immigration status information available to ICE and its law enforcement partners, thereby enhancing efforts to identify criminal aliens eligible for removal while in law enforcement custody
- Maximizing the effective use of resources by enhancing technological systems and tools to increase accuracy and improve efficiencies in the identification and arrest processes.

IDENT/IAFIS Interoperability

Historically, when law enforcement agencies (LEAs) made an arrest and booked a subject into custody, the agency would submit the subject's biographic and biometric information to the Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division (CJIS) Integrated Automated Fingerprint Identification System (IAFIS) to determine criminal history. Determining immigration status, which most LEAs did not pursue, was a separate, manual process using biographic information submitted by LEAs to the ICE Law Enforcement Support Center (LESC). Through IDENT/IAFIS Interoperability (referred to throughout this report as "Interoperability"), this biographic and biometric information is now automatically routed by CJIS/IAFIS to DHS US-VISIT Automated Biometric Identification System (IDENT) and, if there is a match, to the LESC to make an immigration status determination.

| IDENTIFY |
|---|
| <p><u>IDENT/IAFIS Interoperability</u></p> <p>IDENT/IAFIS Interoperability increases the information sharing capability between DHS US-VISIT Automated Biometric Identification System (IDENT) and the Federal Bureau of Investigation Criminal Justice Information Services Division (CJIS) Integrated Automated Fingerprint Identification System (IAFIS). The automatic routing of shared information enables more timely immigration status determinations and has resulted in the identification of higher volumes of criminal aliens identified.</p> |

The following is a description of the Interoperability process:

1. When a subject is arrested and booked into custody, the arresting LEA sends the subject's fingerprints and associated biographical information to CJIS/IAFIS via the appropriate State Identification Bureau.
2. CJIS electronically routes the subject's biometric and biographic information to US-VISIT/IDENT to determine if there is a fingerprint match with records in its system.
3. As a result of a fingerprint match with data in IDENT, CJIS generates an Immigration Alien Query to the ICE LESC.
4. The LESC queries law enforcement and immigration databases to make an initial immigration status determination and generates an Immigration Alien Response (IAR) that may include a criminal level classification used to prioritize enforcement actions if a subject is determined to be a criminal alien.
5. The LESC sends the IAR to the local ICE Detention and Removal Operations (DRO) office, as well as to CJIS. CJIS routes the IAR to the appropriate State Identification Bureau, which would then route it to the originating LEA.

ICE prioritizes enforcement actions against subjects that have been identified as potentially eligible for removal based on the level of offense for which subjects have been currently charged or previously convicted. Using this risk-based approach, enforcement actions are prioritized according to three levels of offense, with top priority given to Level 1 offenses.

| PRIORITIZE |
|--|
| <u>Threat Level Determinations</u> |
| Level 1: Offenses include threats to national security; violent crimes such as murder, manslaughter, rape, robbery, and kidnapping; and drug offenses resulting in sentences greater than 1 year. |
| Level 2: Offenses include minor drug offenses and property offenses such as burglary, larceny, fraud, and money laundering. |
| Level 3: Offenses consist of less severe criminal offenses. |

In collaboration with participating LEAs, Interoperability creates a virtual ICE presence at jails and booking locations in jurisdictions across the country where it has been activated. Interoperability enables ICE to identify criminal aliens via biometrics at the earliest stage of the criminal alien enforcement lifecycle and eliminate the need to conduct extensive, name-based searches for complete and relevant records, thereby improving the accuracy and timeliness of criminal alien identification. Timely identification increases

the ability for ICE to initiate enforcement actions before the subject is released back into the community. The following sections further describe Interoperability deployment and results, as well as ICE efforts to support Interoperability deployment.

Interoperability Deployment and Results

ICE estimates that there are currently more than 53,000 arresting and booking facilities in more than 3,100 jurisdictions across the United States. ICE continues to coordinate with federal, state and local partners to deploy Interoperability to these facilities based on a risk-based prioritization approach. Currently, this includes evaluation of deployment prerequisites, such as necessary resources and capabilities for ICE field offices, states and LEAs for Interoperability activations.

During the First Quarter of FY 2010, deployments were also determined by utilizing data provided by the SC Program Management Office (PMO) Criminal Alien Population Projection, which factors in data such as crimes committed by non-citizens and census data to examine foreign-born populations.

As illustrated in Table 2.1, Interoperability was deployed to 20 jurisdictions during First Quarter FY 2010, resulting in a total of 108 jurisdictions where Interoperability has been deployed. ICE is currently planning Interoperability deployment for jurisdictions in the following locations during Second Quarter FY 2010: California, Colorado, Connecticut, the District of Columbia, Florida, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Texas and Washington.

Table 2.1 – Interoperability Deployment in the First Quarter of FY 2010

| State | Jurisdiction | ICE DRO Field Office |
|----------------|------------------|----------------------|
| Arizona | Cochise | Phoenix |
| Arizona | Pima | Phoenix |
| Arizona | Santa Cruz | Phoenix |
| Florida | Brevard | Miami |
| Florida | Highlands | Miami |
| Florida | Lake | Miami |
| Florida | Manatee | Miami |
| Florida | Monroe | Miami |
| Florida | Pinellas | Miami |
| Georgia | Clayton | Atlanta |
| Georgia | DeKalb | Atlanta |
| Georgia | Gwinnett | Atlanta |
| Illinois | DuPage | Chicago |
| Illinois | Kane | Chicago |
| Louisiana | Jefferson Parish | New Orleans |
| Maryland | Prince George's | Baltimore |
| Michigan | Wayne | Detroit |
| North Carolina | Mecklenburg | Atlanta |
| Oklahoma | Oklahoma | Dallas |
| Oklahoma | Tulsa | Dallas |

As ICE continues to deploy Interoperability to prioritized jurisdictions, it also continues to measure performance and results where Interoperability has been activated. The increase in the number of jurisdictions where Interoperability has been deployed has resulted in a corresponding increase in the number of submissions to the LESC each succeeding fiscal quarter. During First

Quarter FY 2010, biometric submissions resulted in 25-percent more IDENT matches than in Fourth Quarter FY 2009. In addition, the number of Level 1 matches increased by nearly 22 percent since Fourth Quarter FY 2009. Table 2.2 illustrates both quarterly and cumulative Interoperability performance measures.

Table 2.2 – Interoperability Performance Measures

| Performance Measures | Q1 FY09 | Q2 FY09 | Q3 FY09 | Q4 FY09 | FY09 Total | Q1 FY10 |
|--|------------|------------|------------|------------|---------------|------------|
| Additional Interoperability Jurisdictions Deployed | 14 | 34 | 22 | 18 | 88 | 20 |
| Interoperability Submissions | 29,756 | 163,794 | 251,507 | 380,706 | 825,763 | 514,646 |
| IDENT Matches | 3,249 | 19,355 | 33,448 | 44,276 | 100,328 | 55,193 |
| Arrested or Detainers Issued* | 1,383 | 5,640 | 8,111 | 11,707 | 26,841 | 11,772 |
| Level 1 Matches | 186 | 1,757 | 3,295 | 4,251 | 9,489 | 5,178 |
| Arrested or Detainers Issued* | 146 | 1,082 | 1,660 | 2,267 | 5,155 | 2,403 |
| Removals and Returns** | 26 | 178 | 432 | 893 | 1,529 | 1,459 |
| In Removal Proceedings | 56 | 718 | 1,217 | 1,392 | 3,383 | 1,674 |
| Level 2/Level 3 Matches | 2,942 | 16,834 | 28,680 | 37,652 | 86,108 | 45,693 |
| Arrested or Detainers Issued* | 1,237 | 4,558 | 6,451 | 9,440 | 21,686 | 9,369 |
| Removals and Returns** | 227 | 2,357 | 3,994 | 5,989 | 12,567 | 7,463 |
| In Removal Proceedings | 178 | 1,296 | 2,102 | 3,176 | 6,752 | 5,154 |

*Numbers of detainers issued is based on the month that the individual was checked via Interoperability, not the month the detainer was issued. In addition, *Arrested or Detainers Issued* has replaced *Detainers Issued* as an Interoperability performance measure. These measures have been updated from previous Quarterly Reports to incorporate revised measures as a result of a lag in data entry, and all data from prior quarters have been updated.

**Outcome measures always trail identifications. For example, a criminal alien may have been encountered in November (First Quarter) but not be removed until June (Third Quarter). The numbers in the *Removal and Returns* rows have been updated from previous Quarterly Reports due to the application of a new methodology. Previously, the removal/return of an individual was attributed to the quarter the individual was identified, not actually removed/returned. The numbers in the *Removals and Returns* rows in the above table have been updated to now reflect the quarter an individual was actually removed/returned.

