



Privacy Impact Assessment
for the

ICE Parole and Law Enforcement Programs Unit Case Management Systems

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Abstract

The Parole and Law Enforcement Programs Unit (Parole Unit) within U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations, owns and operates three case management systems: 1) the Parole Case Tracking System (PCTS) to process applications and monitor activities related to law enforcement-requested immigration paroles; 2) the S-Visa System for S-Visa immigration benefits; and 3) the Witness Security (WitSec) System to support the witness security program. These are collectively referred to as the ICE Parole Unit Case Management Systems. The personally identifiable information (PII) maintained in these systems is about: 1) aliens otherwise ineligible for admission to the United States who are paroled into the United States in support of law enforcement investigations and activities; 2) aliens either previously removed or currently in removal proceedings who apply for and/or are granted humanitarian parole; and 3) aliens named in applications submitted by law enforcement agencies for participation in the S-Visa and WitSec programs. ICE is publishing this Privacy Impact Assessment (PIA) to document and provide transparency on the privacy protections that are in place for the PII contained in the ICE Parole Unit Case Management Systems.

Overview

Parole

The Immigration and Nationality Act (INA) provides the Secretary of Homeland Security discretion to parole any foreign national applying for admission into the United States temporarily for urgent humanitarian reasons or significant public benefit.¹ Parole allows an individual to remain in the United States for a temporary period when that individual is otherwise inadmissible or ineligible to remain. An individual who is paroled into the United States has not been formally admitted for purposes of immigration law. Parole is an extraordinary measure and not intended to be used to avoid normal visa processing procedures and timelines, to bypass inadmissibility waiver processing, or to replace established refugee processing channels.

The Secretary of Homeland Security delegated the authority to decide parole requests to three of its components: ICE, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS). A 2008 Memorandum of Agreement (MOA) among the three components delineates which has responsibility for each of the different types of parole decisions, and how the components coordinate on related requests. Pursuant to that MOA, ICE is responsible for parole decisions such as:

¹ See 8 U.S.C. § 1182(d)(5).



- *Domestic Administrative, Judicial, or Legislative Proceedings or Investigations:* Parole for aliens needed to participate in administrative, judicial, or legislative proceedings, and/or investigations, whether at the federal, state, local, or tribal level of government. This includes parole for aliens who are deemed necessary to a prosecution or investigation in the United States; a confidential informant from overseas with a specific credible threat; and extradition of an individual to the United States. Once granted by ICE, this type of parole authorizes an alien witness, defendant, or cooperating source temporary entry into or to remain in the United States for up to one year.² If necessary the alien's immediate family members may also be granted this form of parole.
- *Parole for In Transit Aliens:* Aliens paroled to travel through the United States en route to legal proceedings in a third country.
- *Parole for International Organization Events:* Aliens who will participate in events hosted by an international organization located within the United States (e.g., United Nations).
- *Parole under 50 U.S.C. § 403h (Section 7 Parole):* Aliens paroled in the interest of national security or essential to the furtherance of the national intelligence mission.
- *Parole for Intelligence Purposes:* Aliens who are a registered source of a member of the U.S. Intelligence Community and in cases in which the parole will further the national intelligence mission, or aliens whose parole is sought by the U.S. Department of State Cooperative Threat Reduction Program or by the Intelligence Community.
- *Parole Requests for Aliens in Removal Proceedings:* Aliens in removal proceedings or who have final orders, as well as aliens granted deferred action by ICE at any point after the commencement of removal proceedings, regardless of whether the alien is within or outside of the United States.

ICE's Parole and Law Enforcement Programs Unit (Parole Unit) is part of the ICE Homeland Security Investigations (HSI) directorate. HSI is the investigative arm of ICE that combats criminal organizations illegally exploiting America's travel, trade, financial, and immigration systems. The Parole Unit oversees the parole process, and is responsible for reviewing, adjudicating, and tracking parole requests received by ICE.

² For example, victims of severe forms of human trafficking who may serve as potential witnesses in a law enforcement investigation or activity are afforded a temporary legal status known as "continued presence," which allows them to remain in the United States for at least one year. *See* 22 U.S.C. § 7105(c)(3).



Parole Case Tracking System (PCTS) and the Parole Request Process

To effectively track and maintain records regarding parole requests and decisions, the Parole Unit uses PCTS, which is an information technology system that tracks actions throughout the parole lifecycle, from receipt and adjudication of the parole application to the entry and departure of the paroled alien. PCTS allows the Parole Unit to: 1) enter and track parole cases from application to termination; 2) search for applications by case or applicant; 3) prepare correspondence including letters and decision memos; and 4) run statistical reports to manage workload, advise senior management, and respond to external inquiries about parole (i.e., congressional inquiries).

