



# Cash Electronic Bonds - Online Account & Payment System

*March 17, 2022*

Fiscal Year 2021 Report to Congress



**Homeland  
Security**

*U.S. Immigration and Customs Enforcement*

# Message from the Acting Director

March 17, 2022

I am pleased to present the following report, "Cash Electronic Bonds - Online Account & Payment System," prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to House Report 116-458, which accompanies the Fiscal Year 2021 Department of Homeland Security Appropriations Act (P.L. 116-260).

Pursuant to congressional guidelines, this report is provided to the following Members of Congress:

The Honorable Lucille Roybal-Allard  
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Chris Murphy  
Chair, Senate Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to the ICE Office of Congressional Relations at (202) 732-4200.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tae O. Johnson', with a long horizontal flourish extending to the right.

Tae O. Johnson  
Acting Director  
U.S. Immigration and Customs Enforcement



# Executive Summary

This report provides a plan to allow the general public to post and pay bonds electronically by building upon the existing electronic bonds system. The plan discusses options available to implement the initiative and identifies resources needed to execute such plan. Finally, it discusses the benefits that a new system will provide to ICE and members of the public.



# Cash Electronic Bonds – Online Account & Payment System

## Table of Contents

I.	Legislative Requirement .....	1
II.	Background .....	2
III.	Results/Data Report/Expenditure Plan .....	4
IV.	Proposal: Creation of CeBONDS and the Establishment of the National Bond Management Center .....	6
V.	Conclusion .....	8
	Appendix: Abbreviations.....	9

# I. Legislative Requirement

This report was compiled in response to legislative language in House Report 116-458, which accompanies the Fiscal Year (FY) 2021 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-260).

House Report 116-458 states:

Bond Payments.—The Committee reminds ICE of its requirements to provide the monthly bond statistics described in House Report 116-9 and directs ICE to continue providing such information in fiscal year 2021. Further, not later than 30 days after the delivery of the fiscal year 2021 budget request, ICE is directed to provide a plan to allow the general public to post and pay bonds electronically and to identify the resources needed to execute such plan.

## II. Background

The DHS Secretary is charged with the administration and enforcement of laws relating to immigration and naturalization of noncitizens and “shall [...] prescribe such forms of bond” as deemed necessary for carrying out their authority under the Immigration and Nationality Act (INA). INA § 103(a)(3), 8 U.S. Code § 1103(a)(3).

Current DHS regulations provide that “DHS is authorized to approve” an immigration bond. 8 Code of Federal Regulations (C.F.R.) § 103.6(a)(1). The DHS Secretary delegated to the U.S. Immigration and Customs Enforcement (ICE) Director the “authority to approve bonds issued pursuant to the immigration laws, to determine whether such bonds have been breached, and to take appropriate action to protect the interests of the United States with respect to such surety bonds.” (DHS Delegation No. 7030.2, ¶ 2(U) (Nov. 13, 2004) (effective Mar. 1, 2003))

In FY 2020, ICE approved 33,237 immigration bonds. This number reflects a decrease by almost half the amount posted in FY 2019, which was 61,025. The decrease primarily was because of the Coronavirus Disease 2019 (COVID-19) pandemic as there were fewer individuals being arrested, placed into ICE custody, and granted a bond.

Immigration bonds secured by a cash deposit are referred to as cash bonds. Cash bonds may be posted by individuals, law firms, nonprofit organizations, or other entities. In contrast, surety bonds are bonds posted by a surety company authorized to post bonds on behalf of the government and the surety company’s agent, whereby the surety and the agent agree to pay the amount of the bond if the bond is breached. In FY 2021, there were 11,538 cash bonds and 3,208 surety bonds issued by ICE.