Source: US-VISIT IDR/Single-search transaction daily report and the monthly LESC-IIDS Data Match. IIDS Data Match includes ENFORCE data and was run by IIDS on 1/11/2010.

The following success story demonstrates the significant role Interoperability plays in identifying and removing dangerous criminal aliens from communities.

| IDENTIFY |
|---|
| <p><u>Success Story</u></p> <p>During the First Quarter of FY 2010, a native of the Bahamas was arrested in Georgia for violating his probation, received for a felony burglary conviction. At the county jail, the subject claimed to be a U.S. citizen and provided false biographic information. However, as a result of Interoperability, it was revealed that he has a 10-year criminal history from convictions in different states that include felonies for battery on law enforcement, cocaine possession and habitually driving without a license, as well as convictions for battery and family violence. During 25 previous encounters with law enforcement, he has used at least 15 aliases. The subject was incarcerated and will be released into ICE custody upon completion of his current sentence.</p> |

Identification System Enhancements

Current systems that ICE utilizes to identify criminal aliens are based on outdated technology that limit the ability to scale these systems to accommodate the increasing number of transactions generated by Interoperability deployment, as well as the number of users who can access the system. To support Identification Systems, ICE obligated \$3.4 million in First Quarter FY 2010 toward a \$34.0 million FY 2010 plan.⁶ During First Quarter FY 2010, ICE remained focused on implementing the following efforts:

- Stabilizing the Alien Criminal Response Information Management (ACRIME) System
- Modernizing the ACRIME System
- Automating Research and Analysis Functions
- Enhancing the ICE Integrated Decision Support (IIDS) System

Stabilizing the ACRIME System

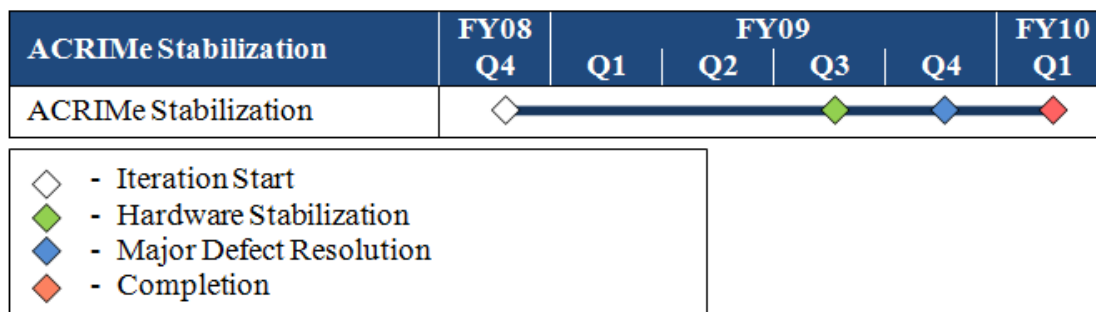
ACRIME is a legacy Immigration and Naturalization Service application that manages queries made by law enforcement pertaining to the identification of aliens who have prior criminal convictions, are under ICE investigation, wanted by ICE or other LEAs or are in the country illegally. LESC specialists cross-reference and compile data from multiple DHS and law enforcement databases that contain relevant information. The data are analyzed to determine whether the alien is eligible for removal from the United States. ACRIME has several “cut and paste” tools that specialists use to access the

| IDENTIFY |
|---|
| <p><u>Recidivist Criminal Aliens</u></p> <p>Utilizing the ACRIME system to submit ICE Immigration Violator File and Wanted Persons File stored at NCIC supports efforts to identify criminal aliens when they attempt to re-enter the country after a previous removal. For example, during First Quarter FY 2010, ICE entered 4,746 records into the NCIC, including 2,773 deported felons, 1,824 absconders and 152 ICE fugitives.</p> <p>Source: United States Immigration and Customs Enforcement, Office of Investigations, response to data call, 1/6/2010.</p> |

various databases and draft the response to these queries. The system also supports the entry of both administrative (immigration) and criminal arrest warrants into the National Crime Information Center (NCIC), the Federal Bureau of Investigation's criminal history repository.

Stabilization efforts to resolve major system defects that were causing recurring system unavailability and negatively impacting processing productivity were completed in First Quarter FY 2010, as illustrated in Figure 2.1.⁷ As a result, ICE is better equipped to handle increased criminal history and immigration status determination request volumes until the new modernized ACRIME can be implemented, which will replace the legacy system.

Figure 2.1 – ACRIME Stabilization Milestones



Source: United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

Modernizing the ACRIME System

The modernization project is focused on providing major system improvements to make the immigration status and threat level determination processes more efficient. These efforts also contribute to establishing the foundation for implementing research and analysis automation capabilities, which are described in the following section. The modernized ACRIME system will interface with the major databases that are searched to retrieve immigration status information. The initial release will provide automation capabilities to enable more efficient processing of Immigration Alien Queries, as well as an expanded user base and full backup, redundancy and disaster recovery capabilities.

TRANSFORM

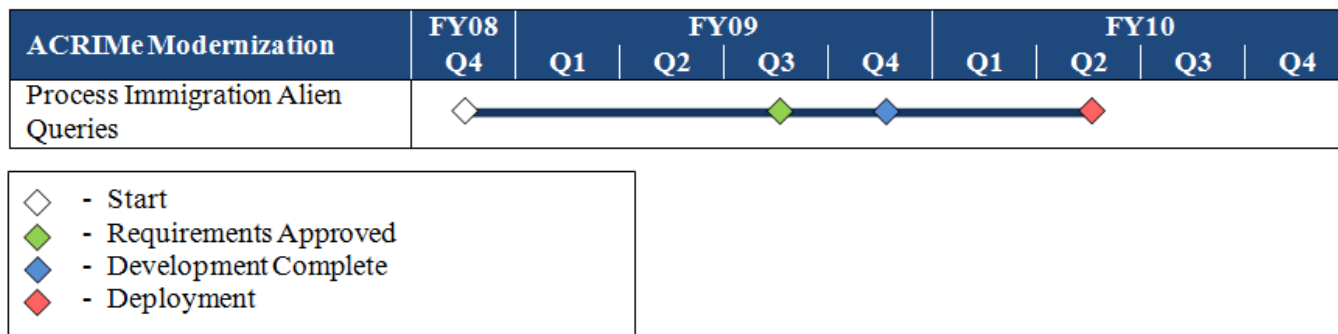
ACRIME System Modernization

ACRIME system modernization is being designed to improve the timeliness and standardization of immigration status determinations by automating key components of the system and transforming it into a Web-based application, available to users outside the LESC.

In Fourth Quarter FY 2009, ICE made adjustments to the test plan and began an analysis of the impact on the schedule, which was concluded in First Quarter FY 2010. The revised test plan was approved and testing began during the first quarter. Requirements planning has begun for future releases, including a release to automate the process of entering warrants into NCIC. In Second Quarter FY 2010, ICE will complete testing and the initial release will be deployed with

a limited number of users.⁸ Figure 2.2 illustrates the major milestones for ACRIMe modernization.

Figure 2.2 – ACRIMe Modernization Milestones



Source: United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

Automating Research and Analysis

As the modernization project proceeds, ICE continues its efforts to utilize new systems that automate research and analysis functions, which benefit users by facilitating more expedient immigration status and threat level determinations. While ICE is still moving forward to automate many components of the status determination process, it is inappropriate to automate the entire process, as final status determinations must be completed by authorized immigration enforcement agents. Multiple IT services will be developed to support and enhance this process.

The Automated Threat Prioritization contract will provide threat level assessments by utilizing data provided directly in the Immigration Alien Query and NCIC-provided criminal history information. The Automated Threat Prioritization contract has begun, and the project team has delivered the project management plan. Major milestones will be determined in Second Quarter FY 2010 after the high-level requirements have been developed.⁹

The Status Determination Support contract, which will provide a suite of services to support the systems that identify and process criminal aliens within ICE, did not begin during First Quarter FY 2010 because the award was protested by one of the submitting vendors. Instead, ICE received and evaluated revised proposals. ICE anticipates awarding the contract in Second Quarter FY 2010.¹⁰ When the project begins, the following services will be provided under the contract:

- Status Determination Support will provide analytic support tools to implement a consistent process of recommending an immigration status.
- Jail Roster/Release Tracking will compile and research federal, state and local jail rosters to supplement information ICE has obtained on a criminal alien.
- Automated NCIC Warrants will create a warrant record that can be uploaded directly to the NCIC using criminal history and immigration status search results.