Any federal, state, or local law enforcement agency can submit a parole request to ICE. Law enforcement agencies submit parole requests to allow a witness, defendant, or cooperating source to be paroled into the United States. Federal law enforcement agencies request parole by emailing the parole application to the ICE Parole Unit. State or local law enforcement agencies email parole applications to their local ICE HSI Parole Coordinator, who works in one of the HSI Special Agent in Charge (SAC) offices located in the field. That application is then forwarded to the Parole Unit.

The requesting law enforcement agency is responsible for providing the information necessary to complete the application, including the parole candidate's biographic, biometric, and travel information, as well as a justification for the parole request. Once the application is received, HSI conducts criminal history checks, immigration checks, and other pertinent systems checks on the parole candidate. The Parole Unit's Parole Program Specialist will create a hardcopy parole case file that contains the information described above and may also contain the alien's fingerprints, photos, copies of the birth certificate, passport, or other PII. The Parole Program Specialist will also manually enter this information into PCTS.

As part of the application adjudication process, the Parole Program Specialist notifies the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), and U.S. Marshals Service (USMS) by email of the parole application. The notice seeks these agencies' concurrence with or objection to granting the alien parole, and provides them an opportunity to communicate any interest they may have in the parole candidate for their own law enforcement purposes (e.g., an on-going FBI investigation). After responses from these agencies are received, the Parole Program Specialist submits the parole application package to Parole Unit management for review, and management makes the final determination either approving or denying the parole application. The Parole Program Specialist updates PCTS with the final determination and notifies the requesting law enforcement agency.

If approved, the Parole Program Specialist coordinates with the law enforcement agency that requested parole to further define or modify the conditions and specifics of the parole as



necessary (e.g., length of the parole period, planned port of entry). If the alien is not already in the United States, the HSI Attaché Office in the alien's current country or region coordinates with the respective foreign government to receive the necessary travel documents for the alien. All actions related to the alien's entry into the United States are recorded in PCTS. Once the alien is granted parole, they are known as a "parolee."

The requesting law enforcement agency is responsible for tracking the parolee's activities while in the United States and throughout the duration of the parole period, as well as for providing case updates to the Parole Unit. This information (along with possible parole extensions, parole terminations, the date the parolee departs, and if the parolee absconds) is also updated in PCTS. The requesting law enforcement agency provides a final update to the Parole Unit when the parolee has completed his or her parole, and the Parole Unit closes the case in PCTS once the parolee's departure from the United States is confirmed.

S-Visa and Witness Security (WitSec) Programs

The Parole Unit also coordinates immigration benefits and law enforcement services for those aliens (and in some cases their dependents) identified by law enforcement agencies for participation as a witness or informant in new, current, or ongoing investigations or law enforcement activities through the S-Visa and Witness Security (WitSec) Programs.

S-Visa Program

S nonimmigrant visa classification (S-Visas) may be granted to aliens who provide critical, reliable information necessary to the successful investigation or prosecution of a criminal or terrorist organization.³ Certain family members may also be eligible for admission under a derivative status. ICE HSI may seek S-Visa status for alien witnesses and informants supporting HSI criminal investigations. The S-Visa program also supports adjustments of status to lawful permanent residents for some participants after various conditions are satisfied.

The Parole Unit processes S-Visa applications received only from HSI SAC Offices, but the approval process is shared with the Department of Justice (DOJ) Office of Enforcement Operations (OEO), and the USCIS Fraud Detection and National Security (FDNS). FDNS is the office responsible for the final adjudication of the application.

The Parole Unit operates the S-Visa System to support the creation and tracking of HSI's S-Visa applications. The S-Visa System contains an electronic copy of S-Visa applications, and thus contains PII about foreign nationals being considered for enrollment in the S-Visa program as well as limited information about the HSI agent submitting the application. The system is hosted

³ Section 130003 of the Violent Crime Control Act of 1994, Pub. L. 103-322, established the new S nonimmigrant visa classification. *See* 8 U.S.C 1101(a)(15)(S).



on the ICE Enterprise Network, and access is limited to a small number of ICE personnel within the Parole Unit and HSI agents in the field whose duties include compiling S-Visa applications.

When an HSI SAC Office decides to sponsor an alien for a S-Visa, it must 1) complete an application package, which includes conducting necessary record checks for information about the alien (e.g., criminal history checks); 2) complete the Form I-854 *Inter-agency Alien Witness and Information Record* and Form G-325 *Biographic Information*; and 3) provide a justification for the alien's involvement in a law enforcement investigation or activity. The designated HSI agent at the SAC Office sponsoring the alien compiles the application package and uploads it to the S-Visa System. Parole Unit personnel then use the S-Visa System to review the application, and – if all documents were completed correctly – request that the HSI agent submit a hardcopy application package via courier so the package can move forward in the approval process.

