Article

Deportation Platforms: The AWS-ICE Alliance and the Fallacy of Explicit Agendas

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Abstract

In this paper, I analyze elite discourse in the context of the increasing role played by large-scale corporate platforms in federal immigration enforcement in the US. Specifically, I focus on Amazon Web Services' (AWS) alliance with Immigration and Customs Enforcement (ICE). Incorporating Marx's (2016) "fallacy of explicit agendas" as a heuristic for contextualizing recent employee challenges to company CEO Jeff Bezos, I show how the fallacy serves to conceal far more about the AWS alliance with ICE, an organization with a long track record of deeply troubling practices. The secrecy that is fostered by such discourse also obscures the growing dependency of government entities on large-scale technologies of marginalizing surveillance that threaten civil liberties and rights of refugees and immigrants.

Introduction

In the face of this immoral U.S. policy, and the U.S.'s increasingly inhumane treatment of refugees and immigrants . . . we are deeply concerned that Amazon is implicated, providing infrastructure and services that enable ICE and DHS. Technology like ours is playing an increasingly critical role across many sectors of society. What is clear to us is that our development and sales practices have yet to acknowledge the obligation that comes with this. Focusing solely on shareholder value is a race to the bottom, and one that we will not participate in. We refuse to build the platform that powers ICE, and we refuse to contribute to tools that violate human rights.

—Anonymous Amazon Employees letter Amazon CEO Jeff Bezos (Conger 2018)

There aren't other countries where everybody is trying to get in . . . I'd let them in if it were me. I like 'em, I want all of them in. But this is a great country and it does need to be defended. . . . One of the jobs of the senior leadership team is to make the right decision, even when it's unpopular.

—Amazon CEO Jeff Bezos's Response (Tiku 2018)

This exchange between anonymous Amazon employees and the company's CEO calls public attention to the role massive tech companies play in the Trump's administration's ongoing mass deportation campaign.

The Amazon Web Services (AWS)¹ designed platform for Immigration and Customs Enforcement (ICE) hosts “a database for immigration case management systems and biometric data for 230 million unique identities—mostly fingerprint records, alongside 36.5 million face records and 2.8 million irises” (Mijente et al. 2018). The human rights crisis that characterizes ICE operations is made possible by massive corporate platforms, including horrific family separation policies. How the letter calls attention to the profit-making imperative provides additional context for understanding the rise of AWS’s role in immigration enforcement in the US. Providing massive infrastructure to numerous smaller contractors with ICE, AWS is a strong example of a deepening “state-corporate surveillance nexus” (Hayes 2012: 174).

Turning to Bezos’s response highlights how elite techno discourse serves to both obscure and distort AWS’s actual immigration enforcement objectives. Indeed, it is premised on a fallacy that is pervasive in an age when the world’s most profitable company is a dominant player in large-scale surveillance operations. Beyond a watered-down securitization discourse, Bezos’s far less explicit “us and them” narrative, nevertheless, aligns with the explicitly racialized claims of a “porous border” and “dangerous outsiders” made repeatedly by President Trump and ICE officials. Attending to elite discourse, however, requires more than a purely descriptive account of the AWS-ICE alliance.

More specifically, this paper responds to calls for further contextualization of such techno-elite discursive strategies or what Marx calls “techno-fallacies” that “do not represent a totalizing, monolithic, closed ideological system. Rather they are loosely constructed self-serving worldviews” (2016: 267). In attending to the AWS-ICE alliance’s role in human rights abuses of refugees and migrants on the ground, space restrictions prevent an analysis utilizing Marx’s detailed analytical framework that includes forty-four techno-fallacies. However, the fallacy of “explicit agendas” provides a useful heuristic for critiquing Bezos’s response as way to “deceive subjects and the broader public with respect to the reasons they give for use of a tactic” (Marx 2016).² Such deception is, moreover, important for understanding deepening private-public partnerships in the context of complex platform surveillance technologies. The enormous data mining and sharing capabilities of the AWS platform and the companies it hosts results in tens of billions of dollars in government contracts that are unlikely to be curtailed in the near future. The private-public alliance is likely to continue and thus an already unjust campaign against refugees and immigrants in the US will continue.