- Criminal Alien Tracking will track the location of criminal aliens after they have been arrested by LEAs prior to being taken into ICE custody.
- Integrated Case Management will link relevant information regarding a criminal alien to support DRO operations.

ICE Integrated Decision Support (IIDS) System

IIDS is an enterprise data warehouse system ICE utilizes to support reporting needs. At the end of last quarter, ICE awarded a contract to further develop IIDS. Several efforts, such as incorporating additional data sources in the system and providing analytical capabilities, are being undertaken to improve various ICE processes and activities. Under the contract, ICE will enhance current activities such as reporting, performance measurement and modeling efforts by providing more complete, accurate information from a single integrated and automated system. ICE began gathering requirements for a “metrics dashboard” in First Quarter FY 2010. Under the contract, LESC-IIDS Automated Data Matching is also being developed for Secure Communities (SC). This will link the LESC IDENT fingerprint matches from the ACRIME database with corresponding enforcement data that resides in the IIDS data warehouse. The delivery schedule is under development, and ICE anticipates providing schedule information in the next Quarterly Report.¹¹

B. Detain, Process and Remove

Detention and Removal System Enhancements

Detention and Removal Operations Modernization (DROM) efforts are intended to generate efficiencies in detention and removal processes by centralizing and automating several manual processes. The program will provide ICE with the automated capability to track and report on the movement of criminal aliens from arrest through removal. This capability will also help improve the operational management of bed space and transportation resources. In addition, DROM efforts will eliminate disparate systems and databases within the DHS environment and replace them with a more collaborative and integrated solution. In line with contract funding schedules, ICE did not obligate any funds in First Quarter FY 2010 toward a \$1.9 million FY 2010 plan for Detention and Removal Systems, as activities conducted during the first quarter were supported by previously obligated funds.¹² During First Quarter FY 2010, ICE continued to focus on the following DROM efforts, which are further described in this section:

- Automating Bed Space, Transportation and Tracking (BST&T)
- Enhancing the Enforcement Case Tracking System (ENFORCE) Alien Removal Module (EARM)
- Video Teleconferencing (VTC) Support.

Automating BST&T

BST&T consists of the following three modules: Detainee Location Tracking (DLT), Central Reservation System (CRS) and Transportation Management System (TMS). These modules will provide comprehensive and timely information regarding detainee tracking, bed space inventory and removal transportation.

As a result of strategic revisions in ICE's detention management strategy and ongoing efforts to promote operating efficiencies, the component of the DLT project that monitors detainee movement within a facility is no longer aligned with the future state of the organization. It is expected that this component will be removed from the scope of the overall BST&T initiative. In Second Quarter FY 2010, the remaining components of BST&T will be reviewed to confirm alignment with the new detention strategy. If necessary, the requirements of each component will be revised to align system capabilities with the new strategy.

Currently, the DLT component that enables biometric verification of all transports between facilities using the Mobile Computing Device is planned to deploy to the Phoenix and San Diego areas of responsibility (AORs) in Third Quarter FY 2010. Future development plans will be determined after pilot deployment is completed.¹³

The CRS Alternatives Analysis that commenced in Third Quarter FY 2009 resulted in a decision during First Quarter FY 2010 to implement a commercial-off-the-shelf (COTS) software solution for CRS, which is scheduled for deployment in First Quarter FY 2011. The Alternatives Analysis took longer than expected and ICE is now preparing for a requirements validation and configuring of the COTS solution. ICE anticipates development will commence in Second Quarter FY 2010.¹⁴

Figure 2.3 illustrates the major milestones for DLT and CRS. Efforts focused on the TMS module are not planned to commence before FY 2011.

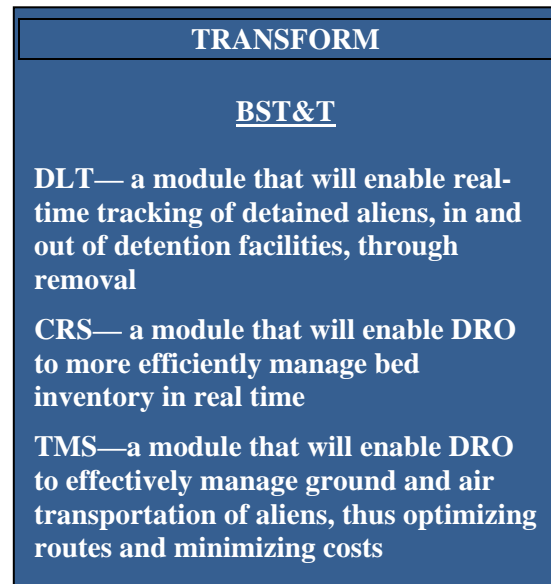
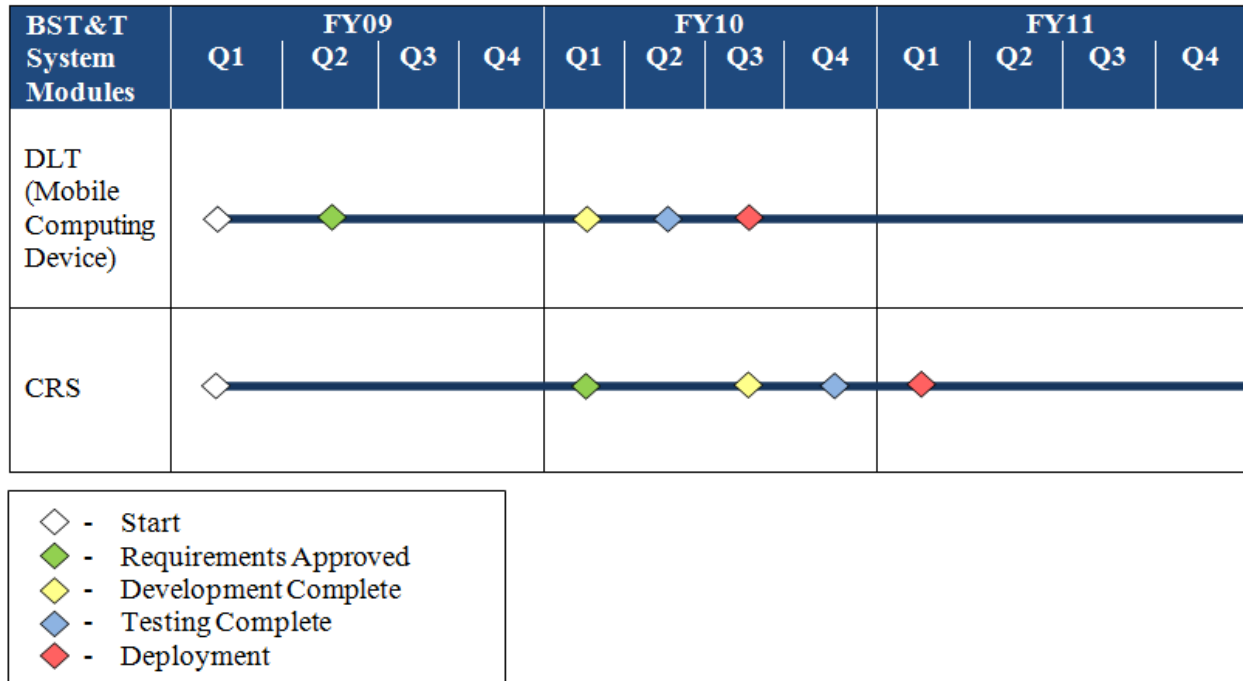


