U.S. Government Accountability Office

Immigration Detention: Changes In Inspections of ICE Facilities Raise Questions About Oversight

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Q&A Report to Congressional Requesters
November 5, 2026

Why This Matters

Within the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) is the lead agency responsible for providing safe, secure, and humane confinement for detained noncitizens in the United States.

A January 2025 Executive Order directed DHS to promptly expand immigration detention capacity and detain noncitizens apprehended for violations of immigration law pending removal proceedings or execution of a removal order to the extent permitted by law. Since then, according to ICE data, ICE's average daily population in facilities that detain noncitizens for over 72 hours increased by 52 percent, from 40,587 in April 2025 to 61,817 in April 2026.

ICE guidance states that because the agency exercises significant authority when it detains noncitizens, ICE must do so in the most humane manner possible, focusing on providing sound conditions and care. Additionally, ICE has established detention standards that dictate how facilities should operate. DHS entities are responsible for conducting inspections to determine if detention facilities are meeting those standards. We were asked to review compliance with detention standards and related oversight. This report addresses changes to inspections by DHS entities since fiscal year 2024, when we last reported on inspections in May 2025, and the extent to which ICE has determined whether the changes affect its oversight of detention facility conditions.

Key Takeaways

- ICE detention standards cover a variety of areas, including medical care, legal services, and grievance procedures. Several DHS entities have been responsible for conducting inspections of facilities to determine if these standards are being met.
- In May 2025, we reported that four DHS entities conducted detention facility inspections as of fiscal year 2024.[1] As of July 2026, two of the four entities had decreased the frequency of or eliminated their inspections. The ICE Office of Detention Oversight (ODO) reduced the frequency of and changed the processes for its inspections, such as implementing facility self-inspections. The DHS Office of the Immigration Detention Ombudsman (OIDO) faced a significant reduction in force and, in fiscal year 2026, did not receive an appropriation. As a result, it has stopped conducting inspections.
- Of the remaining two entities, one continued its inspections and the other plans to temporarily increase them. The ICE Health Service Corps (IHSC) has generally continued its inspection processes unchanged since fiscal year 2024. The DHS Office of Inspector General (OIG) continued its inspection

process and also conducted some shortened inspections. In fiscal year 2026, the OIG received multi-year funding for additional inspections and oversight of detention facilities. It plans to return to its original inspection length and began conducting these inspections in August 2026.

- DHS detention facility inspections have changed and, at the same time, the number of immigration detention facilities and the size of the detained population have increased. Following the 2025 Executive Order, ICE added over 40 detention facilities that detain noncitizens for over 72 hours from April 2025 to April 2026.[2] During that time, the average daily population of detained noncitizens grew by over 50 percent.
- DHS detention facility inspections provide ICE with information about deficiencies in its facilities, including those related to the health, life, and safety of detained noncitizens. ODO inspections, for example, constitute inspections of record and assess facilities' compliance with applicable detention standards.
- However, as inspections have either been reduced, eliminated, or changed, ICE has not used evidence, such as data on deficiencies identified through inspections, and performance information, such as the extent to which facilities are in compliance with their contracts, to determine the effects on its ability to oversee detention facilities. By using such evidence to determine the effects of inspection frequency and process changes and applying the results to improve oversight, ICE could better ensure that its detention facilities provide sound conditions and care for noncitizens, in accordance with ICE standards.

How many and what types of facilities does ICE use to detain noncitizens?

ICE has over 170 facilities nationwide that detain, generally for over 72 hours, noncitizens charged as removable for violations of immigration law. [3] These facilities, which we focus on in this report and refer to as over-72-hour facilities, vary by type with respect to ownership, facility operator, and the populations they detain.[4]

ICE owns some facilities which are operated by private companies under contracts with ICE and at which ICE provides some services, such as medical care. As described in table 1, other facilities are both owned and operated by private companies, or are owned by state, local, or private entities and operated through intergovernmental service agreements with ICE. Some facilities exclusively hold noncitizens detained by ICE (dedicated facilities). Others hold noncitizens with other confined populations, including those under the jurisdiction of the Department of Justice's U.S. Marshals Service and the Federal Bureau of Prisons (non-dedicated facilities). Detained noncitizens may have criminal and noncriminal backgrounds and come from a wide variety of countries.

