



U.S. Immigration
and Customs
Enforcement

JUL - 9 2007

Ms. Irena Lieberman
American Bar Association
Commission on Immigration
740 15th Street, NW
Washington, DC 20005

Dear Ms. Lieberman:

U.S. Immigration and Customs Enforcement (ICE) expects that the U.S. Government Accountability Office (GAO) will publish a report which addresses telephone access and other services provided to immigration detainees. ICE places great value on the feedback and information received from the GAO, as it is essential to ICE's continued efforts to improve its performance in carrying out its mission. While ICE believes this report is largely positive and confirms our commitment to ensuring compliance with ICE's National Detention Standards, I write to notify you of steps ICE is taking to address some of the conclusions drawn in the report.

I would like to highlight that the GAO report concludes that ICE detention facilities generally comply with ICE's National Detention Standards. Given that the population of ICE detainees tripled between 2001 and 2006 as a result of vigorous and more effective immigration enforcement efforts, ICE is generally pleased with the positive findings in this report. ICE looks forward to working with the GAO to assess ICE's continued progress in providing a safe, secure and humane environment for those alien detainees in our custody.

The GAO's findings show that, while there may be isolated shortcomings in the application or review of some standards, there is "no pattern of noncompliance" with the ICE's National Detention Standards with respect to these standards. While ICE may not agree with every aspect of the GAO's analysis and conclusions, we genuinely value learning where additional enhancements are recommended, and many improvements are already in progress as a result of the review. Where the report has identified broad areas of potential improvement, such as upgrading pro bono telephone access at detention facilities, ICE is reviewing those findings and exploring available options. For example, ICE recognizes the importance of a user-friendly system for pro bono telephone calls, which is why ICE has taken the following steps to improve phone service:

- ICE has dramatically increased staffing in our Office of Acquisitions (OAQ) to provide increased contract oversight of the telephone service providers. As of May 2007, the ICE OAQ staff has grown from 40 to 117 employees, with additional hires planned for the near future. This improvement in staffing and management in the ICE OAQ will ensure a higher level of oversight and accountability on all contracts, including for pro bono telephone services at detention facilities.

- ICE is now requiring the pro-bono telephone contractor to develop an action plan to address the problems ICE identified and to report weekly on the progress it has made in addressing such problems.
- ICE has established a weekly review process to ensure serviceability of all detainee telephones.
- ICE has established a Detention Facilities Inspection Group (DFIG) within the ICE Office of Professional Responsibility (Internal Affairs) to independently validate detention inspections by performing quality assurance over the review process, ensuring consistency in application of detention standards, and verifying corrective actions.
- ICE has scheduled additional training for personnel on telephone software, and has assigned 42 Agency Technical Representatives to help identify and track telephone issues in the field. Training will take place this July and August.
- ICE is adding quality assurances officers on a contract basis to its facility review staff.

ICE's responsibility for its detainees – which number as many as 27,500 on any given day – is significant. The agency is committed to maintaining safe, secure and humane detention conditions for each and every detainee. ICE conducts comprehensive annual audits of detention facilities, using more than 300 officers specifically trained to perform such audits. In doing so, ICE exceeds the recommendations of the American Correctional Association and other leading industry groups to require audits of correctional facilities be conducted only every three years. When ICE identifies potential deficiencies in compliance at a particular detention facility, that facility is required to develop a plan to address the situation. ICE ensures plan implementation by means of a comprehensive review, which is conducted within 90 days. By these efforts, among many others, ICE aims to achieve full compliance with the National Detention Standards.

For this reason, ICE is committed to working with you to address immigration detention facility concerns. I trust that you, like the GAO, will continue to bring suggestions for facility improvements to ICE's attention for our consideration. It is my belief that our continued cooperation and exchange of ideas will ensure that immigration detainees continue to receive high quality care.

Sincerely,



Julie L. Myers
Assistant Secretary