Figure 2.3 – BST&T System Modules Milestones



Source: United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

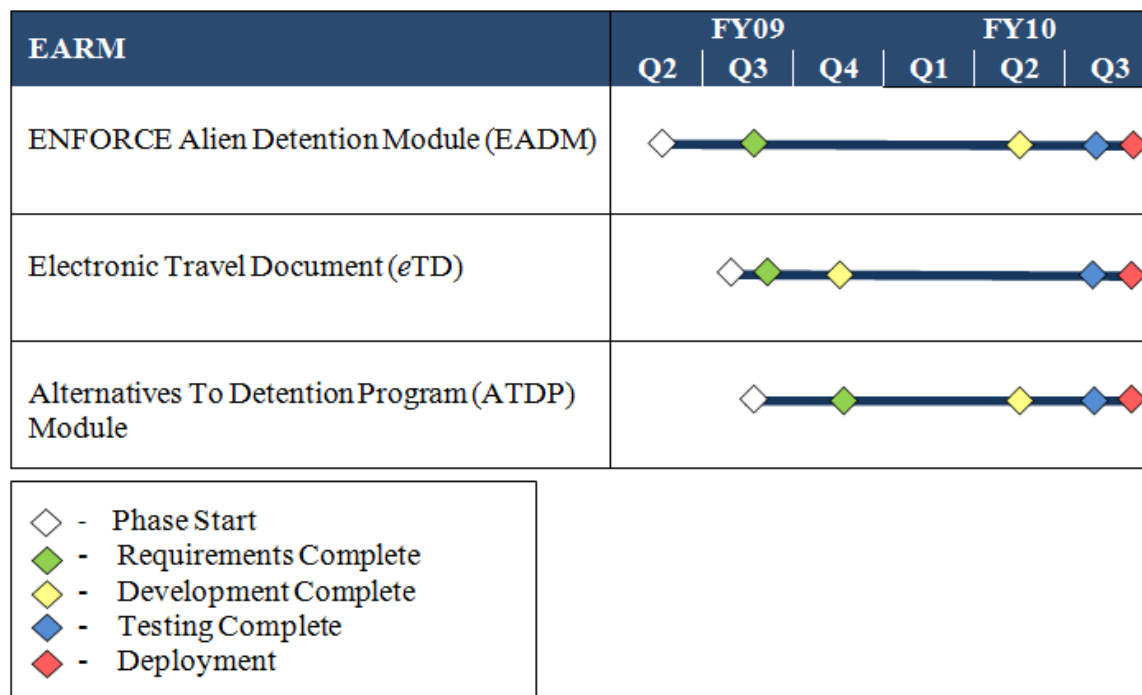
Enhancing EARM

EARM maintains data to track aliens through the removal process. ICE is currently improving these capabilities by expanding the EARM platform to also include:

- ENFORCE Alien Detention Module (EADM) — a system utilized to manage the booking process of DRO detentions
- Alternatives to Detention Program (ATDP) — a system utilized to track low-level criminal aliens during the removal process
- Electronic Travel Document (eTD) system — a system utilized to review travel document requests and issue travel documents electronically

The documentation of all technical requirements was completed in Fourth Quarter FY 2009. While previously scheduled for First Quarter FY 2010, EARM development is now scheduled to be completed in Second Quarter FY 2010, as DRO modified some requirements, based on detention reform initiatives, which will require a limited amount of development during Second Quarter FY 2010. The completion of testing for EARM, as well as deployment, remains on track for Third Quarter FY 2010.¹⁵ Figure 2.4 illustrates major milestones for EARM.

Figure 2.4 – EARM Milestones



Source: United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

Video Teleconferencing Support

In support of efforts to maximize the use of resources and expedite the removal of criminal aliens upon release from LEA custody, ICE continues to deploy Video Teleconferencing (VTC) capability to ICE and Executive Office for Immigration Review sites, as well as to jail and prison facilities in support of the ICE Institutional Removal Program. This program enables the execution of immigration hearings and the initiation of other portions of the removal process while criminal aliens serve their criminal sentences. VTC deployments in support of this program continue to have a positive impact on ICE's ability to achieve detention and removal goals by, among other things, eliminating the need to transport ICE personnel, Executive Office for Immigration Review judges and aliens between locations. During First Quarter FY 2010, 18 SC/CIRCA-funded units were installed at 15 sites.¹⁶ At the end of First Quarter FY 2010, over 400 VTC units have been installed to support criminal alien law enforcement.¹⁷ For details on VTC installations during First Quarter 2010, see Appendix B.

III. Criminal Alien Enforcement Resources and Activities

This section provides information and updates on ICE efforts to utilize resources and conduct enforcement activities to identify, arrest, detain, process and remove criminal aliens from the United States. In support of these efforts, which contributed to the identification and removal of over 37,300 criminal aliens during First Quarter FY 2010, SC/CIRCA funds high, b7E positions for the Office of Investigations and high, b7E positions for DRO in FY 2010 to address the growing increase of Interoperability-generated inquiries and support the identification and removal of criminal aliens.¹⁸ Descriptions of additional information regarding ICE efforts to utilize resources and conduct such enforcement activities follow.

A. Identify and Arrest

Several ICE programs contribute to criminal alien enforcement efforts to identify and arrest criminal aliens. ICE provides funding for programs that contribute to the SC/CIRCA mission such as criminal investigations, the 287(g) program and fugitive operations. Specifically, ICE has obligated \$36.4 million in First Quarter FY 2010 toward a plan of \$139.2 million in FY 2010 to support the efforts of ICE criminal investigations. Criminal investigations, as part of the Office of Investigations, investigates crimes, including those committed by aliens who are present in the United States in violation of the law, and partners with LEAs to obtain additional criminal alien convictions prior to removal.¹⁹ In addition, ICE obligated \$1.5 million in First Quarter FY 2010 toward a \$53.3 million FY 2010 plan for the 287(g) program, which is a state and local cross-designation program authorized by section 287(g) of the Immigration and Nationality Act that provides LEA officers with the necessary delegation of authority, training and resources to enforce immigration laws.²⁰ Through the 287(g) program, LEA partners are able to serve as a force multiplier for ICE and enhance efforts to identify criminal aliens. At the end of First Quarter FY 2010, the program had established a total of 71 partnerships, including 1,101 trained officers, which have contributed to the identification of over 4,000 criminal aliens. These efforts have resulted in 1,660 criminal alien removals during First Quarter FY 2010.²¹

IDENTIFY

Success Story

In December, a three-day enforcement surge in California led by the ICE Fugitive Operations Program resulted in the arrest of 280 criminal aliens, who have been removed or are facing deportation from the United States. The surge is the biggest operation targeting at-large criminal aliens that ICE has ever executed.

Of those arrested, more than 80 percent had prior convictions for serious or violent crimes, such as rape by force, child sex offenses, armed robbery and assault with a deadly weapon. In addition, at least 17 of those arrested will face further federal prosecution for reentering the country illegally after a formal deportation.

Furthermore, ICE obligated \$17.3 million in First Quarter FY 2010 toward a \$103.4 million FY 2010 plan for fugitive operations in support of their efforts to identify and arrest criminal aliens

who receive removal orders but fail to comply.²² 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 those with convictions for violent crimes. At the end of First Quarter FY 2010, a total of 12 high, b7e teams were deployed across the country.²³ During this period, nearly 7,300 aliens were arrested, of which approximately 50 percent were criminal aliens. Furthermore, over 2,500 fugitive criminal aliens were arrested and over 2,780 fugitive criminal aliens were removed.²⁴

In addition to the aforementioned programs that are funded by ICE and contribute to the SC/CIRCA mission, SC/CIRCA provides direct funding to the Criminal Alien Program within DRO to support its efforts to identify criminal aliens, as well as to support Interoperability Response, Joint Criminal Alien Removal Task Force (JCART) and Violent Criminal Alien Section (VCAS) efforts. SC/CIRCA also provides funding for LESC and Intelligence efforts that support the SC/CIRCA mission. These programs and activities that receive SC/CIRCA funding are described in the sections that follow.

The Law Enforcement Support Center

The Law Enforcement Support Center (LESC) is the DHS single national point of contact for providing timely immigration status and threat level determinations, identity information and real-time assistance to federal, state and local LEAs regarding suspected aliens charged with or convicted of criminal activity. The LESC 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. As Interoperability deployment continues, ICE receives an increasing number of immigration status determination requests. In FY 2009, LESC researched a record 1,064,261 inquiries for more than 10,000 criminal justice partners. During First Quarter FY 2010, the LESC processed nearly 281,000 status determination inquiries, which is a seven-percent decrease from last quarter.²⁵

In conjunction with continued Interoperability deployment, ICE is maintaining efforts to support Interoperability expansion by continuing to increase staffing levels to support the immigration status and threat determination processes. ICE obligated \$7.0 million in First Quarter FY 2010 toward a \$35.2 million FY 2010 plan for LESC efforts to continue providing support to LEAs for identifying criminal aliens held in their custody.²⁶ During FY 2010, SC/CIRCA is funding 2 high, b7e LESC positions, of which 1 high, b7e were filled at the end of the first quarter.²⁷

Intelligence/Operation Last Call

Using SC/CIRCA funds, ICE plans to continue funding the Operation Last Call (OLC) pilot as an initiative to identify, assess, collect, exploit, process, analyze and disseminate intelligence about 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. OLC teams identify criminal aliens in custodial situations and those at-large by focusing on the gathering of intelligence from program generated leads and other sources of information. These teams exploit existing enforcement gaps to leverage state and

local partnerships in the identification of criminal aliens offering a wider range of enforcement coverage. Intelligence obtained from custodial interviews is collected, analyzed and forwarded to the appropriate ICE program office as it relates to national security interests, transnational gangs, human and narcotics trafficking and weapons smuggling.

