

GAO Highlights

Highlights of [GAO-22-104529](#), a report to congressional committees

Why GAO Did This Study

ICE has wide discretion to detain or release individuals of foreign nationality awaiting resolution of their immigration court proceedings, except for individuals subject to mandatory detention. The ATD program, which ICE administers through a \$2.2 billion contract, uses electronic monitoring and case management to help ensure that individuals enrolled comply with release conditions, such as appearing at immigration court hearings. The explanatory statement accompanying the Consolidated Appropriations Act, 2020 includes a provision for GAO to review the ATD program.

This report examines, among other objectives, (1) what data show about participation in the ATD program, (2) the extent to which ICE has assessed ATD performance, and (3) how ICE manages and oversees the ATD contractor. GAO analyzed ICE contractor data from November 2014 through 2020; and reviewed ATD policies, performance reports, and contract documents. GAO also interviewed ICE and contractor officials from headquarters and the field.

What GAO Recommends

GAO is making 10 recommendations, including that ICE establish performance goals that cover core program activities, improve external reporting of absconsion information, collect information needed to assess the contractor's performance against standards, and ensure the contractor addresses all audit findings. DHS concurred with the recommendations.

View [GAO-22-104529](#). For more information, contact Rebecca Gambler at (202) 512-8777 or GamblerR@gao.gov.

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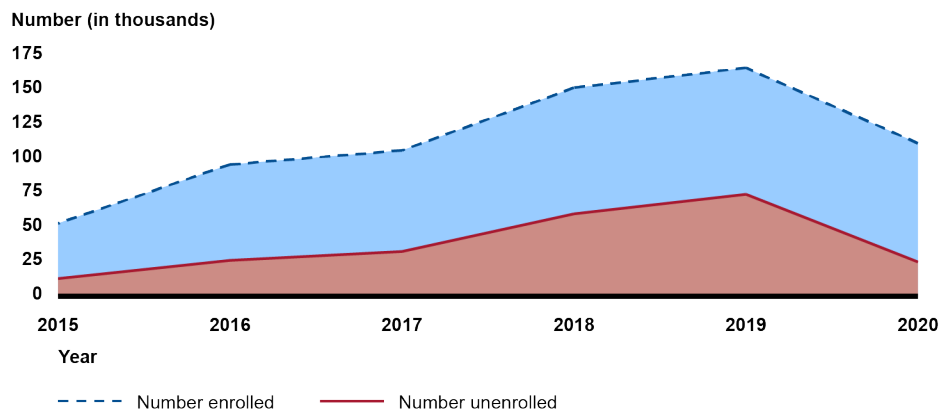
ALTERNATIVES TO DETENTION

ICE Needs to Better Assess Program Performance and Improve Contract Oversight

What GAO Found

U.S. Immigration and Customs Enforcement (ICE) uses the Alternatives to Detention (ATD) program as one way to monitor individuals it releases into the community. GAO's analysis of ICE contractor data found that the number of individuals enrolled in the ATD program more than doubled from approximately 53,000 in 2015 to 111,000 in 2020. See figure. During this period, ICE unenrolled most participants before their immigration proceedings concluded. ICE placed about half of unenrolled participants on monitoring outside of the ATD program and about a quarter absconded (i.e. fled their address and could not be located).

Number of Participants Enrolled and Unenrolled in the Alternatives to Detention Program, 2015-2020



Source: GAO analysis of U.S. Immigration and Customs Enforcement contractor data. | GAO-22-104529

ICE collects data on the ATD program, such as whether participants attend their scheduled court hearings. ICE also developed a performance goal for fiscal year 2022, but ICE does not assess program performance for all core program activities and outcomes, such as referrals for community services. Establishing such goals would position ICE to assess the extent to which the program is achieving intended results and identify any needed improvements. In addition, ICE has not completely presented information on participants who abscond from the ATD program. For example, ICE does not include all relevant participants when calculating absconsion rates. By doing so, ICE could more completely demonstrate program performance related to absconsions and help ensure policymakers have the context needed to appropriately use the information.

ICE conducts some oversight of the contractor that helps implement the ATD program nationwide. For example, ICE conducts weekly audits intended to ensure that ATD participants receive the assigned level of supervision and services. However, ICE does not fully assess the contractor against the standards for performance established in the contract, nor follow-up and document whether the contractor resolves issues it identifies. Taking steps to improve contract oversight would help ICE ensure that the contractor is achieving outcomes as identified in the contract and provide reasonable assurance that the contractor is correcting identified issues.