Data Privacy & Integrity Advisory Committee

Public Meeting

Tuesday, September 19, 2017

12:45 PM - 3:40 PM
Web Conference Instructions

Please follow these instructions:

CONFERENCE LINE
• Dial 1-877-917-3402 and enter passcode 2049082.
• Please mute your phone but don’t place it on hold.

QUESTIONS
• Hold questions until the end of each session when the operator will open the line. DPIAC members have priority.

HANDOUTS
• This presentation is also available on our website: www.dhs.gov/privacy. Click on Privacy Committees.
Opening Remarks

Lisa Sotto
Chair
*Data Privacy & Integrity Advisory Committee*
Chief Privacy Officer Remarks

Sam Kaplan
Chief Privacy Officer
Privacy Office, DHS

202-343-1717
Sam.Kaplan@hq.dhs.gov
Privacy Office Updates

Jonathan R. Cantor
Deputy Chief Privacy Officer
Privacy Office, DHS

202-343-1717
Jonathan.Cantor@hq.dhs.gov
Please return by 1:50PM
Biometric Travel Security Initiative

Michael Hardin
Director, Entry/Exit Policy and Planning,
Office of Field Operations
U.S. Customs and Border Protection

Breanne Goodell
Branch Chief, Privacy Compliance
Privacy & Diversity Office
U.S. Customs and Border Protection
Biometric Travel Security Initiative

Privacy Impact Assessments

- Departure Information Systems Test

- Departure Verification System

- Traveler Verification Service (TVS)

- Traveler Verification Service (TVS): Partner Process
Facial Recognition

Lindsay Lennon Vogel
Senior Director, Privacy Compliance (Acting)
Privacy Office, DHS
202-343-1717
Lindsay.Vogel@hq.dhs.gov
Please return by 2:50PM
Immigration Data Integration Initiative (IDII)

Marc R. Rosenblum
Deputy Assistant Secretary
Office of Immigration Statistics
Office of Policy, DHS
IDII Directive

DHS Memorandum 16-3048: Improving Immigration Data Analysis and Reporting

- Ensure uniform Department-wide immigration data standards
- Give the Department’s data stakeholders real- or near real-time access to relevant data from across the Department
- Ensure that immigration records are fully linkable across DHS data systems
- Directed OIS and OCIO to establish and co-chair an ESC in 30 days and include leadership from CBP, ICE, USCG, and USCIS
DHS IDII ESC Structure

DHS Immigration Data Integration Governance Organization

Office of Immigration Statistics (OIS)
- Deputy Director, U.S. Citizenship and Immigration Services
- Deputy Commissioner, U.S. Customs and Border Protection
- Deputy Director, U.S. Immigration and Customs Enforcement

Office of the Chief Information Officer (OCIO)
- Vice Commandant, United States Coast Guard
- Director, NPPD/Office of Biometric Identity Management
- DHS Deputy General Council or designated representative
- DHS Chief Privacy Officer

Data Governance
- DHS Officer for Civil Rights and Civil Liberties
- DHS Assistant Secretary for Policy
- Under Secretary, Office of Intelligence & Analysis
- Director, Department of Health and Human Services, Office of Refugee Resettlement*
- Director, Department of Justice, Executive Office of Immigration Review*
- Assistant Secretary of State for Consular Affairs, Department of State Bureau of Consular Affairs*
- Assistant Secretary, Department of Labor, Employment and Training Administration*

Policy & Oversight

Capability & Implementation

Interagency SME Working Groups
- Data Stewardship Tactical Working Group: Assists the Data Working Groups, Data and Domain Stewards with the tactical solutions, services and technical implementation of standards.
- Master Reference Data Working Group: Supports and provides guidance for enterprise data standards and stewardship.

Homeland Security | Privacy Office
MISSION: Immigration Domain

Develop a more fully integrated immigration data warehouse and strengthen the Department’s systems for analyzing and reporting on immigration data.

GOALS: IDII ESC

- Employ uniform immigration data standards & practices
- Ensure DHS stakeholders have near real-time access to all relevant immigration data
- Ensure immigration records are fully linkable across the Department
- Analysis of immigration enforcement & benefits at the person-centric level

OBJECTIVES: IDII WGs

- Department-wide data glossary
- Department-wide data standards
- Data governance
- Data sharing policies and protocols
- Identity management
- IT environment
- Data dashboards and web tools
IDII: The Way Ahead