ICE obligated \$2.1 million in First Quarter FY 2010 toward an \$8.0 million FY 2010 plan to support overall intelligence efforts for criminal alien enforcement. As part of this obligation, SC obligated nearly \$0.5 million of this amount during First Quarter FY 2010 toward a plan of \$1.8 million specifically set aside for the OLC pilot. This pilot consists of eight personnel in the Office of Intelligence, who were deployed during FY 2009 to be part of the pilot OLC program for use to develop intelligence on high-threat criminal aliens. During First Quarter FY 2010, OLC identified over 150 criminal aliens and provided over 90 leads for criminal investigations, which is more than a 20-percent increase in leads provided compared to Fourth Quarter FY 2009.²⁸

Criminal Alien Program

The Criminal Alien Program (CAP) focuses on identifying criminal aliens who are incarcerated within federal, state and local facilities. CAP teams aim to prevent the release of criminal aliens into the community by issuing detainers and ideally, securing a final order of removal prior to the completion of a sentence. This reduces the number of criminal aliens ICE must detain upon release from LEA custody. At the end of First Quarter FY 2010, there were a total of 62 high, b7c CAP teams deployed.²⁹ To support CAP operations, ICE obligated \$48.7 million in First Quarter FY 2010 toward a \$192.4 million FY 2010 plan.³⁰ SC/CIRCA provides funding to CAP for 62 high, b7e positions, which also include positions for Interoperability response, JCART and VCAS positions.³¹

As the following data illustrate, CAP has had a positive impact on ICE efforts to identify and remove criminal aliens. During First Quarter FY 2010, the following progress and results were achieved:

- Of nearly 60,000 apprehensions made, nearly 44 percent were convicted criminal aliens. The remainder were in law enforcement custody but not ultimately convicted of a crime.³²
- Nearly 51,000 detainers and over 55,000 charging documents were lodged by DRO Officers/Agents.³³
- Over 31,000 criminal aliens were removed.³⁴

Joint Criminal Alien Removal Task Force and Violent Criminal Alien Section

CAP funding supports enforcement activities conducted by JCART and VCAS within DRO. In coordination with other law enforcement agencies, JCART targets at-large criminal aliens. JCART seeks, locates and arrests at-large criminal aliens with, but not limited to, convictions for drug trafficking offenses, crimes of violence and sex offenses. JCART collaborates with other agencies such as Probation and Parole Offices, the U.S. Marshals Service, U.S. Customs and Border Protection and Bureau of Prisons, as well as at the request of local law enforcement, in

conducting special operations. JCART may also target criminal aliens at-large in the community who have been released from federal, state, or local law enforcement custody.

At the end of First Quarter FY 2010, JCART had established 33 partnerships with law enforcement entities. In coordination with other DRO personnel, during First Quarter FY 2010, JCART contributed to the arrest of 180 removable aliens and the issuance of approximately 380 detainers.³⁵

VCAS personnel identify, for prosecution, recidivist criminal aliens encountered through CAP and Fugitive Operations. Illegal reentry after deportation is in violation of 8 USC §1326. These activities both facilitate the removal of the most dangerous criminal aliens and, through successful prosecutions, act as a deterrent to future recidivism.

VCAS personnel evaluate identified recidivist criminal aliens for referral to U.S. Attorneys for prosecution. VCAS redeployed staff in support of this important activity. In coordination with other DRO personnel, during First Quarter FY 2010, VCAS contributed to over 1,400 criminal alien arrests, as well as the successful indictment of over 1,000 criminal aliens and the conviction of over 1,000 criminal aliens. In addition, VCAS referred over 3,100 cases to U.S. Attorney Offices, of which over 2,000 were accepted for prosecution.³⁶

| PRIORITIZE |
|--|
| <u>VCAS</u> In coordination with the U.S. Attorney Offices, VCAS works to prioritize federal criminal prosecution of egregious recidivist criminal aliens, especially prior deportees with past convictions for serious or violent criminal offenses, including suspected gang members and sex offenders. |

B. Detain, Process and Remove

Several ICE programs and offices contribute to criminal alien enforcement efforts to detain, process and remove criminal aliens. In response to higher volumes of identified criminal aliens, ICE is using increasing proportions of bed space and removal transportation capacity for criminal aliens. SC's efforts aim to increase the total number of removed criminal aliens through more effective use of bed space and personnel in detention facilities, greater transportation capacity and improved efficiency while processing criminal aliens for removal.

ICE provides funding for activities and initiatives that contribute to these efforts and the overall SC/CIRCA mission such as Alternatives to Detention, legal proceedings and Rapid REPAT. For example, to improve efficiencies for detention, the Alternatives to Detention program provides cost effective alternative detention settings for low-risk individuals while still ensuring they comply with immigration proceedings and other immigration obligations. Releasing such individuals to controlled alternative environments minimizes ICE detention management and oversight activities necessary and provides bed space for aliens who must be detained. In First Quarter FY 2010, ICE obligated \$11.5 million toward a \$29.3 million FY 2010 plan for the Alternatives to Detention program.³⁷

In support of removal efforts, the ICE Office of the Principal Legal Advisor (OPLA) represents the U.S. Government in the legal proceedings necessary to secure orders of removal for criminal

aliens. ICE also details OPLA personnel to support U.S. Attorney Offices that conduct criminal prosecutions, including those that charge violent criminal aliens with felony re-entry into the United States. In First Quarter FY 2010, ICE obligated \$21.2 million toward a \$76.1 million FY 2010 plan to continue prosecutions and removal proceedings against criminal aliens.³⁸ In addition, Rapid REPAT supports removal efforts by enhancing the ability of ICE to remove criminal aliens from the country. Through agreements with states, certain aliens who are incarcerated in state prison and have been convicted of non-violent offenses may receive early conditional release if they have a final order of removal, agree to waive appeal rights associated with their state convictions and agree not to return to the United States. During First Quarter FY 2010, nearly 180 criminal aliens were removed through Rapid REPAT. In total, ICE has signed agreements with the following seven states/territories and has pending agreements with several other states: Georgia, Maryland, New Hampshire, North Carolina, Puerto Rico, Rhode Island and South Carolina.³⁹

In addition to the aforementioned activities and initiatives that are funded by ICE and contribute to the SC/CIRCA mission, SC/CIRCA provides direct funding to Custody Operations, the Office of International Affairs (OIA) and removal transportation, which are described in the sections that follow and support the detention, processing and removal of criminal aliens in alignment with the mission of SC.

Custody Operations

To support efforts to expand criminal alien detention capacity, ICE obligated \$292.7 million during First Quarter FY 2010 toward a \$962.0 million FY 2010 plan for Custody Operations.⁴⁰ Since SC was established in FY 2008, ICE has seen the proportion of detention space used for criminal aliens steadily rise and expects this trend to continue for several years. In FYs 2007 and 2008, ICE reported that, on average, 43 percent of available detention space was devoted to criminal aliens. This percentage increased to 48 percent for FY 2009 and exceeded 50 percent during the fourth quarter. At the end of First Quarter FY 2010, over 57 percent of the ICE detention population consisted of criminal aliens. In addition to this increase in proportion of detained criminal aliens to non-criminal aliens, the average daily population of detained criminal aliens has increased in First Quarter FY 2010 to 16,944, which is over a 3-percent increase from Fourth Quarter FY 2009.⁴¹

ICE is working to reduce the average length of detention for criminal aliens so that each available bed can support greater numbers of criminal alien removals. In FYs 2008 and 2009, ICE reported that average length of detention for criminal aliens was 48.2 days and 45.6 days, respectively. In First Quarter FY 2010, the average length of detention was 40.8 days.⁴²

In FY 2010, SC/CIRCA continues to fund a total of 1,246 beds in the following states: Arizona, California, Florida, Massachusetts, North Carolina, Pennsylvania, Virginia and Texas.⁴³ To better manage the near-term effects of criminal alien enforcement activities, the SC PMO is developing a network optimization model to provide for more effective allocation of bed space capacity at ICE detention facilities to address the projected criminal alien population. Additional information on the development of this model is discussed later in the report in Part C, “Management Support.”