Upon receiving the hardcopy application package, Parole Unit personnel review and manually enter into the S-Visa System any additional information and confirm existing information provided in the application, such as date of request, alien name, Alien Registration Number (A-Number), and address. Parole Unit personnel also conduct another criminal history check via the FBI's National Crime Information Center (NCIC) system by A-Number or last name to manually check for any new arrests. Completed application packages then undergo the following three-tiered adjudication process:

- 1) Parole Unit management review and approval;
- 2) DOJ Criminal Division, Office of Enforcement Operations review and approval; and
- 3) USCIS's FDNS final adjudication.

After adjudication, USCIS FDNS sends the Parole Unit a letter of approval or denial. If FDNS approved the application, this letter will be accompanied by another letter that details the alien's status as an S-Visa holder and the status expiration date.⁴ The Parole Unit updates the record in the S-Visa System. Finally, a printout of the S-Visa System record and audit trail is added to the hardcopy application package, which also contains documents such as the alien's fingerprints and birth certificate. The Parole Unit also notifies the HSI SAC Office that sponsored the alien of the FDNS decision.

Prior to the expiration of the alien's status as an S-Visa holder, HSI may request of USCIS that the alien adjust status to that of a Lawful Permanent Resident. The application for adjustment, including Form I-485, *Application to Register Permanent Residence or Adjust Status*, is completed and submitted by the responsible HSI agents in the field to the Parole Unit for review. Similar to the initial application process, the application is submitted to DOJ's Office of Enforcement

⁴ Approved S-Visa applications authorize aliens to remain in the United States under an "S" nonimmigrant status (or class of admission) for up to three years.



Operations for review and approval and USCIS FDNS for final adjudication and approval. If USCIS FDNS approves the application for adjustment, the application is returned to the Parole Unit with the new Permanent Resident Card. The Parole Unit then mails the Permanent Resident Card to the responsible HSI agent in the field. Parole Unit personnel update the S-Visa system accordingly to reflect the issuance of the Permanent Resident Card. HSI field agents are responsible for communicating with the alien about the approval of S-Visa status and Lawful Permanent Resident status.

WitSec Program

The Parole Unit accepts and processes requests relating to aliens being considered for the USMS Federal Witness Security Program and deferred actions.⁵ These individuals are witnesses or potential witnesses in official proceedings concerning organized criminal activity or other serious offenses and have been endangered as a result of their cooperation with law enforcement agencies. Specifically, ICE's WitSec program provides assistance with immigration benefit-related matters for such witnesses.

ICE's WitSec program pertains to aliens participating in the USMS Witness Security Program. The WitSec system contains PII about these aliens but does not contain any electronic copies of WitSec-related documents. All WitSec-related documents are maintained only in hardcopy. Similar to the S-Visa system, the WitSec system is also hosted on the ICE Enterprise Network with access limited to a small number of select ICE personnel within the Parole Unit.

Typical Transaction under the WitSec Program

Typically, USMS submits a letter requesting assistance from ICE for aliens in the WitSec Program, such as facilitating name changes, relocations or transfers, and granting deferred action. Once the request is received, Parole Unit personnel manually log the nature of the request into WitSec system. The information gathered, along with the requesting letter from the USMS, is routed in hardcopy to a Parole Unit supervisor for review and approval. Requests for deferred action may be approved for up to three years. If approved, two approval letters are drafted by Parole Unit personnel, both of which are provided to DOJ OEO. DOJ OEO then notifies USMS of the approval, retains one letter for its records and provides the second letter directly to the individual participating in the USMS Witness Security Program. The approval is also noted in the WitSec system, and throughout the duration of the individual's participation in the WitSec

⁵ Deferred action is a discretionary administrative tool used to delay or postpone the placement of an alien unlawfully present in the United States into removal proceedings or executing a final order of removal (in the event an order of removal has been previously been issued by an immigration judge). A deferred action allows federal, state, and local law enforcement agencies to pursue criminal investigations and prosecutions when the alien's presence in the United States is in the public interest because he or she is to serve as a witness or otherwise assist in a criminal case.



Program the individual's record is updated when a request to extend, revoke, or terminate deferred action for the individual is received from USMS.

Section 1.0 Authorities and Other Requirements

1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?

