

GAO Highlights

Highlights of [GAO-20-36](#), a report to the Chairwoman, Subcommittee on Immigration and Citizenship, Committee on the Judiciary, House of Representatives

Why GAO Did This Study

In January 2017, the President issued Executive Order 13768 that instructs the Department of Homeland Security (DHS) to enforce U.S. immigration law against all removable individuals. In February 2017, the Secretary of DHS issued a memorandum (2017 DHS memo) establishing policy and providing guidance related to the Executive Order. Within DHS, ICE is responsible for providing safe confinement for detained aliens, including certain vulnerable populations.

GAO was asked to review ICE immigration enforcement priorities, including those for vulnerable populations. This report examines (1) ICE data on arrests, detentions, and removals from calendar years 2015 through 2018; (2) the policies in effect for selected populations and any changes ICE made to align these policies with the 2017 DHS memo; and (3) the extent to which ICE collects data on selected populations and what those data show.

GAO analyzed ICE data on arrests, detentions, and removals from calendar years 2015 through 2018; reviewed policies and documents on eight populations GAO selected based on ICE policies and input from organizations that represent various vulnerable populations; and interviewed agency officials.

What GAO Recommends

GAO is recommending that ICE collect readily available data on detained parents or guardians of U.S. citizen and legal permanent resident minors. DHS did not concur with the recommendation. GAO continues to believe this recommendation is valid as discussed in the report.

View [GAO-20-36](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or goodwing@gao.gov.

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IMMIGRATION ENFORCEMENT

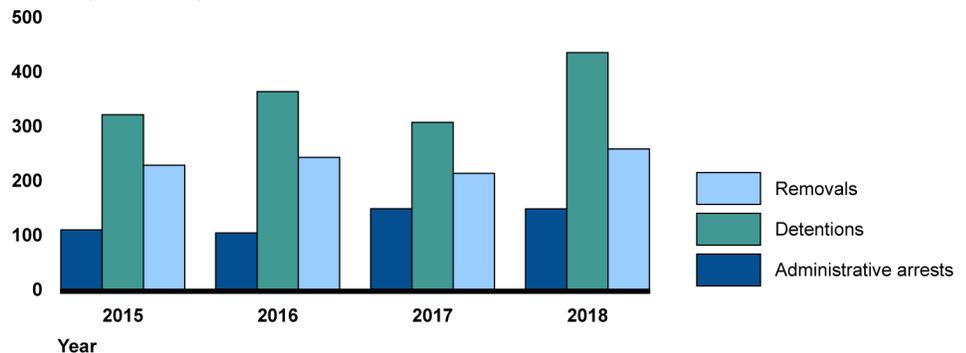
Arrests, Detentions, and Removals, and Issues Related to Selected Populations

What GAO Found

The numbers of administrative arrests (arrests), detentions, and removals of aliens (people who are not citizens or nationals of the United States) by U.S. Immigration and Customs Enforcement (ICE) varied during calendar years 2015 through 2018, and increased overall for the period. Males, aliens from four countries—Mexico, Guatemala, El Salvador, and Honduras—and convicted criminals accounted for the majority of ICE arrests and removals. The majority of detentions were made up of males, aliens from the same four countries, and non-criminals.

Enforcement and Removal Operations Administrative Arrests, Detentions, and Removals, Calendar Years 2015 through 2018

Number (in thousands)



Source: GAO analysis of U.S. Immigration and Customs Enforcement data. | GAO-20-36

ICE has policies related to six of the selected populations GAO examined, including aliens who are: transgender, individuals with disabilities, individuals with mental disorders, juveniles, parents of minors, and pregnant. These policies provide guidance on identifying, detaining, caring for, and removing aliens in these populations. After issuance of the 2017 DHS memo, ICE removed language from its existing policies for individuals who are pregnant and parents of minors that it determined to be inconsistent with 2017 DHS memo.

Available ICE detention data show that detentions of transgender and pregnant individuals increased from calendar years 2016 to 2018 and detentions of individuals with disabilities increased from 2017 to 2018. Detentions at facilities staffed by ICE medical personnel of individuals with mental disorders and women who are nursing varied from calendar years 2015 to 2018. We found that ICE does not collect or maintain readily available data on detained parents or legal guardians of U.S. citizen or legal permanent resident minors, as required by ICE policy. Without such information, ICE headquarters officials cannot ensure that ICE officers are collecting and entering this information into the system as required by policy. ICE officials said they have considered actions to identify this population, but are no longer considering these actions as of October 2019. Maintaining these data in a readily available format could help ensure that ICE personnel identify, evaluate, and share information on this population.