Phase I: Data Collection

Phase II: Eliminate Manual Transfers

Phase III: Establish Data Integration Policies

Phase IV: Implement Data Feeds

Phase V: Mature System

Data Transformation/Reconciliation/Business Logic

OIS Data Environment

Advanced Analytics & Automated Reports

For Each Data Provider/Data System

Data and Business Logic

Reports (Excel, PDF)
### Use Case Information Capture

*Please feel free to modify this to meet your need. This is*

<table>
<thead>
<tr>
<th>Use Case Element</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Case Number</td>
<td>Component/agency acronym_###</td>
</tr>
<tr>
<td>Use Case Name</td>
<td>The name of your use case, keep it short and sweet</td>
</tr>
<tr>
<td>Stakeholder</td>
<td>Who is the main stakeholder that this use case represents</td>
</tr>
<tr>
<td>Use Case Target</td>
<td>Elaborate more on the name, in paragraph form.</td>
</tr>
<tr>
<td>Information Need</td>
<td>The basic flow should be the events of the use case when everything is perfect; there are no errors, no exceptions, no transfers. Exceptions will be handled in the &quot;Alternate Flows&quot; section.</td>
</tr>
<tr>
<td>Precondition</td>
<td>What preconditions must be met before this use case can start</td>
</tr>
<tr>
<td>Trigger</td>
<td>What event triggers this use case</td>
</tr>
<tr>
<td>Known Impediments</td>
<td>Provide any known impediments such as access or system boundaries that you may be aware of.</td>
</tr>
<tr>
<td>Alternate Flows</td>
<td>The alternate flow provides any viable alternatives if there are known impediments.</td>
</tr>
</tbody>
</table>
Outcomes:

• Completed use case template
• Documented processing inputs and outputs
  ➢ Immigration terminology
  ➢ Reference data
  ➢ Policy recommendations
• Capability and reporting requirements evolve from use cases
• Recommendations for enterprise wide policy
Enforcement Lifecycle Analysis Example

- Current data systems hinder analysis of immigration enforcement: DHS cannot track an individual’s immigration history across DHS components, or describe enterprise-wide immigration actions and outcomes.

<table>
<thead>
<tr>
<th>INTAKE TO THE ENFORCEMENT SYSTEM</th>
<th>INITIAL DISPOSITION</th>
<th>ENFORCEMENT PROCESS</th>
<th>FINAL DISPOSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apprehension</td>
<td>Administrative removal or return</td>
<td>Detention determination</td>
<td>Repatriation</td>
</tr>
<tr>
<td>Arrest</td>
<td>Judicial removal process</td>
<td>Immigration proceedings</td>
<td>Prosecutorial discretion</td>
</tr>
<tr>
<td>Determination of inadmissibility</td>
<td>Temporary relief</td>
<td></td>
<td>Temporary relief</td>
</tr>
<tr>
<td></td>
<td>Prosecutorial discretion</td>
<td></td>
<td>Permanent relief</td>
</tr>
</tbody>
</table>
• Notes of Enforcement Lifecycle methodology are being shared for illustrative purposes only.

• OIS is still working with DHS data partners to finalize our Lifecycle methodology and to develop internal and public-facing Lifecycle reports
Enforcement Lifecycle: Outcome Assignment

**Final Decision**
- Removed/Returned
- LPR
- SIJ
- Cancellation of Removal
- Asylum
- EOIR Judicial Relief

**Touched the System**
- Removed/Returned
- T or U Visa
- Temporary Protected Status
- DACA

**At Apprehension**
- EOIR Prosecutorial Discretion
- EOIR Judicial Discretion
- Parole (EAD)
- Benefit Pending

**Non-Removable**
- Not Amenable to Removal (EAD)
- Asylum Application
- Withdrawal Granted
- Voluntary Departure Granted
- EOIR Proceedings
- ERO Admin NTA

**In Proceedings**
- Foreign-Born US Citizen
- Not Amenable to Removal at App
- NTA designated at Apprehension

Outcome
- Removed/Returned
- Permanent Relief
- Temporary Relief
- Final Order Issued
- Non-Removable
- In Proceedings
OIS matches intakes into the enforcement system to additional immigration events.

OIS assigns an “Outcome” to each apprehension to describe where they are in the immigration system.

Because individuals experience multiple immigration events, OIS created a hierarchy to assign an exclusive “Outcome”.

This hierarchy prioritizes data that shows that an individual has reached a stopping point (final decision) and works backwards.

