

This document was requested and posted by AltGov2

www.altgov2.org/records-destruction-requests



NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION
8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001
www.archives.gov

Date: August 17, 2018
Appraiser: Ashby Crowder, ACR1 *AS 8/29/18*
Agency: Immigration and Customs Enforcement (ICE)
Subject: DAA-0567-2018-0001

INTRODUCTION

Schedule Overview

Alternatives to Detention (ATD) Program

Background Information

ICE Enforcement and Removal Operations (ERO) manages and oversees the civil immigration detention system in the United States. While some non-U.S. persons who are apprehended and determined to need custodial supervision are placed in detention facilities, other apprehended persons are candidates for alternatives to detention (ATD) programs. ICE created ATD programs in 2004. Because ERO lacks the resources to detain all aliens who are waiting to appear in immigration courts or waiting for removal, it prioritizes detention bed space for: (1) aliens it is required to detain under the Immigration and Nationalities Act; (2) those who pose a risk to public safety if released; and (3) those deemed at risk of absconding.

ERO's Custody Management Division includes an Alternatives to Detention Division to manage these programs. Alternatives to detention refers to tracking persons through the use of technology, case management, or some combination. ATD methods include release on bond, check-ins, home visits, Global Positioning System (GPS) monitored ankle bracelets, and voice recognition software for telephonic reporting. As a condition of release, ICE requires aliens to appear in immigration court for removal proceedings and comply with removal orders from the United States.

ICE terminates aliens from the ATD program when they are removed from the United States, depart voluntarily, are arrested by ICE for removal, or receive a benefit or relief from removal. ICE may also terminate from the program an alien who absconds, who is arrested by another law enforcement entity, or who otherwise violates the conditions of the ATD program.

Some programs, such as the Intensive Supervision Appearance Program (ISAP), are managed by private contractors. The contractors own and maintain the tracking devices and transmit data about program participants to ICE.

These records were previously proposed for disposition in DAA-0567-2015-0013, Detainee Records. ICE removed them from that schedule and proposed them separately in this schedule because ATD participants are not detainees.

Overall Recommendation

I recommend approval of the attached schedule.

APPRAISAL

Item 0001: Participant Tracking Records

Records documenting participation in ATD programs. Includes biographical information and location data points on individual persons. As of the date of this appraisal, approximately 86,000 persons participate in ATD programs.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Has little or no research value. These data have functional use for tracking purposes only. They do not have sufficient value to warrant preservation in the National Archives once the business needs of the agency have been fulfilled. The fact of a particular person's participation in ADT is recorded in the ENFORCE Alien Property Removal Module (EARM), part of Enforcement Integrated Database (EID). These records are maintained for 75 years after the end of the calendar year in which data are gathered [Department of Homeland Security, Law Enforcement, Identification, investigation, apprehension, and/or removal of aliens unlawfully entering or present [sic] in the United States and facilitate entry of individuals into the United States, DAA-0563-2013-0001-0006].

* Previously approved as temporary [Alternatives to Detention (ATD) Program Master File/Data, N1-0567-09-5, item 1a]. ATD participant records were previously maintained in this system. ICE stopped using this system in 2011.

Adequacy of Proposed Retention Period: Adequate from the standpoint of legal rights and accountability. The retention periods supports legal rights and interests of ATD participants as well as those of ICE to defend itself against any claims that may arise.

Media Neutrality: Approved

Item 0002: Incident/Violation Reports

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* The records have insufficient research or other historical value to warrant preservation in the National Archives once the agency's business needs have been fulfilled. ICE uses the records to support actions in response to an ATD participant's violation of program requirements.

Adequacy of Proposed Retention Period: Adequate from the standpoint of legal rights and accountability.

Media Neutrality: Approved



ASHBY CROWDER

Appraiser