Pursuant to the Homeland Security Act of 2002,⁶ the Secretary of Homeland Security has the authority to enforce numerous federal criminal and civil laws. These include laws residing in Titles 8, 18, 19, 21, 22, 31, and 50 of the U.S. Code. The Secretary delegated this authority to ICE in DHS Delegation Number 7030.2, Delegation of Authority to the Assistant Secretary for the Bureau of Immigration and Customs Enforcement and the Reorganization Plan Modification for the Department of Homeland Security (January 30, 2003).

1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

Data contained with the PCTS, S-Visa, and WitSec systems is covered under the existing DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER) SORN.⁷ Hardcopy WitSec data is also covered under the DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking SORN.⁸

1.3 Has a system security plan been completed for the information system(s) supporting the project?

Yes. The ICE Parole Unit Case Management Systems have each completed Security Control Assessments. PCTS received an Authority to Operate (ATO) August 31, 2015. S-Visa and WitSec received an ATO February 9, 2016.

1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?

A records retention schedule for PCTS was approved by NARA in 2010. ICE is in the process of scheduling the S-Visa and WitSec systems.

⁶ Pub .L. 107-296, Nov. 25, 2002.

⁷ DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER) SORN, 81 FR 72080 (Oct. 19, 2016).

⁸ DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, 82 FR 43556 (Sept. 18, 2017).



1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.

The Parole Unit uses the following PRA-covered forms to collect information related to the parole, S-Visa, and WitSec programs:

- U.S. Department of Homeland Security, ICE Form 73-031, “Request for Continued Presence”
- U.S. Department of Homeland Security, “Significant Public Benefit Parole Authorization Form”
- U.S. Citizenship and Immigration Services Form I-854, “Inter-agency Alien Witness and Information Record,” OMB Control No. 1615-0046
- U.S. Citizenship and Immigration Services Form G-325A, “Biographic Information,” OMB Control No. 1615-0008
- U.S. Citizenship and Immigration Services Form I-485, “Application to Register Permanent Residence or Adjust Status,” OMB Control No. 1615-0023
- U.S. Citizenship and Immigration Services Form I-765, “Application for Employment Authorization,” OMB Control No. 1615-0040

Section 2.0 Characterization of the Information

2.1 Identify the information the project collects, uses, disseminates, or maintains.

The ICE Parole Unit Case Management Systems collect and maintain information on: 1) aliens otherwise ineligible for admission to the United States who are paroled into the United States in support of law enforcement investigations and activities and 2) aliens named in applications submitted by law enforcement agencies for participation in the S-Visa and WitSec programs. The various categories of information collected, used, disseminated, and maintained in these systems are as follows:

- *Biographic* – Specific to the alien named in the application for parole or admittance into a Parole Unit program. This may include alien’s name, spouse’s name, children’s name, aliases, gender, date of birth, birth certificate, place/country of birth, address



- (current and former), phone number, country of citizenship, country of residence, A-Number, Social Security number (if available), passport number, etc.
- *Biometric* – Specific to the alien named in the application for parole or admittance into a Parole Unit program. This may include fingerprint images, fingerprint identification numbers, signature exemplars, and photos.
 - *Travel* – Includes visa information (e.g., number, country of issuance, expiration date), passport number, border crossing card number, and arrival and departure information.
 - *Immigration-Related* – Includes class of admission (e.g., visa type), immigration status, immigration benefit application information (e.g., adjustment of status), immigration history, and employment history.
 - *Criminal History* – Includes outstanding warrants, criminal charges and arrests, arrest dispositions, National Crime Information Center codes for crimes charged and convicted, FBI number, and sentencing data.
 - *Case-Related* – Includes case number, reason and justification for applying for parole or admittance into a Parole Unit program, requesting law enforcement agency, high profile or exigent circumstances indicators (e.g., whether the individual is a foreign government official, human rights violator, wanted for violations by another foreign government), and indicators of suspected terrorism-related affiliations or activities, and application determination (i.e., approval or denial).

The systems also contain limited information about the requesting officer who submitted the application for enrollment in the respective program and ICE approving officials, including name, agency, title, telephone and fax numbers, and duty location.

Reports Generated by the Systems

- PCTS generates various types of reports including extended, overdue, and terminated parole cases. PCTS is also used to run various types of statistical reports on categories such as applicant/parolee nationality, dates of parole, type of parole, and status updates. Monthly audit reports of overdue cases are run by Parole Unit personnel for review by management.
- The S-Visa system generates statistical, tracking, status, and ad hoc reports on categories such as approvals, denials, and status updates.
- The WitSec system does not have built-in reporting capabilities. However, the Parole Unit Parole Program Specialist may manually compile statistical information on categories such as number of cases.