“I Want All of *Them* in”

Bezos has been an outspoken critic of draconian Trump policies of immigrant exclusion (Darrow 2017). Yet in responding to employee charges of Amazon’s role in ICE’s mass deportation campaign, he turns only to the nativist paternalism of “I want all of *them* in (emphasis added).” Beyond what is framed as an explicit agenda of the AWS-ICE alliance are the actual actions of ICE. Menjívar, Gómez Cervantes, and Alvord show that ICE and local law enforcement are casting a very broad net that does little to support Bezos’s justification to protect the US from presumably “dangerous migrants”: “ICE and local law enforcement agencies were supposed to focus on Level 1 offenses, crimes such as rape, murder, and kidnapping. However, an audit of 280 arrests through the 287(g) program found that only 9 percent of arrests were for Level 1 offenses, while 44 percent were for Level 2 offenses, including minor drug offenses” (Menjívar, Gómez Cervantes, and Alvord 2018: 6).

Yet ICE is not actually making America safer from dangerous immigrants. Attempting to reassert their agenda, DHS and ICE rely on moral panic to justify continued raids. Indeed, through Freedom of Information ACT (FOIA) requests, law students obtained email exchanges between officials justifying a 2017 ICE raid that resulted in the arrest of 600 immigrants. As the DHS Secretary wrote, “If a location has only one egregious case—then include an extra egregious case from another city” (Speri 2017).

¹ Amazon Web Services (AWS) is the market leader in cloud platform services. As of 2017, the company reported revenue of \$4.58 billion (MSV 2018).

² This deleted material is available online at press.uchicago.edu/sites/marx/

There is another important dimension to ICE's actions that is revealed in Bezos's fallacious claim—namely, the reluctance of some local law enforcement to cooperate with federal mass detention and deportation efforts. Surveys of municipal police chiefs demonstrate that the majority of police departments do not have *any* official immigration policy and some police chiefs report that they refuse to cooperate with ICE (Provine et al. 2016). Likewise, studies of local bureaucracies find active strategies to resist exclusionary policies and embrace policies that incorporate immigrants (Gleeson and Gonzales 2012). Recent ethnographic research (Armenta 2015) on policing of undocumented immigrants by the Nashville, Tennessee Police Department reveals tensions between law enforcement imperatives and ICE.

“Defending the Country”

AWS's massive cloud-based platform enables interoperable capabilities of established tech intelligence companies such as Palantir Technologies. Founded in 2004 by PayPal Co-Founder Peter Thiel, a close advisor to the Trump campaign with authoritarian political leanings, Palantir is the most controversial contractor on the AWS cloud. Indeed, Bezos's claims of defending the country cannot be easily separated from Thiel's statement: “I no longer believe that freedom and democracy are compatible” (Thiel 2009). Although Bezos's words are framed in far less authoritarian terms, a crucial part of Bezos's agenda still *depends* on a partnership with a company whose CEO espouses anti-democratic beliefs.

Palantir is now one of the largest data-mining companies in the world. The company's first contract with the CIA in Afghanistan and Iraq rolled out a big data platform that enabled the collection and sorting of numerous data sources and included a state-of-the-art search function that outputs linkages in user friendly spider-web like graphics:

U.S. spies and special forces loved it immediately; they deployed Palantir to synthesize and sort the blizzard of battlefield intelligence. It helped planners avoid roadside bombs, track insurgents for assassination, even hunt down Osama bin Laden. The military success led to federal contracts on the civilian side. The U.S. Department of Health and Human Services uses Palantir to detect Medicare fraud. The FBI uses it in criminal probes. The Department of Homeland Security deploys it to screen air travelers and keep tabs on immigrants. (Waldman, Chapman, and Robertson 2018)³

How Palantir “keeps tabs on immigrants” is described in much more detail in a recent report “Who's Behind Ice?” (Mijente et al. 2018). The report highlights the enormous role of AWS in facilitating Palantir's role in ICE operations. Detailed documentation of Palantir's platforms are presented with numerous visuals. Located on the AWS cloud, Palantir's custom platforms for ICE have far-reaching surveillant capabilities. Both the Integrated Case Management (ICM) and FALCON-SA platforms developed for ICE's Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO) work together to form a powerful interoperable surveillance system. As the report's anonymous author(s) describe:

ICM is a repository for personally identifiable information from other ICE and CBP [Customs and Border Protection] systems, commercial data sources and the FBI's National Crime Information Center (NCIC), which interfaces with federal, state and local law enforcement . . . FALCON-SA is an analytical tool that helps agents analyze all ingested data, identify connections and produce intelligence reports and visuals . . . ICM interfaces with the Enforcement Integrated Database (EID), which contains biometric and personally identifiable information collected by ERO officers (Mijente et al. 2018: 32)

³ Brayne's (2017) observational and visual ethnographic study of the Los Angeles Police Department's incorporation of Palantir's GOTHAM platform reveals a profound shift in law enforcement capabilities.