Table 1: Summary of U.S. Immigration and Customs Enforcement (ICE) Over-72-Hour Detention Facilities, as of April 2026

Facility type	Description	Number of authorized facilities[a]
Contract detention facilities and service processing centers[b]	ICE contracts directly with detention facility operators (e.g., private companies) to hold detained noncitizens at facilities the operators own, or to provide services at five ICE-owned service processing centers.	**25**
Dedicated and non-dedicated intergovernmental service agreements (IGSAs)[c]	ICE enters into these agreements with state or local governments, which may provide detention services directly or through private contracts. Facilities with intergovernmental service agreements that house only ICE detained noncitizens are referred to as dedicated agreements. Facilities with non-dedicated agreements may house individuals detained by other agencies.	**60**
Intergovernmental agreements with U.S. Marshals Service	ICE joins an existing U.S. Marshals Service contract or agreement to use Marshals-acquired bed space in a local prison, jail, or private detention facility.	**76**
Federal Bureau of Prisons facilities	In February 2025, ICE signed an interagency agreement to house noncitizens in eight Federal Bureau of Prisons facilities. ICE also had a preexisting agreement to house noncitizens in a ninth Bureau of Prisons facility in Puerto Rico.	**9**
Naval Station Guantánamo Bay facilities	Starting in 2025, ICE began placing detained noncitizens at one Guantánamo Bay facility where ICE maintained an existing contract to house migrants interdicted at sea. That year, ICE also began housing noncitizens designated as “high-threat” at a second Guantánamo Bay facility under a memorandum of understanding with the Department of Defense.	**2**
Total authorized facilities		**172**

Source: GAO analysis of ICE data. | GAO-27-109299

[a]Authorized facilities have an active contract or agreement. Hold rooms—temporary spaces where detained noncitizens are held while awaiting processing, transfer, or removal—are not included. We excluded two facilities from our analysis that were owned and operated by the state of Florida and detained noncitizens during parts of fiscal years 2025 and 2026. According to officials, ICE did not enter into a contract or agreement to operate these facilities.

[b]One of these contracted detention facilities is Camp East Montana, located on U.S. Army Fort Bliss. The U.S. Army awarded and administered a contract for constructing and operating this facility in fiscal year 2025 as part of a February 2025 Request for Assistance. The U.S. Army then transferred contract administration responsibilities for the facility to ICE at the beginning of fiscal year 2026. ICE now considers Camp East Montana a contract detention facility.

[c]One IGSA facility, Dilley Immigration Processing Center, is counted twice because it houses both family units and single adult women and follows different sets of detention standards for these populations.

During fiscal years 2025 and 2026, ICE received over $45 billion dollars for immigration detention and increased the number of facilities in which it may detain noncitizens.[5] ICE data indicate that the agency’s number of authorized over-72-hour detention facilities, or facilities that that have an active contract or agreement with ICE, increased from 128 in April 2025 to 172 in April 2026. This represents an increase of over 30 percent in over-72-hour facilities. For example, in 2025, ICE obtained its largest detention facility to date (Camp East Montana in El Paso, Texas).[6]

What standards does ICE require facilities to comply with?

ICE has developed standards for immigration detention that dictate how facilities should operate to ensure safe, secure, and humane confinement.[7] These standards cover a variety of areas, including medical care, legal services, and grievance procedures.

ICE has updated or introduced new detention standards multiple times since they were initially developed in 2000. Therefore, there are various versions—or “sets”—of standards that differ with respect to their scope, specificity, and other factors. The contract or agreement between ICE and each detention facility operator specifies which set of standards the facility is required to follow. DHS entities conduct inspections, described below, to assess a facility’s compliance

with the detention standards outlined in its individual contract or agreement with ICE.