2.2 What are the sources of the information and how is the information collected for the project?

The information maintained in ICE Parole Unit Case Management Systems is provided by law enforcement officers who, during the course of a law enforcement investigation or activity, generally collect the information directly from the parolee, S-Visa, or WitSec program candidates. The requesting law enforcement officer completes the application package, which is submitted to ICE during the review and approval process.

Upon completion of the application package and prior to review by Parole Unit management, HSI personnel conduct and ensure all necessary record checks have been completed for the candidates (and their family if also being considered for participation). Some or all of the following government information systems may be queried:

- *Enforcement Integrated Database (EID)*⁹ – An ICE system that contains information about persons who are arrested, detained, and removed for immigration violations. The information is generally collected from the individual at the time of encounter.
- *Central Index System (CIS)*¹⁰ – A USCIS system that supports records management by collecting, storing, and disseminating biographical and historical information about applicants/petitioners seeking immigration benefits. CIS currently provides information to organizations granting benefits and capturing subsequent immigration status changes; documents chain of custody for enforcement; provides aggregate immigrant statistics and controls, and accounts for record keeping services.
- *Computer Link Application Information Management Systems (CLAIMS 3 and 4)*¹¹ – USCIS systems that provide updated information relating to applications and petitions for adjustment of immigration status.
- *GLOBAL*¹² – A USCIS system used to track, update, and maintain refugee and asylum cases.

⁹ See DHS/ICE/PIA-015 Enforcement Integrated Database, and subsequent updates, available at <https://www.dhs.gov/publication/dhsicepia-015h-enforcement-integrated-database-eid-criminal-history-information-sharing>.

¹⁰ See DHS/USCIS/PIA-009 Central Index System, and any subsequent update, available at <https://www.dhs.gov/publication/dhsuscispia-009-central-index-system>.

¹¹ See DHS/USCIS/PIA-016 Computer Linked Application Information Management System (CLAIMS 3), available at <https://www.dhs.gov/publication/dhsuscispia-016-computer-linked-application-information-management-system-claims-3-and>, and DHS/USCIS/PIA-015 Computer Linked Application Information System (CLAIMS 4), available at <https://www.dhs.gov/publication/dhsuscispia-015b-computer-linked-application-information-management-system-4-claims-4>.

¹² See DHS/USCIS/PIA-027 USCIS Asylum Division, and subsequent updates, available at <https://www.dhs.gov/publication/dhsuscispia-027b-refugees-asylum-and-parole-system-and-asylum-pre-screening>.



- *ICE Investigative Case Management (ICM)*¹³ – ICM is used by ICE to document investigations and other law enforcement activities. ICM contains biographical and historical information for ICE and CBP subject records, State and Federal ID numbers and any other information related to an investigation.
- *National Crime Information Center (NCIC)*¹⁴ – The FBI’s NCIC database consists of 18 files containing lookout records of various types, including property files and person files (e.g., Foreign Fugitive, Identity Theft, Immigration Violator, Missing Person).
- *Next Generation Identification (NGI)*¹⁵ – A national fingerprint and criminal history system maintained by the FBI’s Criminal Justice Information Services (CJIS) Division. NGI provides automated fingerprint search capabilities, latent searching capability, electronic image storage, and electronic exchange of fingerprints and responses, 24 hours a day, 365 days a year.
- *Narcotics and Dangerous Drugs Information System (NADDIS)* – A Drug Enforcement Administration (DEA) system that is a centralized automated file of summary reports comprised of investigations conducted by DEA and information received from other federal, state, local, and international agencies regarding subjects of interest to DEA.
- *ICE Office of Intelligence* – Assists the Parole Unit by conducting additional queries of intelligence community systems. Responsive results are often marked as classified and viewed and/or stored in accordance with ICE policy.

2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.

No. ICE Parole Unit Case Management Systems do not use information from commercial sources or publicly available data.

2.4 Discuss how accuracy of the data is ensured.

Since the information maintained in the Parole Unit Case Management Systems is provided by law enforcement officers who generally collect the information directly from the parolee, S-Visa, or WitSec program candidates, the Parole Unit relies on the officers performing the original

[system.](#)

¹³ See DHS/ICE/PIA-045 Investigative Case Management, available at <https://www.dhs.gov/publication/dhs-ice-pia-045-ice-investigative-case-management>.

¹⁴ See FBI-001, National Crime Information Center (NCIC) (September 28, 1999, 64 FR 52343), available at <https://www.fbi.gov/services/information-management/foipa/fbi-privacy-act-systems/64-fr-52343>.

¹⁵ See FBI-009, The Next Generation Identification System (NGI) (May 5, 2016, 81 FR 27283), available at <https://www.federalregister.gov/documents/2016/05/05/2016-10120/privacy-act-of-1974-systems-of-records>.



collection to provide accurate data. In the event that errors in this data are discovered by the Parole Unit, Parole Unit personnel will notify the originating agency/officer, which will take necessary actions to determine whether an update is required.