**FY 2021 Cash and Surety Bonds Issued by ICE**

<b>FY 2021</b>	<b>Cash</b>	<b>Surety</b>
October	1,230	407
November	842	234
December	837	256
January	1,111	181
February	909	148
March	908	162
April	834	137
May	861	156
June	817	188
July	911	257
August	992	471
September	1,286	611
<b>Total</b>	<b>11,538</b>	<b>3,208</b>

\*14,746 total bonds posted for FY 2021

ICE approves three types of immigration bonds: delivery bonds, 8 C.F.R. § 236.1(c)(10), which are the most common type of immigration bonds, require the obligor to surrender the noncitizen in response to a demand notice issued by ICE; voluntary departure bonds, 8 C.F.R. § 1240.26(b)(3)(i), (c)(3)(i), ensure that the noncitizen leaves the United States on or before the voluntary departure date set by the Executive Office for Immigration Review within the U.S. Department of Justice; and order of supervision bonds, 8 C.F.R. § 241.5(b), may be required to be posted to ensure compliance with an Order of Supervision issued to a noncitizen subject to a final order of removal. In FY 2020, approximately 93 percent of the bonds issued were delivery bonds, six percent were voluntary departure bonds, and less than one percent were order of supervision bonds. Any of these three types of ICE bonds may be posted by a cash bond obligor provided that the bond is approved by ICE.

The COVID-19 pandemic prompted a shift in certain ICE business processes. To mitigate the risks associated with person-to-person contact, ICE is developing the Cash Electronic Bonds (CeBONDS) online system to allow obligors to post cash immigration bonds online without having to visit an ICE office in person.

### III. Results/Data Report/Expenditure Plan

The CeBONDS initiative builds upon the existing electronic bonds functionality to develop a web-based application provided to the general public with a fully automated, online capability to make requests to verify bond eligibility and to post cash immigration bonds, without going to an ICE Enforcement and Removal Operations (ERO) field office. The system will enable ICE to send electronic notifications to cash bond obligors and to support secure electronic communications between ICE ERO and the cash bond obligor.

The CeBONDS initiative is currently in the design and development phase. Development will begin with existing resources and will be supplemented with additional resources as they become available. A phased delivery approach allowing the system testers the ability to test and to provide feedback to the team continually will be utilized.

Additional requirements needed to implement the CeBONDS initiative include developing and identifying a process to validate users (i.e., their eligibility to post cash bonds) and creating a secure login process. Login.gov is one option being considered as a possible solution. It is a Federal Risk and Authorization Management Program (FedRAMP)<sup>1</sup>-approved authentication and identity-proofing platform that makes online interactions with the U.S. Government simple, efficient, and intuitive.

There are multiple benefits for the public to use Login.gov. It allows one account for every federal government service used; it is a secure and private authentication experience with opt-in user consent; it provides a convenient form to verify identity from home; and it provides simple tools to manage and update accounts, as well as descriptive help content and a staffed contact center for user support.

Login.gov also reduces user support issues and troubleshooting; it provides high availability and uptime; it has a secure two-factor authentication backed by a FedRAMP Moderate Authorization to Operate (ATO);<sup>2</sup> it reduces costs through economies of scale across government; it enhances fraud detection and monitoring; and it provides a platform that stays up-to-date with current authentication and identity policies, technologies, and standards, without additional effort required from ICE.

Procurement must be done via an interagency agreement with the U.S. General Services Administration (GSA).

ICE worked with the U.S. Department of the Treasury to set up and implement a payment process and payment options for CeBONDS. Fedwire is a high-speed, real-time electronic funds transfer system operated by the Federal Reserve Bank that offers same day settlement and is considered irrevocable, and is a free service to federal agencies. Automated Clearing House

---

<sup>1</sup> FedRAMP is a governmentwide program that provides a standardized approach to security assessment, authorization, and continuous monitoring for cloud products and services.

<sup>2</sup> FedRAMP ATO ranks the impact that the loss of confidentiality, integrity, or availability could have on an organization. Login.gov is rated as Moderate (serious adverse effect).



(ACH) is an electronic network of financial institutions facilitating financial transactions from one bank account to another, that typically settles in one to two business days, is considered irrevocable for federal agencies, and is a free service to federal agencies.

Proposed Regulatory Change – ICE anticipates engaging in rulemaking to allow it to send notices electronically where a cash bond obligor has posted a bond through the CeBONDS system.

## IV. Proposal: Creation of CeBONDS and the Establishment of the National Bond Management Center

The ICE/ERO Bond Management Unit's (BMU) proposal is to stand up a National Bond Management Center (NBMC) simultaneously with the launch of CeBONDS. The launch of CeBONDS and the establishment of NBMC would automate the immigration bond posting process and would streamline the bond lifecycle administration to a centralized location.