Which DHS entities have overseen and inspected facilities?

In May 2025, we reported that, as of fiscal year 2024, four DHS entities inspected over-72-hour immigration detention facilities, as described in table 2.

Table 2: Department of Homeland Security (DHS) Entities that Conducted Inspections of Over-72-Hour Facilities, as of Fiscal Year 2024

DHS entity	Purpose and focus of inspection
U.S. Immigration and Customs Enforcement (ICE) Office of Detention Oversight (ODO)	Within ICE, the Office of Professional Responsibility's ODO conducted semiannual inspections of detention facilities with an average daily population of 10 or more noncitizens. ODO rated facilities against the applicable detention standards for each detention facility and documented the results. These "inspections of record" have determined whether funds may be used to continue detention facility contracts.[a]
ICE Health Service Corps (IHSC)	IHSC is responsible for providing medical care for detained noncitizens at some detention facilities and overseeing medical care across all facilities. IHSC conducted inspections to ensure facilities are adhering to detention standards related to medical care.
DHS Office of the Immigration Detention Ombudsman (OIDO)	The statutory functions of the DHS Immigration Detention Ombudsman include conducting unannounced inspections of detention facilities holding individuals in federal immigration custody. OIDO conducted inspections focused on selected issues identified by staff, prior ODO or Office of Inspector General inspections or DHS's Office for Civil Rights and Civil Liberties investigations, complaints made to OIDO, and referrals from other DHS entities.
DHS Office of Inspector General (OIG)	Under its broad statutory authority, DHS OIG conducted unannounced inspections of immigration detention facilities to ensure compliance with detention standards.[b] When determining the facilities to inspect, DHS OIG officials stated they had reviewed inspection findings from ICE (e.g., ODO findings) and other DHS entities and any complaints the DHS OIG had received about specific facilities.

Source: GAO analysis of DHS information and interviews with agency officials. | GAO-27-109299

[a]The inspection of record is the inspection compliance report that ODO prepared at the conclusion of its first round of inspections of facilities each year. ODO has conducted the inspection of record consistent with the statutory responsibility of ICE's Office of Professional Responsibility for performance evaluations of contracted detention facilities. Beginning in fiscal year 2019, funds were not to be used to continue any contract for detention services if the two most recent rated performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system. See Pub. L. No. 116-93, div. D, title II, § 215, 133 Stat. 2317, 2513 (2019) (classified at 6 U.S.C. § 211 note). Most recently enacted in Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. C, title II, § 213, 138 Stat.at 460, 603. In August 2026, officials told us that because this provision was not included in the fiscal year 2026 DHS Appropriations Act, it is not applicable to determining whether to continue any contract for detention services.

[b]6 U.S.C. § 113(b); 5 U.S.C. ch.4 (in particular, see § 417).

In addition to inspections conducted by the above DHS entities, detention facilities may be subject to other types of investigations and inspections. This includes inspections by the U.S. Marshals Service, if the facility detains individuals in their custody, as well as investigations by DHS's Office for Civil Rights and Civil Liberties and ICE's Office of Professional Responsibility. Additionally, facilities may be subject to ongoing monitoring. For example, contracting officers and contracting officer's representatives are to monitor a facility's compliance with its contract with ICE and identify deficiencies on an ongoing basis.

How did detention facility inspections by DHS entities change from fiscal year 2024 to July 2026?

From fiscal year 2024 to 2025, ODO, the only entity that inspects detention facilities against all core detention standards, reduced the frequency of and changed the processes for its inspections. For example, in fiscal year 2024 ODO conducted 194 inspections, which generally included follow-up, non-rated inspections. In fiscal year 2025, it conducted 102 inspections and generally did not conduct follow-up inspections. Further, while the Immigration Detention Ombudsman remains a statutory position, OIDO did not receive an appropriation

in fiscal year 2026 and stopped conducting inspections entirely in January 2026. The OIG plans to temporarily increase inspections, while IHSC processes have remained the same. Table 3 summarizes how inspections by DHS entities changed from fiscal year 2024 to July 2026, and the number of inspections DHS entities completed in fiscal years 2024 and 2025.