Additionally, Parole Unit users are responsible for manually researching, deconflicting, and verifying all data entered into the case management systems, which is then followed by Parole Unit management review. Any revisions to data are documented in the notes section of the applicable system so that a historical record of changes is maintained.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

Privacy Risk: There is a risk of the over-collection of PII.

Mitigation: ICE collects only the information necessary to process, adjudicate, monitor and report on parole and Parole Unit program activities. All PII collected is necessary for the purpose of ensuring the cases are processed and handled properly. The limited scope of information collected mitigates any risk of the over-collection of information.

Section 3.0 Uses of the Information

3.1 Describe how and why the project uses the information.

ICE uses the categories of information identified in Question 2.1 for the following purposes:

- *Application Review* – ICE uses biographic, immigration, criminal history, and case-related information to review and make a final determination on parole and Parole Unit program applications. This information is also shared with other law enforcement agencies for purposes of coordinating other investigations.
- *Visa Issuance* – ICE uses biographic, immigration, case-related, and travel information to coordinate with Department of State and candidate’s embassy to facilitate the issuance of appropriate travel documentation and the actual travel of individuals approved for participation in the parole or Parole Unit programs.
- *Admission into the United States* – ICE provides CBP biographic, immigration, case-related, and travel information in order to facilitate the admission of individuals approved for parole into the United States at ports of entry.
- *Immigration Benefits* – ICE uses biographic, immigration, criminal history, and case-related information to grant, deny, or terminate deferred actions as well as request



adjustments of status for individuals submitted for participation in the parole or a Parole Unit program.

- *Tracking & Reporting* – ICE uses biographic, immigration, criminal history, and case-related information to monitor the individual’s activities throughout their approved stay in the United States as well as generate statistical and ad hoc reports about the parole and Parole Unit programs (e.g., for congressional and senior management purposes).

3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.

No.

3.3 Are there other components with assigned roles and responsibilities within the system?

No.

3.4 Privacy Impact Analysis: Related to the Uses of Information

Privacy Risk: There is a risk of unauthorized access to or inappropriate use or disclosure of information contained in the ICE Parole Unit Case Management Systems. The significance of this risk is enhanced due to the characterization of individuals in the system as supporting law enforcement investigations and activities.

Mitigation: This risk is mitigated by user training, controls on access, and Parole Unit management oversight.

Training: Annual Information Assurance Awareness Training, which stresses the importance of appropriate and authorized use of personal data in government information systems, is mandatory for all ICE personnel. In addition, Parole Unit Case Management Systems users also must complete system-specific training before they gain access to the system.

Access controls: As described in Section 8.3, security and access controls are in place to mitigate the risk of unauthorized individuals gaining access to the ICE Parole Unit Case Management Systems. Role-based access is granted to a very small number of authorized Parole Unit personnel and HSI field agents who compile S-Visa applications. Network Access Control Lists are in place to guarantee that only government employees with a need to know have access to PCTS.

Management oversight: Parole Unit management oversees, reviews, and approves actions taken by Parole Unit personnel in the case management systems. Any personnel who are found to



access or use the systems or data contained within the systems in an unauthorized manner will be disciplined in accordance with ICE policy.

Section 4.0 Notice

4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.

Although law enforcement officers do not generally provide notice to the individuals when completing and submitting the parole or Parole Unit program applications, the individuals are made aware of the collection of their information when they are admitted into a Parole Unit program (e.g., granted parole). Notice is also provided by this PIA as well as publication of the SORNs in Section 1.2.

4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?

The opportunity for individuals to decline to participate varies and depends on the program involved. The candidates have the opportunity to initially decline to participate in the S-Visa and WitSec programs, as well as decline to provide information once they are admitted into either program. However, the Parole Unit program application is initiated by a law enforcement officer rather than the participant, and therefore the opportunity to decline to participate or provide information in the Parole Unit program at the beginning stages may be limited or nonexistent. Once they are participating in the S-Visa, Witsec, or Parole Unit program, individuals may choose to no longer cooperate in the law enforcement investigation or activity, leave the United States without proper authorization, or otherwise fail to comply with the conditions of their participation in the parole or Parole Unit program. By doing so these individuals' applications will be considered abandoned (or terminated), and they will not be able to continue participation in the program and will be subject to deportation.

4.3 Privacy Impact Analysis: Related to Notice

Privacy Risk: There is a risk that individuals may not be aware their information may be contained within the Parole Unit Case Management Systems or understand how ICE uses the information collected about them.