NBMC would handle all bond postings nationwide to include the bond deposits. In addition to posting bonds electronically, NBMC would manage Help Desk and associated questions coming into NBMC from cash bond obligors posting via CeBONDS and surety agents posting via eBONDS. The establishment of NBMC would relieve field office staff from daily bond posting and depositing, allowing them more time to focus on their nondetained dockets and other priorities, to include issuing timely notices to deliver noncitizens (Forms I-340) on final order cases. Government employees and/or contractors could comprise NBMC staffing. The NBMC office location would need to be determined. To establish NBMC, BMU would need the current Individual Position Numbers (IPN) for the 24 Bond Control Specialists to be moved under the Nondetained Docket Management/Headquarters BMU portfolio and funding for the following current and additional positions as a part of NBMC:

- 1 GS-15 Unit Chief (currently staffed)
- 5 GS-14 Section Chiefs (1 currently staffed)
- 4 GS-14 Management and Program Analysts (2 currently staffed)
- 5 GS-14 Detention and Deportation Officers (3 currently staffed)
- 4 GS-12 Mission Support Specialists (1 currently staffed)
- 12 CeBONDS Specialists (contractors or federal)
- 2 Contract positions for bond data and analytics/reports

CeBONDS/Proposed NBMC funding: The funding proposal will need to be updated to include the NBMC once the needed resources are identified.

<b>Key Stakeholders</b>	
<b>Owners</b>	<b>Description of Benefit</b>
<b>DEV Tech Group</b>	<ul style="list-style-type: none"> <li>• Develop and implement the online Cash Bonds System</li> </ul>
<b>Amazon Web Services Hosting</b>	<ul style="list-style-type: none"> <li>• Maintain production/maintenance once developed – <b>\$85,000</b></li> </ul>
<b>Information Systems Security Officer Support</b>	<ul style="list-style-type: none"> <li>• Security support for security assessment for CeBONDS - <b>\$150,000</b></li> </ul>
<b>Login.gov</b>	<ul style="list-style-type: none"> <li>• GSA support for authentication - <b>\$340,000</b></li> </ul>
<b>Department of the Treasury</b>	<ul style="list-style-type: none"> <li>• To handle financial transactions (ACH debit &amp; wire transfer) – <b>No cost to DHS/ICE</b></li> </ul>
<b>Proposed NBMC</b>	<ul style="list-style-type: none"> <li>• 24 additional IPNs/Contract staff</li> <li>• Building Site/Lease/Equipment</li> </ul>

## V. Conclusion

CeBONDS will enable ICE to issue a cash bond electronically, making the process easier and more convenient for members of the public. Additionally, it will allow ICE to mitigate risks associated with person-to-person contact when posting immigration bonds. Once implemented, CeBONDS will provide these additional benefits:

- **Cost Savings** – Reduces time and cost of mail delivery by providing electronic transmission of bond forms and notices.
- **Convenience** – Obligor can initiate and process an immigration bond online from anywhere, without having to travel to an ERO field office.
  - Eliminates the need for the obligor to wait in the ERO office for the entire duration of the bond process, reducing overcrowding.
- **Time savings** – Receipt of a completed immigration bond is expedited through a streamlined, electronic system that enables more efficient processing.
  - Minimizes time spent correcting and reconciling record errors caused by multiple manual data entries.
  - Reduces staff workload by auto-populating bond forms with noncitizen and obligor information stored in ICE systems.
- **Paperless** – Significantly reduces the use of paper and storage space, since data is saved and stored electronically. This helps to ensure compliance with the Paperwork Reduction Act.

## Appendix: Abbreviations

<b>Abbreviation</b>	<b>Definition</b>
ACH	Automated Clearing House
ATO	Authorization to Operate
BMU	Bond Management Unit
CeBONDS	Cash Electronic Bonds
CFR	Code of Federal Regulations
COVID-19	Coronavirus Disease 2019
DHS	Department of Homeland Security
ERO	ICE Enforcement and Removals Operations
FedRAMP	Federal Risk and Authorization Management Program
FY	Fiscal Year
GSA	General Services Administration
ICE	Immigration and Customs Enforcement
INA	Immigration and Nationality Act
IPN	Individual Position Number
NBMC	National Bond Management Center