Table 3: Summary of Changes Made to Frequency of Inspections Conducted by DHS Entities and Number of Inspections of Over-72-Hour Facilities in Fiscal Years 2024 and 2025

DHS entity	Extent of changes from fiscal year 2024 to July 2026	Number of inspections completed in fiscal year 2024	Number of inspections completed in fiscal year 2025
U.S. Immigrations and Customs Enforcement (ICE) Office of Detention Oversight (ODO)	◑	194[a]	102[b]
ICE Health Service Corps (IHSC)	●	80[c]	117[d]
Office of the Immigration Detention Ombudsman (OIDO)[e]	○	6	5
DHS Office of Inspector General (OIG)[f]	◑	4	7

● Not changed ◑ Changed (increased or decreased) ○ Eliminated

Source: GAO analysis of Department of Homeland Security (DHS) documentation and interviews with DHS officials. | GAO-27-109299

[a]In fiscal year 2024, ODO conducted 194 inspections. Of these, 116 were rated inspections, meaning they were performance evaluations the Office of Professional Responsibility conducts per its statutory responsibilities. The 116 inspections included 78 at facilities with an average daily population (ADP) of 10 or more ICE detained noncitizens and 38 special reviews at facilities with an ADP of 9 or less. Some special reviews may have been of under-72-hour facilities. According to ODO, these special reviews focused on approximately 10 standards related to the health, life, and safety of detained noncitizens (e.g. medical care, food service, and suicide prevention and intervention). The remaining 78 inspections were follow-up inspections to the rated inspections of facilities with an ADP of 10 or more.

[b]In fiscal year 2025, ODO replaced special reviews with ODO-assisted self-inspections (OASIP), unless the facility has never been inspected before, in which case ODO conducts an initial inspection. ODO conducts OASIPs of dedicated detention facilities with an ADP below 50 that have previously received an inspection, as well as all U.S. Marshals Service facilities. According to ODO, these reviews focused on priority topics, including health care. In fiscal year 2025, ODO conducted 102 inspections. Of these, 43 were at dedicated facilities and 15 at non-dedicated facilities with an ADP of 50 or more. The remaining 44 inspections were OASIPS or special reviews at facilities with an ADP of 49 or less or U.S. Marshals Service facilities.

[c]In fiscal year 2024, IHSC inspected 15 IHSC-staffed facilities and 65 facilities staffed by contractors.

[d]In fiscal year 2025, IHSC inspected 15 IHSC-staffed facilities and 102 facilities staffed by contractors.

[e]As of July 2026, while the Immigration Detention Ombudsman remains a statutory position, OIDO did not receive an appropriation for fiscal year 2026 and is no longer operating or conducting any oversight activities, according to DHS officials. It performed its last inspection in January 2026.

[f]In fiscal year 2026, the OIG was appropriated $20 million, available through September 2027, to conduct additional inspections and oversight of ICE detention facilities. The OIG engaged a contractor to help perform the additional inspections and the contractor plans to complete approximately 96, according to OIG officials. It began conducting these in August 2026.

OIDO no longer conducts inspections. OIDO's inspections focused on a subset of detention standards. In May 2025, we reported that DHS officials informed us that OIDO was dissolved and is no longer operating as of March 2025, despite OIDO having fiscal year 2025 funding.[8] In 2025, DHS approved Reduction in Force notices for 46 positions in OIDO. These positions represented the entire staff of OIDO excluding employees in the Senior Executive Service. However, DHS also stated that all legally required functions of OIDO would continue to be performed. In July 2026, the official holding the statutory position of Immigration Detention Ombudsman told us that OIDO's remaining employees had continued conducting inspections throughout fiscal year 2025.