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**High-Level Process for Assigning Lifecycle “Outcomes”**

**Final Decision**
- Ex. Removed or Returned
- LPR
- Final Order Issued

**Touched the System**
- Ex. In EOIR Proceedings
- Benefit Application

**At Apprehension**
- Ex. Paroled at Apprehension
- PD at Apprehension
Enforcement Lifecycle: Preliminary Results – Removed or Returned Dashboard

Removed or Returned: 64.1% (453,004)

Alternate text for the diagram:
- Filters:
  - Fiscal Year: FY2015
  - Elapsed Time: One Year
  - Apprehending Agency: All
  - Citizenship:
    - Fear
    - Unaccompanied Minor
    - Southwest Border
    - Other than Mexican
    - Criminal

- Initial Enforcement Action:
  - Removed or Returned

- Removed or Returned Statistics:
  - Agency
  - Citizenship
  - UACS

- Detention
Enforcement Lifecycle: Preliminary Results – Still in US Dashboard

<table>
<thead>
<tr>
<th>Filters</th>
<th>Initial Enforcement Action</th>
<th>Still in US</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Pending</td>
<td>Final Order Issued</td>
<td>In Proceedings</td>
</tr>
<tr>
<td></td>
<td>Perma Temporary Relief</td>
<td>Relif</td>
</tr>
</tbody>
</table>

Still In US Statistics

<table>
<thead>
<tr>
<th>Agency</th>
<th>Citizenship</th>
<th>UACs</th>
<th>Detention</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Permanent Relief: 1.38% (9,760)
• OIS and Executive Office of Immigration Review (EOIR) are negotiating an MOA specific to the data OIS and EOIR want to share for analytic and statistical purposes
• A key element in the MOA is OIS will be merging EOIR and DHS data and then de-identifying the merged data
  – This will allow the merged data to be used by EOIR and other DHS Components for reporting and statistical purposes without improperly sharing any PII obtained under this MOA that is beyond the scope of the larger Department-level MOA with EOIR
• OIS obtained a “One DHS” exception to continue to proceed with the MOA
  – Prevents the sharing of data with internal DHS Components that should not have access to the EOIR data OIS receives for statistical purposes
IDI Relational Diagram

INPUTS

Agency/Component

Data Governance Working Group Outputs
- Terms & Definitions
- Standards
- Links

Subject Area

Policy & Oversight Working Group Outputs
- Memorandum of Agreements
- System Access
- Interface Control Agreements

Systems

Elements

Outcomes > Capability & Implementation Working Group
Data Governance Working Group Status

30 Use Cases submitted: CBP, ICE, USCIS, USCG, & DHS OIS
- Use Cases can have multiple themes
- The themes are prioritized by DGWG based on initial review.
- Themes and prioritization will be validated by the owning component / agency.

Themes Defined:
1. **Record Linkage** – The primary theme is lack of unison among records with systems internal and external to that Component.
2. **Lack of Access to Data** – The primary theme is the inability to access information from other Components and agencies.
3. **Executive Order** – The primary theme is they required information they currently do not have access to support Executive Orders reporting.
4. **Standards Deficiency** – The primary theme is lack of standardization when inputting, sending, or receiving information.
5. **Lifecycle** – The primary theme is access to lifecycle information while processing records.
6. **Timeliness / Currency of Data** – The primary theme is availability of the information in as real time as possible and it is accurate.
7. **Record Change Notification** – The primary theme is lack of notification when a change is made to a record internally or externally.

CASP & CAR outline in draft based on use cases submitted.
• **Apprehension:** An action by a law enforcement agency to take physical control of a person. References to apprehensions in this report refer exclusively to those conducted by USBP.

• **Determination of Inadmissibility:** A determination that an alien is ineligible to be admitted to the United States according to the provisions of the Immigration and Nationality Act (INA) § 212(a). References to determinations of inadmissibility in this report refer exclusively to determinations by OFO occurring at ports of entry.

• **Administrative Arrest:** The arrest of an alien who is charged with removability under the provisions of the Immigration and Nationality Act (INA). References to administrative arrests in this report refer exclusively to arrests by ICE (ERO and HSI) occurring within the interior of the United States.

• **Detention:** The physical custody of an alien in order to hold them pending a determination whether the alien is removable from the United States, or while awaiting transportation to their country of citizenship after a final order of removal has been entered. References to detention and “intake to detention” in this report refer exclusively to detention by ICE during or after removal proceedings; they do not include short-term periods of time an individual is held by CBP during processing, prior to a removal or return, or prior to a transfer of custody to ICE or another appropriate entity. They also do not include detention in Office of Refugee Resettlement or Mexican Interior Repatriation Program facilities.

• **Removal:** The compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal. An alien who is removed, as opposed to being returned or leaving the country under an order of voluntary departure, faces administrative or criminal consequences upon subsequent reentry.

• **Return:** The confirmed movement of an inadmissible or deportable alien out of the United States not based on an order of removal. Data on returns in this report include voluntary returns, aliens leaving the country under an order of voluntary departure, and withdrawals under docket control.

*December 2016 Annual Flow Report DHS Immigration Enforcement (Enforcement Priorities)*
Best Practices for Protecting Immigration Statistics Data

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