Office of International Affairs

OIA, in conjunction with the Department of State, engages foreign governments to emphasize their commitment, under international law to accept the return of their citizens, as well as to alert them that their numbers of returned criminals may be increasing. These activities facilitate the process of removing criminal aliens from the United States by ensuring collaboration and coordination between sovereign states.

The OIA Repatriation and International Agreements Unit (RIAU) acts as the liaison between DRO and OIA. The RIAU is responsible for working with the Department of State and DRO to negotiate and maintain removal agreements with foreign countries and acts as the primary OIA point of contact for all repatriation issues. The unit manages the programmatic needs of OIA international repatriation staff and provides leadership for the repatriation mission. In addition, the unit is responsible for coordinating information sharing through Customs Mutual Assistance Agreements, Mutual Legal Assistance Treaties and other international agreements, as needed.

OIA consults and coordinates with receiving countries on logistical issues and constraints regarding the process of returning aliens. OIA is also developing strategies to minimize concerns countries may have as a result of ICE increasing the removal of aliens with a criminal history. As a result, OIA is pursuing the following collaborative international strategies:

- Establish and strengthen appropriate mechanisms to share information with receiving countries on deportations of criminals so that the countries have ample lead time to prepare and make necessary arrangements for re-orientation.
- Identify third-party international and non-governmental organizations to help in the transition of criminal aliens returning to their country of origin through ICE Attachés. ICE staff will maintain involvement in multilateral forums with partner countries (i.e., Four Country Conference, Regional Conference on Migration, Shared Border Accord Coordinating Committee and others) to discuss alien removal issues.
- Consider the feasibility and benefits of providing additional training for ICE representatives overseas to increase the number of subject matter experts to deal with complex removal issues worldwide.

To support OIA efforts related to criminal alien removals, ICE obligated \$1.7 million during First Quarter FY 2010 toward a \$6.7 million FY 2010 plan.⁴⁴ SC/CIRCA provides funding to support [REDACTED] positions, which include [REDACTED] Assistant Attachés, [REDACTED] personnel at RIAU headquarters and [REDACTED] foreign service nationals. At the end of First Quarter FY 2010, the Assistant Attaché and RIAU headquarters positions were filled. ICE plans to complete hiring for the foreign service national positions during FY 2010.⁴⁵

ICE is also continuing efforts to modernize the way travel documents and other removal documents are produced through the Electronic Travel Document (eTD) system. This system allows for correspondence between ICE/DRO and the foreign government officials in the travel document issuance process, via an internet-based system. The eTD system allows foreign consular officers to electronically view travel document requests and issue travel documents

from the consulate, eliminating the costly and time-consuming process of requesting travel documents by mail and contributing to more expeditious removals and shorter detention periods.

Travel document activity for non-participating countries is conducted manually, but is still tracked in the *eTD* system. During First Quarter FY 2010, ICE requested over 24,000 travel documents of which almost 18,000 were issued. To obtain the full benefit of *eTD*, ICE continues to pursue memoranda of understanding with several countries to enable them to begin issuing fully electronic travel documents in the near future. Honduras, El Salvador, Guatemala and the Dominican Republic are currently using the *eTD* system. The implementation of the *eTD* system with Colombia is pending because of technical reasons.⁴⁶

Removal Transportation

In addition to increasing bed space dedicated to criminal aliens, ICE continues to improve the removal process by allocating resources to increase transportation capacity. To support and expand criminal alien removal capacity, ICE obligated \$18.4 million during First Quarter FY 2010 toward a \$129.6 million FY 2010 plan.⁴⁷ In support of these efforts, the SC Program Management Office (PMO) is developing and utilizing modeling tools to provide for more effective allocation of transportation resources and more efficient removal transportation activities. ICE plans to expand transportation capacity to accommodate at least 29,000 additional criminal alien removals in FY 2010. During First Quarter FY 2010, the ICE Flight Operations Unit effected the removal of over 38,650 aliens, of which over 56 percent were criminal aliens.⁴⁸ During this period, ICE had removed a total of over 78,800 aliens, of which over 37,330 were criminal aliens. This is over a three-percent increase in criminal alien removals from Fourth Quarter FY 2009.⁴⁹ By increasing flight capacity, ICE has supported and will continue to support ICE FY 2010 removal needs, while also providing greater flexibility in domestic alien movements by the use of domestic flights.

C. Management Support

Secure Communities Program Management Office

The SC PMO coordinates ICE planning, operational, technical and fiscal activities devoted to transforming, modernizing and optimizing the criminal alien enforcement process throughout ICE. The office collaborates with ICE Programs and Offices to oversee the scope definition, schedule maintenance and cost and performance measurement tracking and reporting for projects impacting the SC/CIRCA mission. To support ICE efforts to execute the SC/CIRCA mission, the SC PMO performs budget formulation and reporting activities for funding allocated for criminal alien enforcement throughout ICE, including the over \$2.0 billion that ICE has allocated for FY 2010. The SC PMO also conducts planning and outreach efforts to support the continued deployment of Interoperability. To better define the mission and scope of the program, the PMO is revising the Strategic Plan and developing the integrated Concept of Operations. During First Quarter FY 2010, these documents were under final review, and ICE anticipates approval during Second Quarter FY 2010. To support the SC PMO, ICE obligated \$5.2 million during First Quarter FY 2010 toward a \$34.1 million FY 2010 plan.⁵⁰ A significant portion of these funds are being used to conduct broader outreach activities, including those that support Interoperability deployment, and greatly expand modeling efforts to enhance criminal alien

enforcement activities throughout ICE. Discussions of both activities follow. The SC PMO is currently planning to complete hiring for a total of approximately 100 positions in FY 2010, of which 100 have been filled at the end of the first quarter.

Outreach Activities

The PMO coordinates and conducts communications and outreach to stakeholders on issues regarding the SC/CIRCA mission, including activities that support continued Interoperability deployment. During First Quarter FY 2010, the SC PMO continued outreach efforts to provide information and conduct awareness training for ICE internal and external stakeholders that support Interoperability before and/or after deployment. These ongoing activities follow a three-phased approach as outlined here. Also, while stakeholder outreach is ongoing and when deployment is scheduled, press releases may be distributed announcing the start of this new capability.

- 1) Training and coordination: ICE coordinates with DRO Field Offices in the AORs where Interoperability will be deployed to ensure staff is prepared to support deployment by, for example, testing communications and assessing transportation resources.
- 2) Coordination with the State Identification Bureaus: ICE, along with US-VISIT and CJIS, works closely with the State Identification Bureau personnel to educate them about Interoperability, including the necessary IT requirements, and to agree on a date for local outreach.
- 3) Implementation: Once the necessary coordination with DRO Field Offices and the State Identification Bureaus has occurred, ICE coordinates with LEAs to educate them about Interoperability and finalize exact locations and dates for Interoperability activation within their jurisdictions.

During First Quarter FY 2010, the office also continued outreach efforts to promote awareness of SC/CIRCA within ICE and with external stakeholders such as law enforcement associations, interagency partners, state and local government personnel, congressional committees, advocacy groups and think tanks. The main objective of such outreach efforts has been to engage stakeholders in informative discussions about SC/CIRCA areas of interest, as well as to address issues, concerns or feedback they may have. Additional activities include distribution of press releases and responding to media reports to ensure SC/CIRCA mission and activities are accurately conveyed to stakeholders.

Modeling Activities

Additionally, the PMO conducts modeling and analysis to support mission-centric decision-making that impacts the efficiency of, as well as resources and funding for, criminal alien enforcement activities throughout ICE.

TRANSFORM

Modeling and Analysis Efforts

Criminal Alien Population Projection Model: Forecasts the population of criminal aliens released from state and local LEA custody and at-large, specifically fugitives and those on parole and probation, over the next five years

Network Optimization Model: Provides bed space and transportation resource allocation recommendations to address the projected criminal alien populations

Strategic Decision Model: Analyzes capabilities and provides an integrated view of the ICE potential portfolio of investments to provide future finance and budget recommendations

Activity Based Costing Model: Assesses costs associated with the criminal alien enforcement lifecycle (i.e., Identify, Arrest, Detain, Process and Remove)

ICE utilizes data generated from the Criminal Alien Population Projection to inform executive decisions and other models as described below. During First Quarter FY 2010, the office updated the Criminal Alien Population Projection to incorporate recommendations provided by working group sessions. During Second Quarter FY 2010, the PMO plans to develop a strategy and approach to refresh the Criminal Alien Population Projection to maintain a five-year projection.