In April 2026, the explanatory statement accompanying the Homeland Security and Further Additional Continuing Appropriations Act, 2026, indicated that OIDO did not receive an appropriation for fiscal year 2026.[9] Neither the 2026 DHS appropriations act nor the accompanying explanatory statement state that OIDO

is eliminated or that the statute establishing the Immigration Detention Ombudsman is repealed. However, the official holding the statutory position of Immigration Detention Ombudsman told us that OIDO has been eliminated and would no longer be operating or conducting any oversight activities of ICE facilities per the Antideficiency Act due to a lack of appropriated funds.[10] The last inspection OIDO conducted was in January 2026.

ODO decreased frequency and revised its inspection processes.

ODO is the only DHS entity that has (1) conducted semi-annual inspections and (2) consistently assessed facilities' compliance with all core detention standards—those intended to directly safeguard the life, health, and safety of detained noncitizens. ODO inspections constitute inspections of record. Beginning in fiscal year 2025, ODO decreased the frequency of its inspections, began having certain facilities conduct self-inspections, and generally stopped conducting unannounced inspections.

- **Inspection frequency**. ODO previously inspected facilities twice a year or annually, depending on how many noncitizens the facility detained. If the daily average was 10 or more noncitizens, ODO inspected the facility twice a year, with the second inspection serving as a follow-up to the first.[11] If the daily average was one to nine noncitizens, ODO inspected the facility annually using a special review, focusing on about 10 standards related to the health, life, and safety of the detained individuals. As of fiscal year 2025, ODO reduced its inspection frequency to annual or every 2 years. ODO also began determining this frequency based on whether the facility is a dedicated facility. ODO inspects dedicated facilities annually, and non-dedicated facilities that hold ICE detained noncitizens and other confined populations every 2 years.

  A March 2025 memo approved by the ICE Acting Director codified ICE's decision to decrease the frequency of ODO inspections and introduce self-inspections more broadly, as described below.[12] The memo states that ICE has discretion to determine the cadence and the type of detention facility inspections conducted. According to the memo, the modified ODO inspection approach will reduce the burden on service providers without compromising ICE's ability to meet its legal obligations to regularly inspect all facilities. Further, the memo states the modified approach to ODO inspections should improve ICE's ability to obtain detention space, particularly in non-dedicated facilities owned by state, county, and local partners.

- **Inspection process**. ODO also changed its inspection process for non-dedicated facilities with lower average daily populations. While ODO continues to conduct on-site inspections at facilities with an average daily population of 50 or more noncitizens, facilities with an average daily population of 49 or less now conduct self-inspections.[13] These self-inspections focus on facility compliance with detention standard requirements that directly affect detainee life, health, safety, or well-being. Facilities have 30 calendar days to complete the self-inspection. ODO staff go on-site towards the end of the inspection window to observe facility conditions, interview detained noncitizens, and spot-check the facility's reported findings.

- **Inspection notification.** ODO officials told us that they no longer regularly conduct unannounced inspections; however, ODO reserves the

right to do so as needed. Previously, ODO's goal was to conduct an unannounced inspection of each facility every 3 years, according to officials.

How ICE uses the results of ODO inspections has also changed. In August 2026, officials from ICE also told us that two consecutive ODO inspections rating a facility's performance inadequate would no longer preclude it from receiving further funds, which was previously the case.[14]

ICE Health Service Corps (IHSC) continued to conduct inspections. From fiscal year 2024 to July 2026, IHSC has continued its inspections and generally used the same processes for those inspections. For example, IHSC has continued to inspect all facilities at least every 2 years, focusing on detention standards related to medical care. IHSC officials told us they have standardized the questions used in their inspections across facility types. At facilities where IHSC staff directly provide on-site medical care, IHSC staff continue to inspect facilities in-person every other year. In the year that IHSC does not conduct an in-person inspection, the facility conducts a self-inspection. At facilities where private contractors provide medical care, IHSC staff, known as field medical coordinators, have continued to inspect them annually.