Palantir's domestication of a sophisticated surveillant technology designed for ICE's widespread and targeted raids on refugees and migrants is rooted firmly in a techno-domestic warfare ideology that fails to consider the collateral damage of the systems they have created: systems that are hosted on the AWS cloud.

“Senior Leadership Makes Unpopular Decisions”

The “fallacy of explicit agendas” assumes “that the technology is applied only for the manifest rather than for unstated reasons, that what you see is what you get, and ‘we know where we are going’” (Marx 2016). Bezos's statement that “senior leadership must make the unpopular decisions” exudes an explicit confidence in AWS's immigration enforcement agenda. Yet, “unpopular decisions” fails to capture the realities of the AWS-ICE alliance. Without the enormous cloud-based platform and host tools of marginalizing surveillance, ICE operations in all likelihood diminish greatly. Given the level of abuses by the organization, some immigration and refugees rights groups have called for the abolition of ICE. For one, ICE's longstanding reputation for extreme intimidation and excessive force, including widespread charges of sexual assault and rape of undocumented immigrants in custody is well documented. Speri (2018) reports on more than 1,200 complaints of incidents—filed between 2010 and September 2017—of sexual abuse that occurred in ICE custody. However, it is very likely that there are *tens of thousands* of more cases:

DHS Office of Inspector General (OIG) indicated that the office received some 33,000 complaints between 2010 and 2016 alleging a wide range of abuses in immigration detention . . . sexual assault and harassment in immigration detention are not only widespread but systemic, and enabled by an agency that regularly fails to hold itself accountable. (Speri 2018)

Speri's report goes on to highlight widespread efforts to retaliate against any imprisoned immigrant, including those who have been brutally sexually assaulted or raped. Perhaps most disturbingly, ICE is now engaged in a process of destroying thousands of such complaints described as “routine, government record maintenance” (Speri 2018).

Bezos's worldview regarding the “unquestionably competent” authority of Amazon's senior leadership must be set against this backdrop of institutional violence and abuse by ICE. The role AWS plays in furthering President Trump's agenda is thus clear. Beyond an obvious attempt to curry favor with his political base, Trump's claim of “open borders” and ICE as “freedom fighters” is positioned against a supposed scourge of “dangerous Mexican gangs”:

The Democrats are making a strong push to abolish ICE, one of the smartest, toughest and most spirited law enforcement groups of men and women that I have ever seen . . . I have watched ICE liberate towns from the grasp of MS-13 and clean out the toughest of situations. They are great! (Mallen 2018)

Although Bezos has never defended ICE as enthusiastically as Trump, his reference to “unpopular decisions made by senior leadership” can be read as de facto support for the organization. Indeed, AWS's agenda is clear: *create the main platform that provides myriad data streams and tools that enable ICE to accelerate detention and deportation*. Bezo's attempt to brush aside employee rejection of AWS's immoral and inhumane alliance with ICE fails to contend with a growing movement to abolish ICE (McElwee 2018). Such a movement is not only rejected by ICE Director Thomas Homan, but his statement reveals something far closer to the AWS-ICE alliance's *actual* agenda:

Less criminal aliens will be arrested, less drug traffickers will be arrested, less child predators will be arrested, less children will be saved from child predators. It's just terrible to even think about. . . . So the president's right—abolishing ICE equals open borders (Blackhurst 2018).

Conclusion

The rise of the AWS-ICE alliance clearly demonstrates how the fallacy of explicit agendas obscures the role large corporate platforms play in supporting ICE's ongoing mass deportation regime. Beyond the discursive distortions of tech-elites are the inhumane *actions* of their government partners. In addition to concealing the far-reaching role large platform surveillance companies play in facilitating ICE's violent and oppressive actions on the ground is another obvious yet obscured motive by the fallacy of explicit agendas. Specifically, the US federal government is paying billions of dollars in secret contracts to large corporations such as Amazon. As platforms continue to be consolidated into the hands of a few industry giants such as AWS, the role of private-public partnerships raises the stakes in terms of debates over fundamental human rights, abuses of authority, and lack of accountability, among other matters that continue to threaten democracy. That is to say, the AWS-ICE alliance reveals an unprecedented deference to a "creeping technological determinism" (Hayes 2012: 174) on the part of powerful post-911 bureaucracies of marginalizing surveillance.

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