The Network Optimization Model provides recommendations for effectively allocating bed space capacity at ICE detention facilities with the projected criminal alien population and determining the best strategy for utilizing all modes of transportation. During First Quarter FY 2010, the office completed the working group sessions and began incorporating the feedback received. During Second Quarter FY 2010, the SC PMO plans to complete an updated baseline version of the model and conduct scenario analysis.

The Strategic Decision Model assesses the relative costs, benefits and risks of investment options and provides budget recommendations. During First Quarter FY 2010, “what-if” scenario exercises conducted using the model were completed and the results were shared with SC PMO and DRO leadership. The analysis of the exercises will be used to develop resource allocation plans and to inform future budget allocation discussions and decisions.

The Activity Based Costing model is intended to assess costs associated with the criminal alien enforcement lifecycle (i.e., identify, arrest, detain, process and remove). During First Quarter FY 2010, activity-based costing process maps and associated activities were finalized and corresponding narratives were developed. In addition, Phase 1 of model development was complete to include preliminary cost information on criminal alien enforcement lifecycle phases and activities. These modeling efforts will in turn allow ICE to identify process improvement opportunities, estimate the impact of process changes, make more informed resource investment decisions and better address reporting needs.

IV. The Way Forward

The significant progress that ICE achieved to date with SC/CIRCA funding has laid the foundation for continued growth and advancement. The SC PMO has developed and evolved as the projects under it have unfolded and critical milestones have been attained. Since its inception, the PMO has developed a comprehensive set of processes and programs centered on its goal of modernizing the ICE approach to identifying, arresting, detaining, processing and removing criminal aliens from the United States. A key aspect of this program has been the development and deployment of Interoperability across the United States, which continues to increase the number of criminal aliens processed as more individuals are identified by Interoperability.

A critical element of the future state vision is to implement the SC/CIRCA workforce infrastructure, technology and process improvements ICE-wide to enable ICE to effectively process and remove the increased numbers of identified criminal aliens. SC/CIRCA continues to support a multi-faceted approach to achieve this goal:

- Deploying personnel in critical areas where larger numbers of criminal aliens are likely to be encountered, including areas such as those involved with the identification, detention and removal processes.
- Modernizing technology, particularly in the areas of criminal alien identification, detention management, removal management, technology management and detainee location tracking.
- Prioritizing detention and removal resources, such as bed space and transportation capacity, to accommodate increased numbers of criminal aliens and their specialized needs.
- Implementing process improvements across the organization to streamline the identification, detention and removal processes to reduce the total length of detention for criminal aliens and expedite their removal from the country.
- Drafting a strategy to more effectively address at-large criminal aliens, to include exploring ways to assign existing resources to identify and remove more at-large criminal aliens. In addition, examining potential modifications to priority levels for criminal alien enforcement.
- Continuing modeling efforts that analyze key costs, benefits, risks and constraints to project resource needs and optimum resource allocations. This is especially critical as Interoperability expands, resulting in increasing numbers of criminal aliens that will need to be detained, processed and removed. Modeling will allow ICE to assess how to apply future funds to support the entire enforcement lifecycle.

V. Appendices

A. FY 2010 Funding Plans and Obligations (in thousands)

| Category of Activity | Plan by Appropriation | | | Total Plan | Obligations by Appropriation | | | Total Obligated | % |
|---------------------------------------|-----------------------|-----------------|------------------|--------------------|------------------------------|-----------------|----------------|------------------|------------|
| | ICE FY10 Base | SC FY 09/10 | SC FY 10/11 | | ICE FY10 Base | SC FY 09/10 | SC FY 10/11 | | |
| Identify & Arrest | \$470,260 | \$0 | \$61,233 | \$531,493 | \$101,930 | \$9,479 | \$1,686 | \$113,095 | 21% |
| Criminal Alien Program | \$139,355 | \$0 | \$53,000 | \$192,355 | \$40,038 | \$7,658 | \$988 | \$48,684 | 25% |
| Fugitive Operations | \$103,356 | \$0 | \$0 | \$103,356 | \$17,322 | \$0 | \$0 | \$17,322 | 17% |
| Domestic Investigations | \$139,186 | \$0 | \$0 | \$139,186 | \$36,383 | \$0 | \$0 | \$36,383 | 26% |
| Law Enforcement Support Center | \$28,770 | \$0 | \$6,475 | \$35,245 | \$4,979 | \$1,470 | \$590 | \$7,038 | 20% |
| 287(g) Delegation of Authority | \$53,308 | \$0 | \$0 | \$53,308 | \$1,524 | \$0 | \$0 | \$1,524 | 3% |
| Intelligence | \$6,285 | \$0 | \$1,758 | \$8,043 | \$1,684 | \$351 | \$108 | \$2,144 | 27% |
| Detain, Process & Remove | \$1,078,922 | \$45,181 | \$79,621 | \$1,203,724 | \$326,192 | \$16,690 | \$2,626 | \$345,509 | 29% |
| Custody Operations | \$883,196 | \$32,581 | \$46,192 | \$961,969 | \$286,653 | \$3,928 | \$2,133 | \$292,714 | 30% |
| Alternatives to Detention | \$29,363 | \$0 | \$0 | \$29,363 | \$11,545 | \$0 | \$0 | \$11,545 | 39% |
| Legal Proceedings | \$76,120 | \$0 | \$0 | \$76,120 | \$21,158 | \$0 | \$0 | \$21,158 | 28% |
| International Affairs | \$2,708 | \$0 | \$4,002 | \$6,710 | \$1,003 | \$163 | \$493 | \$1,659 | 25% |
| Transportation and Removal | \$87,535 | \$12,600 | \$29,427 | \$129,562 | \$5,832 | \$12,600 | \$0 | \$18,432 | 14% |
| Information Technology | \$116,525 | \$0 | \$41,416 | \$157,941 | \$16,493 | \$3,610 | \$150 | \$20,253 | 13% |
| Identification & Arrest Systems | \$0 | \$0 | \$34,031 | \$34,031 | \$0 | \$3,400 | \$0 | \$3,400 | 10% |
| Detention & Removal Systems | \$0 | \$0 | \$1,919 | \$1,919 | \$0 | \$0 | \$0 | \$0 | 0% |
| IT Management & Architecture | \$0 | \$0 | \$5,466 | \$5,466 | \$0 | \$210 | \$150 | \$360 | 7% |
| Headquarters Managed IT/Modernization | \$116,525 | \$0 | \$0 | \$116,525 | \$16,493 | \$0 | \$0 | \$16,493 | 14% |
| Management Support | \$103,565 | \$11,350 | \$17,730 | \$132,645 | \$21,066 | \$4,729 | \$722 | \$26,517 | 20% |
| Secure Communities PMO | \$0 | \$16,350 | \$17,730 | \$34,080 | \$0 | \$4,432 | \$722 | \$5,154 | 15% |
| Headquarters Management | \$103,565 | (\$5,000) | \$0 | \$98,565 | \$21,066 | \$297 | \$0 | \$21,364 | 22% |
| Total | \$1,769,272 | \$56,531 | \$200,000 | \$2,025,803 | \$465,682 | \$34,508 | \$5,184 | \$505,374 | 25% |

Source: United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

Note: Reported ICE obligations by category of activity for First Quarter FY 2010 reflect ICE financial data as of December 31, 2009. ICE expects to reclassify some First Quarter FY 2010 payroll expenses during Second Quarter FY 2010 that will shift expenses from SC/CIRCA funding within the categories of activity to other ICE base funding supporting the same categories of activity. As a result, ICE expects reported SC/CIRCA obligations for some categories of activity to decrease in Second Quarter FY 2010.

B. Video Conferencing (VTC) Deployments

| No. of VTC Units | Site Name | City | State |
|------------------|---------------------------------------|-------------|-------|
| 1 | New York DRO Field Office | New York | NY |
| 1 | Seattle DRO Field Office | Seattle | WA |
| 1 | Columbus DRO Office (Detroit AOR) | Columbus | OH |
| 1 | Mendocino County Jail | Ukiah | CA |
| 1 | McRae Correctional Facility | McRae | GA |
| 1 | Marion County Jail | Ocala | FL |
| 1 | Highlands County Jail | Sebring | FL |
| 2 | Glades County Jail | Moore Haven | FL |
| 1 | Buffalo Federal Detention Facility | Batavia | NY |
| 1 | Gulfport DRO Office (New Orleans AOR) | Gulfport | MS |
| 1 | South Louisiana Correctional Center | Basile | LA |
| 1 | Jones County Jail | Ellisville | MS |
| 2 | Johnson County Correctional Facility | Cleburne | TX |
| 2 | Norfolk DRO Office (Washington AOR) | Norfolk | VA |
| 1 | Polk County Jail | Des Moines | IA |

Source: United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/6/2010.