According to IHSC officials, IHSC inspectors conducted clinical chart reviews prior to the inspections. During the inspections, inspectors observed facility areas and activities, as well as assessed each facility's compliance using the medical standards within the overall set of detention standards applicable to each facility. ICE officials told us at facilities where private contractors provide medical care, field medical coordinators also follow-up on medical related deficiencies identified in ODO inspections. We have ongoing work reviewing ICE's oversight of medical care provided to detained noncitizens and plan to report the results of our review later this year.

The DHS Office of Inspector General (OIG) continued to conduct inspections and plans to temporarily increase them. The OIG has continued to conduct unannounced inspections of facilities. The inspections typically focus on a subset of the detention standards that most affect the health and safety of detained noncitizens and facility employees. Teams may review compliance with any of the applicable detention standards as part of their inspections, according to DHS OIG officials. During fiscal year 2025, in addition to conducting three inspections that spanned 3 days as it had in the past, the OIG also conducted four 1-day inspections, according to OIG officials. Officials told us they conducted the 1-day inspections because it allowed them to more efficiently visit the increasing number of detention facilities.

The OIG will use multi-year funding to temporarily increase the number of inspections it conducts. Specifically, in April 2026, the OIG was appropriated $20 million, available through September 2027, to conduct additional inspections and oversight of ICE detention facilities.[15] OIG officials said that they engaged a contractor to help perform the additional inspections and the contractor plans to complete approximately 96 inspections. It began conducting these inspections in August 2026. Similar to inspections performed by the OIG, the contractor's inspections will be unannounced, span 3 days, and focus on a subset of the detention standards, according to OIG officials.

How does ICE ensure it provides adequate oversight of detention facilities?

ICE relies on DHS facility inspections to oversee detention facilities. However, ICE has not used evidence, such as data and performance information, to determine, in light of the recent changes, whether its inspections are sufficient to ensure facilities provide sound conditions and care, in accordance with its detention standards.

ICE data indicate that the agency authorized more than 40 additional over-72-hour facilities during fiscal years 2025 and 2026, increasing the total number from 128 in April 2025, to 172 in April 2026. Over the same period, the average daily population of detained noncitizens in these facilities increased from 40,587 to 61,817, according to ICE data.

The March 2025 memo codifying the changes to ODO inspections indicates that ICE considered the burden of inspections on facilities and its ability to secure detention space when revising its approach to ODO inspections. However, it does not discuss any evidence that was used to determine the effects of these or the other changes to inspections on ICE's ability to ensure that detention facilities comply with detention standards.

ICE officials acknowledged that the agency did not document its use of evidence. However, they said that they had discussions about the changes made to ODO and OIDO inspections that included ODO and IHSC officials. The ICE officials stated that the agency viewed OIDO inspections as duplicative of oversight activities conducted by other DHS entities, such as the OIG and Office for Civil Rights and Civil Liberties, and outside advocacy groups. ODO officials stated that the revised inspection approach allows ODO to allocate oversight resources according to detention facility type and operational complexity, with facilities that house larger numbers of noncitizens inspected more frequently. However, ODO's changes mean that facilities that house larger numbers of noncitizens are inspected at most annually, whereas prior to fiscal year 2025, ODO inspected facilities with a daily average of 10 or more noncitizens twice a year. ODO officials told us changing the frequency of in-person inspections would allow staff to inspect the increasing volume of facilities at their current staffing level.

ICE officials stated that they do not believe the changes to ODO inspections and discontinuation of OIDO inspections affect ICE's ability to oversee facilities. However, our prior work has found that agencies should use evidence to inform decision-making, such as when adopting new approaches or making changes to existing processes.[16] Using evidence, such as data, performance information, and analysis, can help ensure that the agency's activities are targeted at achieving desired results. ICE guidance on detention standards states that because the agency exercises significant authority when it detains noncitizens, ICE must do so in the most humane manner possible, focusing on providing sound conditions and care.[17] Additionally, ODO's strategic goal is to ensure the health, life, safety, and well-being of noncitizens in ICE custody.

