

# ICE has created a “surveillance dragnet” for accessing the personal information of all US citizens

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Immigration and Customs Enforcement (ICE), a federal police body under the direction of the US Department of Homeland Security (DHS), has built a digital surveillance infrastructure and is accessing the personal information of Americans. This operation has nothing to do with immigration enforcement and has no outside oversight.

This is a primary conclusion of a two-year investigation by Georgetown Law’s Center on Privacy and Technology into the contracting and procurement practices of ICE. An extensive report on the investigation was published on May 10 under the title “American Dragnet: Data Driven Deportation in the 21st Century.”

In its Executive Summary, the report states, “Since its founding in 2003, ICE has not only been building its own capacity to use surveillance to carry out deportations but has also played a key role in the federal government’s larger push to amass as much information as possible about all of our lives.”

The report summary continues, “By reaching into the digital records of state and local governments and buying databases with billions of data points from private companies, ICE has created a surveillance infrastructure that enables it to pull detailed dossiers on nearly anyone, seemingly at any time.”

The report states that ICE conducts its work, “without any judicial, legislative or public oversight,” and that the “personal information about the vast majority of people living in the US” is ending up in the hands of immigration officials, “simply because they apply for driver’s licenses; drive on the roads; or sign up with their local utilities to get access to heat, water and electricity.”

The Georgetown Law investigation is based on hundreds of Freedom of Information Act (FOIA) requests and a review of more than 100,000 ICE spending transactions. Nina Wang, a policy associate with the

Georgetown center, told the *Guardian*, “I was alarmed to discover just how easily federal immigration agents can pull detailed records from the most intimate corners of all our lives. In its attempts to target an ever-growing number of people for detention and deportation, ICE has reached into the private homes and lives of almost every person in America.”

Wang went on to tell the *Guardian* that ICE has an unfettered ability to trace the movement of anyone’s vehicle on the road, look up an address from utility bills and conduct facial recognition searches of photos on government-issued ID cards such as driver’s licenses, all without needing a search warrant.

Since 2008, the Georgetown report says ICE increased spending on new surveillance infrastructure fivefold from \$71 million to \$388 million. During that timeframe, the agency spent \$1.3 billion on geolocation technology, which included contracts with private companies that own license plate scanning databases.

The report also details that the federal police agency spent \$96 million on biometrics, especially facial recognition databases, \$97 million on data lists provided by private brokers that gather information on US citizens from a host of sources, including more than 80 utility companies. The report said that ICE spent more than \$500 million dollars on data analytics that enable it to sift through the enormous amount of information that it maintains.

Another critical aspect of the Georgetown investigation exposes the way in which ICE has used surveillance tools to intensify its attacks on immigrant rights. The report says, “The federal government built its immigration enforcement system on top of already unjust systems of policing and punishment.”

ICE was created with overwhelming bipartisan support

in Congress and the signing into law of the Homeland Security Act of 2002 by George W. Bush on November 25, 2002. The act established DHS and the cabinet-level position of the Secretary of Homeland Security, which both began operations in 2003 just before the launching of the US invasion of Iraq. The creation of DHS was the largest federal government reorganization next to the establishment of the Department of Defense (DoD) in 1947.

DHS incorporated 23 previous federal agencies and consolidated them into 16 subdepartments including ICE, Customs and Border Protection (CBP), the Federal Emergency Management Agency (FEMA), the US Coast Guard and the US Secret Service.

The adoption of the Homeland Security Act of 2002 amounted to the domestic side of the implementation of the USA PATRIOT Act, the law passed six weeks after the terrorist attacks of 9/11 which authorized the various US federal law enforcement organizations—including the FBI, NSA and CIA, and later the DHS—to violate the democratic rights of Americans and foreigners with impunity under the aegis of the “national security” needs of the US government.

According to the official verbiage of DHS, the purpose of ICE is to “protect America from cross-border crime and illegal immigration that threaten national security and public safety.” However, the Georgetown investigation says, “ICE began broadening the scope of its data collection in response to the events of Sept. 11, 2001, as part of an overarching federal initiative to radically increase domestic surveillance under the auspices of the ‘war on terror.’”

As the Georgetown report explains, US Senator Robert Byrd (Democrat of West Virginia) was one of just nine senators to vote against the Homeland Security Act. At the time, Byrd called it an “enormous grant of power to the executive branch,” and he warned that DHS would function as “a massive chamber of secrets,” and “without any real mechanism to ensure those powers are not abused.”

Byrd added that the Homeland Security Act gave the Secretary of DHS, “almost unlimited access to intelligence ... without adequate protections against misuse.” On November 19, 2002, six days before President Bush signed it into law, Byrd said the White House “told us it is not planning to create a new domestic spy agency in the United States.”

The White House, as usual, was lying. The authorizations for domestic emergency “national

security” measures led to the most extensive electronic surveillance program anywhere in the world. As detailed in 2013 by NSA and CIA intelligence analyst and whistleblower Edward Snowden, the US government used the “war on terror” to move forward with a program to gather the electronic communications of everyone in the world. Meanwhile, with the use of specially designed software tools, as Snowden explained, security and law enforcement agencies are observing the online activity of targeted individuals in real time.

It is a fact that the imperialist wars launched by the Bush White House in the aftermath of 9/11, the continuation and extension of those wars by the Obama and Trump administrations and the present US-NATO proxy war against Russia in Ukraine, have required an ever-deepening series of attacks on democratic rights within the US.

The revelations about the electronic dragnet operated by ICE are the latest in a series of reports that demonstrate—despite reassurances from Congress and the US judiciary that such programs either do not exist or function in accordance with constitutional protections—the US government is spying on the public continuously and preparing advanced electronic tools such as biometrics and facial recognition for repressive purposes.

Well aware of the popular opposition to war and expanding resistance to the criminal government response to the pandemic and the deepening economic crisis of the capitalist system, the law enforcement and intelligence apparatus of the state is preparing the surveillance infrastructure for mass repression. The working class can place no confidence in any section of the political establishment or the US government to defend its democratic rights. It must take up the fight with its own strength against the 24-hour electronic surveillance of the public by the government.



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