C. Key Activities and Milestones

| Milestone | Planned Start | Planned End | Status |
|---|---------------|-------------|---|
| Technology | | | |
| Interoperability deployment to FY 2010 jurisdictions completed | Q1 FY 2010 | Q4 FY 2010 | 20 deployments completed |
| Interoperability deployment to remaining jails/prisons completed | Q1 FY 2010 | Q4 FY 2013 | Developing FY 2010 Interoperability deployment plans |
| 24x7 response capability established | Q1 FY 2009 | Q4 FY 2010 | Established centers in Miami, FL; Laguna, CA; and Chicago, IL |
| Complete ACRIME stabilization | Q2 FY 2009 | Q1 FY 2010 | ACRIME stabilization completed. |
| Deploy ACRIME Modernization | Q3 FY 2009 | Q2 FY 2010 | Development was completed. Testing and deployment of initial release planned for Q2 FY 2010. |
| Implementation of services to enable the automation of research and analysis functions (ex: Automated Threat Prioritization and Status Determination Support Systems) | Q1 FY 2010 | Q3 FY 2012 | The contract for Status Determination Support services was protested. Re-evaluation occurred with contract award expected in early Q2 FY 2010. The Automated Threat Prioritization project is underway. |
| Deployment of BST&T modules (DLT, CRS, TMS) | Q1 FY 2009 | Q2 FY 2013 | BST&T initiative under review. DLT (MCD) development ongoing and CRS requirements being re-validated. (Note: TMS is not scheduled to begin before FY11) |
| Deployment of EARM v.3 (to include EADM, ATDP, and eTD modules) | Q2 FY 2009 | Q3 FY 2010 | Development of interfaces complete |
| Installation of 170 VTC units at DRO, jail, and prison facilities | Q3 FY 2009 | Q4 FY 2010 | A total of 42 units have been installed |
| Development of ICE Metrics Dashboard in IIDS | Q4 FY 2009 | Q3 FY 2010 | Delivery schedule is under development, and ICE anticipates information regarding the schedule will be provided in the next Report |
| Criminal Alien Enforcement Resources and Activities | | | |
| b2 high, b7c CAP FTEs deployed | Q2 FY 2009 | Q1 FY 2010 | Per FY 2010 plan, a total of b2 high, b7c CAP FTEs have been deployed |
| b2 high, b7c JCART FTEs hired | Q2 FY 2009 | Q1 FY 2010 | Per FY 2010 plan, a total of b2 high, b7c JCART FTEs have been hire |
| Deployment of b2 high, b7c VCAS personnel to the field completed | Q2 FY 2009 | Q1 FY 2010 | Per FY 2010 plan, a total of b2 high, b7c FTEs have been deployed |
| Refined baseline Network Optimization scenarios and developed alternative scenarios | Q3 FY 2009 | Q2 FY 2010 | Refined baseline model and developed alternative scenarios for comparison. Discovered that a significantly greater level of detail was necessary in order to effect "what-if" scenarios |

D. Acronyms and Abbreviations

| Acronym/ Abbreviation | Full Text |
|--------------------------|---|
| ACRIME | Alien Criminal Response Information Management System |
| AOR | Area of Responsibility |
| ATDP | Alternatives to Detention Program |
| BST&T | Bed Space, Transportation, and Detainee Location Tracking Automation System |
| CAP | Criminal Alien Program |
| CJIS | Criminal Justice Information Services |
| CRS | Central Reservation System |
| DHS | Department of Homeland Security |
| DLT | Detainee Location Tracking |
| 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 |
| eTD | Electronic Travel Document |
| FOT | Fugitive Operations Team |
| FOU | Flight Operations Unit |
| FTE | Full-Time Equivalent |
| FY | Fiscal Year |
| IAFIS | Integrated Automated Fingerprint Identification System |
| IAR | Immigration Alien Response |
| ICE | Immigration and Customs Enforcement |
| IDENT | Automated Biometric Identification System |
| IIDS | ICE Integrated Decision Support System |
| IT | Information Technology |
| JCART | Joint Criminal Alien Removal Task Force |
| LEA | Law Enforcement Agency |
| LESC | Law Enforcement Support Center |
| NCIC | National Crime Information Center |
| OIA | Office of International Affairs |
| P.L. | Public Law |
| PMO | Program Management Office |
| Q1 | First Quarter |
| Q2 | Second Quarter |
| Q3 | Third Quarter |
| Q4 | Fourth Quarter |
| RIAU | Repatriation and International Agreements Unit |
| SC | Secure Communities |
| SC/CIRCA | Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens |
| TMS | Transportation Management System |
| U.S. | United States |
| US-VISIT | United States Visitor and Immigrant Status Indicator Technology |
| VCAS | Violent Criminal Alien Section |
| VTC | Video Teleconferencing |

E. Endnotes

¹ Consolidated Appropriations Act, 2008, Pub. L. No. 110-161, 121 Stat 1844, 2050 (2007).

² Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, Pub. L. No. 110-329, 122 Stat 3574, 3659 (2008).

³ Excerpted from the Explanatory Statement accompanying Pub. L. No. 110-329, submitted by Mr. Obey, Chairman of the House Committee on Appropriations, regarding the Amendment of the House of Representatives to the Senate Amendment to H.R. 2638, 571, 634 (2008).

⁴ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

⁵ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/8/2010.

⁶ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

⁷ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

⁸ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

⁹ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

¹⁰ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

¹¹ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

¹² United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

¹³ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/13/2010.

¹⁴ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/13/2010.

¹⁵ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

¹⁶ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/13/2010.

¹⁷ United States Immigration and Customs Enforcement, Office of the Chief Information Officer, response to data call, 1/29/2010.

¹⁸ United States Immigration and Customs Enforcement, Table of Organization Position System, Calendar year 2009 pay period 25, data retrieved 1/4/2010.

¹⁹ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

²⁰ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

²¹ United State Immigration and Customs Enforcement, Office of State and Local Coordination, response to data call, 1/5/2010.

²² United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.

²³ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/11/2010.

²⁴ United States Immigration and Customs Enforcement, Detention and Removal Operations, responses to data call, 1/7/2010 and 1/8/2010.

²⁵ United States Immigration and Customs Enforcement, Office of Investigations, responses to data calls, 10/16/2009 and 1/6/2010. It is not unusual for the number of arrests conducted by LEAs to decrease near the end of the calendar year.

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- ²⁶ United States Immigration and Customs Enforcement, Table of Organization Position System, Calendar year 2009 pay period 25, data retrieved 1/4/2010.
- ²⁷ United States Immigration and Customs Enforcement, Table of Organization Position System, Calendar year 2009 pay period 25, data retrieved 1/4/2010. The remaining high positions funded by SC/CIRCA in FY 2009 are now being funded with ICE base funds.
- ²⁸ United States Immigration and Customs Enforcement, Office of Intelligence, response to data call, 1/7/2010.
- ²⁹ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/7/2010.
- ³⁰ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ³¹ United States Immigration and Customs Enforcement, Table of Organization Position System, Calendar year 2009 pay period 25, data retrieved 1/4/2010. These high CAP positions include high for CAP jail identifications, high for Interoperability response (of which high were redeployed from within ICE), high for J Criminal Alien Removal Task Force, and high for Violent Criminal Alien Section. The FY 2009 plan to fund high CAP positions has been revised by the FY 2010 plan.
- ³² United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/12/2010.
- ³³ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/7/2010.
- ³⁴ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/7/2010.
- ³⁵ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/7/2010.
- ³⁶ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/12/2010.
- ³⁷ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ³⁸ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ³⁹ United States Immigration and Customs Enforcement, Detention and Removal Operations, responses to data call, 1/7/2010 and 1/14/2010.
- ⁴⁰ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ⁴¹ United States Immigration and Customs Enforcement, Detention and Removal Operations, responses to data calls, 10/16/2009 and 1/8/2010.
- ⁴² United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/8/2010.
- ⁴³ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/8/2010.
- ⁴⁴ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ⁴⁵ United States Immigration and Customs Enforcement, Office of International Affairs, response to data call, 1/7/2010.
- ⁴⁶ United States Immigration and Customs Enforcement, Office of International Affairs, response to data call, 1/12/2010.
- ⁴⁷ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.
- ⁴⁸ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 2/2/2010.
- ⁴⁹ United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 1/8/2010.
- ⁵⁰ United States Immigration and Customs Enforcement, Federal Financial Management System, *INR112 Report*, 12/31/2009, data retrieved 1/6/2010.