Mitigation: This risk is partially mitigated by the publication of this PIA, which serves as public notice of the existence of the ICE Parole Unit Case Management Systems and the data these



systems collect and maintain. Also, public notice is provided through the associated SORNs that inform the public how ICE uses the information it collects in investigations.

Because ICE Parole Unit Case Management Systems are used in support of criminal law enforcement investigations and activities, notice or the opportunity to consent to use of the information would compromise the underlying law enforcement purpose of the system and may put pending investigations at risk.

Section 5.0 Data Retention by the project

5.1 Explain how long and for what reason the information is retained.

Information contained in PCTS is retained for 25 years after the parole case is closed or terminated. The associated paper records are retained for 10 years after the parole case is closed or terminated, and any generated reports are destroyed when no longer needed for legal, audit or other operational purposes.

In the proposed records retention schedules for S-Visa and WitSec, ICE intends to request NARA approval to retain S-Visa and WitSec records for three years after closure of the case.

5.2 Privacy Impact Analysis: Related to Retention

Privacy Risk: There is a risk that information will be retained for longer than necessary to accomplish the purpose for which the information was originally collected.

Mitigation: The 25-year retention period for PCTS is consistent with the retention schedules for other law enforcement sensitive systems within DHS. This retention period supports the effective enforcement of U.S. immigration laws by ensuring that information pertaining to parole cases can be monitored and linked over a span of time. The proposed three years after case closure retention for the S-Visa and WitSec systems supports HSI's need to access and search closed cases. Closed cases can contain information that may be relevant to new or existing ongoing cases.

Section 6.0 Information Sharing

6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.

As described in the Overview and Section 3.1, for the purposes of reviewing and approving parole, S-Visa, and WitSec applications, information contained within the Parole Unit Case



Management Systems is shared with other law enforcement and federal agencies, including the FBI, DEA, DOJ OEO, USMS. For the purposes of visa issuance, information is shared with the Department of State. Information is shared pursuant to Memoranda of Understanding or through sharing between ICE personnel and other agency personnel by other means; for example, among those law enforcement officials assigned to a joint investigation or with prosecuting agencies.

Parole Unit case management data may also be shared with other federal, state, tribal, local and foreign law enforcement agencies, as well as relevant law enforcement fusion centers, FBI Joint Terrorism Task Forces, and international organizations (e.g., INTERPOL) in furtherance of law enforcement efforts conducted by ICE or its law enforcement partners, and provided that disclosure is consistent with applicable law and agency policies. All external sharing is documented using applicable disclosure procedures per DHS policy and applicable statute. Sharing is done manually by ICE personnel and not via system-to-system connections.

6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2

The sharing of PII with law enforcement agencies outside of the Department is compatible with the original purpose for collection, namely to conduct criminal law enforcement investigations and other enforcement activities, to uphold and enforce the law and to ensure public safety. All external sharing falls within the scope of applicable law, including the published routine uses in the associated SORNs in Section 1.2.

6.3 Does the project place limitations on re-dissemination?

ICE Parole Unit Case Management Systems information is shared with other agencies pursuant to information sharing agreements, and those agreements include provisions for appropriate and adequate safeguarding of sensitive information.

6.4 Describe how the project maintains a record of any disclosures outside of the Department.

Parole Unit personnel insert comments into the PCTS, S-Visa, and WitSec systems noting the disclosure. The disclosures of information for purposes of seeking necessary concurrences by outside agencies (e.g., FBI, DEA, USMS, DOJ OEO) is documented in the email communications and written memos provided to those agencies. The responses are noted in the systems as well as on paper copies maintained in the associated paper records for the systems.

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: There is a risk that data will be shared with external parties lacking a need to know and that external sharing will not be properly recorded as required by the Privacy Act.



Mitigation: Parole Unit Case Management Systems users are required by law and policy to share information with only those external partners who have a demonstrated law enforcement, intelligence, or national security need to know. This requirement is in keeping with the law enforcement purpose of the Parole Unit Case Management Systems. This risk is also mitigated by the fact that only authorized Parole Unit personnel and select HSI field agents have direct system access.

Further, ICE employees are trained on the appropriate sharing of the PII and to contact the ICE Privacy Division if they are not certain whether information sharing is appropriate.

Section 7.0 Redress

7.1 What are the procedures that allow individuals to access their information?

Individuals seeking notification of and access to any of the records covered by this PIA may submit a request in writing to the ICE Freedom of Information Act (FOIA) Officer by mail or facsimile:

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street SW, Stop 5009
Washington, D.C. 20536
<http://www.ice.gov/foia/>

All or some of the requested information may be exempt from access pursuant to the Privacy Act or the FOIA (for those individuals who are not U.S. citizens or lawful permanent residents and whose records are not covered by the Judicial Redress Act) in order to prevent harm to law enforcement investigations or interests. Providing individual access to these records could inform the target of an actual or potential criminal, civil, or regulatory violation investigation or reveal investigative interest on the part of DHS or another agency. Access to the records could also permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension.

