Request for Records Disposition Authority (See Instructions on reverse)		Leave Blank (NARA use only)	
		Job Number *NI-S67-11-13*	
To National Archives and Records Administration (NIR) 8601 Adelphi Road, College Park, MD 20740-6001		Date Received *1/4/11*	
1 From (Agency or establishment) U S Immigration and Customs Enforcement (USICE)		**Notification to Agency**	
2 Major Subdivision Homeland Security Investigations (HSI)		In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 Minor Subdivision Technical Operations Unit (Tech Ops)			
4 Name of Person with whom to confer	5 Telephone (include area code)	Date *17 oct 11*	Archivist of the United States

6 Agency Certification

I hereby certify that I am authorized to act for this agency in the matters pertaining to the disposition of its records and that the records proposed for disposal on the attached ___3___ page(s) are not needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manuel for Guidance of Federal Agencies,

☐ is not required,   ☐ is attached, or   ☐ has been requested

Signature of Agency Representative	Title Chief, Records Management Branch	Date (mm/dd/yyyy) *12-2-2010*

Item Number	8 Description of Item and Proposed disposition	9 GRS OR Superseded Job Citation	10 Action taken (NARA Use Only)
1	See attached sheets for **Electronic Surveillance Database (ELSUR)**		

115-109   NSN 7540-00-634-4064   Page 1 of 1   **Standard Form 115** (REV 3-91)
             Previous Edition not Usable   Prescribed by NARA 36 CFR 1228

Electronic Surveillance Database (ELSUR)

The Electronic Surveillance Database (ELSUR) tracks state and Federal court orders for electronic surveillance conducted by U S Immigration and Customs Enforcement (ICE) In a typical transaction, the ELSUR process begins when an agent, ICE or another Federal agent, submits a request for an ELSUR query to identify all previous applications for court authorized intercepts conducted by ICE on the target they intend to name in an application for an intercept Authorized ICE personnel will then conduct a search in ELSUR for the requested information, if any prior activity exists, it is reported to the requesting agency or ICE agent The court order approval process begins when an ICE agent submits a request for electronic surveillance (Title III order) to the Assistant U S. Attorney's (AUSA) office The request goes through a process of legal review and is sent to a District Court judge to approve or deny Whether it is approved or denied, the application for intercept is entered into ELSUR Surveillance information is taken directly from the court order and manually keyed into the database

Legal Authority Title III of the Omnibus Crime Control and Safe Streets Act of 1968

Note. Records maintained and/or created by this Information Technology system contain Personally Identifiable Information (PII) (e g , name, date of birth, Social Security Number, Alien Registration Number (A-number), email address, phone number, financial information) The PII actually contained in the system is described below These records should only be accessed when required for agency business and should be handled with diligence in order to avoid compromise

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1. **Electronic Surveillance Database (ELSUR)**

   A. **Master File/Data**

   (1) **Title III Application for Intercept and Court Order Information**

   The primary data maintained in ELSUR consists of the information contained in an application for intercept The District Court judge will review the application for intercept and decide whether to issue a court order approving electronic surveillance (Title-III order) by the agency Whether it is approved or denied, the court order information, if available, is entered into ELSUR The primary data includes

   • Court Order Number
   • Homeland Security Investigations (HSI) Case Number
   • Judge's First and Last Name

   Disposition:
   Supersedes N1-36-86-01, Item 161(3)(d)

   a Prosecuted Cases
   TEMPORARY Cutoff at end of fiscal year in which appeal period for final adjudication of case expires Destroy/delete fifty (50) years after cutoff

   b Cases NOT Prosecuted
   TEMPORARY Cutoff at end of fiscal year investigation/case is closed Destroy/delete fifty (50) years after cutoff

- District Court, County or Jurisdiction
- Agencies working jointly with ICE on the case
- Subject of Investigation Info
  - First and Last name
  - Date Of Birth
  - Social Security Number
  - Address
  - Name Aliases
  - Miscellaneous Comments
- Type of device being electronically surveyed
  - Phone Number
  - ESN
  - IMSI
  - Push-to-talk Code (UFMI)
  - Email Address
  - Registered Address information
  - Subscriber Information
  - Person to whom device is registered
- Location Information
  - Type of location being electronically surveyed
  - Business Name
  - Owner First and Last name
  - Business Address
  - Miscellaneous Comments
- Conveyance Information
  - Conveyance Identification (VIN, Hull ID, Tail Number)
  - Owner First and Last name
  - Owner Address
  - Conveyance Make
  - Conveyance Model
  - Conveyance Year
  - Conveyance Color
  - Miscellaneous Comments
  - Persons First and Last name associated with conveyance

- Thing Information
  - o Type of thing being surveyed
  - o Description of thing
  - o Address of thing
  - o Additional comments on thing
  - o Persons First and Last name associated with thing

B. Input (Media Neutral)

(1) Request for Indices Checks for Prior Applications of ELSUR Activity (Query Request)

An ICE or other Federal agent can submit a request to search for previous ICE electronic surveillance requests in order to support the preparation of new electronic surveillance requests by ICE and other Federal agencies conducting criminal investigations The query request contains basic information, such as the subject and target device, and information about the new electronic surveillance request being prepared The request could be received either in hard copy via fax or electronically via email ICE uses this information to query ELSUR for any possible matching records

Disposition:

a Checks resulting in records found
TEMPORARY Cutoff at end of fiscal year ELSUR Title III Report (Query Report) is generated Destroy/delete five (5) years after cutoff

B Checks resulting in no record found
TEMPORARY Destroy/delete upon notification to requestor of no records being found

(2) Title III (T-III) Application for Intercept

A "Title III Application" is a package produced by the Special Agent (affiant) and the Assistant US Attorney (AUSA) At a minimum this package contains the affidavit, the unsigned Court Order, and the concurrence of the Department of Justice (DOJ), Office of Enforcement Operations (OEO) The package is presented to the Judge for review and ultimate approval of the T-III

Disposition:
FILING INSTRUCTION All hard copy documents that make up the Title III Application should be placed in the corresponding case Application for Intercept file and dispositioned in accordance with the approved disposition authority for that file

C. Output

(1) ELSUR Title III Report (Query Report)

When an ICE agent or another Federal law enforcement agency submits a Query Request to the Tech Ops Unit to perform a check for prior applications for activity of surveillance, the ELSUR database is searched to determine if any prior activity exists If the query is positive, a report identifying the date, duration, district, judge who authorized the intercept of the person, place, or thing, and the specific target of the intercept will be generated The report will be sent via fax or email to the requesting ICE Special Agent or other law enforcement agency's ELSUR Unit

Disposition: *GRS 20 item 16*

TEMPORARY Cutoff at end of fiscal year report is generated Destroy/delete five (5) years after cutoff *

*NOTE: GRS 20, Item 16 authorizes Federal agencies to destroy this type of record when the agency determines that it is no longer needed for administrative, legal, audit, or other operational purposes, provided they do not contain substantive information, such as substantive annotations, that is not included in the electronic records (Records of this type that contain substantive information should be disposed of in accordance with the NARA-approved schedule that covers the series in which they are filed) ICE has determined, based upon business needs, these records can be destroyed/deleted five (5) years after their creation

(2) Aggregate Reports

ELSUR also enables users to generate aggregate reports to determine how many indices checks have been processed for a specific Federal agency

Disposition: *GRS 20 item 16*

TEMPORARY Destroy/delete when the agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes, provided the printouts do not contain substantive information, such as substantive annotations, that is not included in the electronic records [GRS 20, item 16]