7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?

Individuals seeking to correct records contained in this system of records, or seeking to contest its content, may submit a request in writing to the ICE Office of Information Governance and Privacy by mail:



U.S. Immigration and Customs Enforcement
Office of Information Governance and Privacy
Attn: Privacy Division
500 12th Street SW, Stop 5004
Washington, D.C. 20536
<http://www.ice.gov/management-administration/privacy>

All or some of the requested information may be exempt from correction pursuant to the Privacy Act or the FOIA (for those individuals who are not U.S. citizens or lawful permanent residents and whose records are not covered by the Judicial Redress Act) in order to prevent harm to law enforcement investigations or interests.

7.3 How does the project notify individuals about the procedures for correcting their information?

ICE provides general notice on its public-facing website about the procedures for submitting FOIA and Privacy Act requests. No individual notification of procedures for correcting Parole Unit Case Management Systems records is currently provided, since the records contain material compiled for law enforcement purposes and are exempt from the amendment provisions of the Privacy Act. Notification to individuals that they are or have been the target of a law enforcement investigation could undermine the law enforcement mission of ICE.

7.4 Privacy Impact Analysis: Related to Redress

Privacy Risk: There is a risk that individuals will be unable to participate meaningfully in the use of their data as maintained in this system, or determine whether the system maintains records about them.

Mitigation: Because ICE Parole Unit Case Management Systems contains data maintained for a law enforcement purpose, individuals' rights to be notified of the existence or non-existence of data about them, and to direct how that data may be used by ICE, are limited. Notification to affected individuals could compromise the existence of ongoing law enforcement activities and alert individuals to previously unknown investigations of criminal or otherwise illegal activity. This could cause individuals to alter their behavior in such a way that certain investigative tools, such as wiretaps or surveillance, will no longer be useful. Permitting individuals to direct the agency's use of their information will similarly interfere with the intended law enforcement use of the system. Nevertheless, the publication of this PIA and associated SORNs provides general notice about ICE's collection of information and the uses to which that information is put. In addition, in exempting its investigative systems from access and amendment under the Privacy Act, ICE has indicated that the exemptions will be applied on a case-by-case basis at the time of the access or amendment request. In appropriate circumstances, therefore, individuals may have an opportunity to access or correct their records, consistent with law enforcement necessity.



Section 8.0 Auditing and Accountability

8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?

Parole Unit users are given training and have access to Standard Operating Procedures regarding how the systems work and how to handle PII in accordance with applicable laws and regulations. The Parole Unit Case Management Systems capture user activity information associated with any changes or modifications to cases within the systems, including the initials of the person who made the change, date of the change, and the activity completed. Parole Unit management also conducts periodic reviews of records in the systems to ensure that data is being accessed and entered properly by the appropriate Parole Unit personnel. Failed logon attempts to the systems are recorded in audit logs and periodically reviewed by Parole Unit management. Violations are reported to the Office of the Information System Security Manager in accordance with DHS security standards, as well as the ICE Office of Professional Responsibility.

8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.

All personnel who have access to the ICE network are required to take annual privacy and security training, which emphasizes the importance of appropriate and authorized use of personal data in government information systems. In addition, Parole Unit case management system users also must complete system-specific training before they gain access to a system.

8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?

Only Parole Unit personnel and select HSI field agents whose official duties necessitate access to the Parole Unit Case Management Systems are granted access. A Parole Unit administrator establishes user accounts and updates user role-based permissions, as needed. Access roles are assigned by a supervisor based on the user's job responsibilities, and implemented by a Parole Unit administrator. Access roles are reviewed regularly to ensure that users have the appropriate level of access. Individuals who no longer require access are removed from the access list.



8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?

Any new uses or sharing of information from the Parole Unit Case Management Systems will be approved by a Parole Unit program manager, and vetted through the ICE Information Governance and Privacy Office and Office of the Principal Legal Advisor prior to implementation. This will ensure that any such uses are compatible with the original purposes for which the data was collected, and that this PIA and the applicable SORNs are updated, if required.

Responsible Officials

Jordan Holz
Acting Privacy Officer
U.S. Immigration & Customs Enforcement
Department of Homeland Security

Approval Signature

[Signed copy complete and on file with the DHS Privacy Office]

Philip S. Kaplan
Chief Privacy Officer
Department of Homeland Security