ICE officials discussed whether the revised ODO inspection approach is sufficient to oversee facilities. However, ICE did not use evidence, such as data on deficiencies identified through inspections and performance information on facility compliance with contracts, to determine the effect of the changes to ODO, OIDO, and OIG inspections on its ability to ensure the well-being of noncitizens in its custody. In particular, ICE did not formally analyze the effect of decreasing the frequency of ODO inspections, implementing facility self-inspections, temporarily increasing OIG inspections, and eliminating OIDO inspections on its ability to identify deficiencies in a timely manner.

With the increases in the number of detention facilities and size of the detained population, ICE is responsible for overseeing conditions and care for a growing number of noncitizens. Detention facility inspections provide ICE with information about deficiencies in its facilities, including those related to the health, life, and safety of detained noncitizens (e.g., medical care, food service, and suicide prevention and intervention). For example, in fiscal year 2024, of the 194 total inspections ODO conducted, 70 facilities followed one set of detention standards. For those 70 facilities, ODO identified 933 deficiencies related to medical care, food service, and environmental health and services, among other issues.

While ICE cannot control the frequency or methodology of inspections OIG performs, because it is a non-ICE entity, it can use the results of its inspections to inform its oversight of detention facilities. Additionally, ICE can tailor the frequency, scope, and methodology of its own ODO and IHSC inspections to ensure they are collectively meeting its oversight requirements. However, because ICE did not use evidence to determine the effects of changes to inspections by DHS entities, it does not have assurance that the inspections collectively provide adequate oversight of facilities or meet ICE and ODO's objective to ensure humane detention conditions. Using evidence to determine the effects of the changes on identifying deficiencies and applying the results to modify ICE inspections, as appropriate, would help ICE ensure that facilities provide sound conditions of care.

Conclusions

ICE guidance states that because the agency exercises significant authority when it detains noncitizens, ICE must do so in the most humane manner possible, focusing on providing sound conditions and care. Since fiscal year 2024, DHS detention facility inspections have changed. OIDO stopped conducting detention facility inspections, ODO reduced the frequency and implemented self-inspections, and the OIG plans to temporarily perform more inspections. At the same time, the number of detention facilities and the size of the detained population increased. From April 2025 to April 2026, ICE added over 40 detention facilities that detain noncitizens for over 72 hours, and the average daily population of detained noncitizens grew by over 50 percent. These changes may pose risks to ICE ensuring humane detention conditions, as its own guidance calls for. By using evidence to determine the effect of changes to DHS detention facility inspections on identifying deficiencies and applying the results to modify its inspections, as appropriate, ICE could better ensure facilities provide sound conditions of care.

Recommendations for Executive Action

We are making the following two recommendations to ICE:

The Director of ICE should use evidence, such as data and performance information, to determine the effects of changes to inspections by DHS entities and whether the inspections are collectively sufficient for overseeing detention facility compliance with detention standards and identifying deficiencies. (Recommendation 1)

The Director of ICE should modify inspections ICE conducts of detention facilities based on its findings, as appropriate. (Recommendation 2)

Agency Comments and Our Evaluation

We provided a draft of this report to DHS and the DHS OIG for review and comment.

DHS and DHS OIG provided technical comments, which we incorporated as appropriate. DHS agreed with the two recommendations and requested that we close them as implemented based on activities ICE had underway—and that we considered—during our review. We maintain our recommendations remain warranted, as discussed below.

Regarding our first recommendation, DHS stated that ICE already uses inspection data and other oversight evidence to assess the effects of changes to its inspections and to determine whether they are sufficient. It also stated that a reduction in the number of inspections completed does not inherently reflect a reduction in the number of facilities receiving a rated assessment. Further, DHS described efforts that ICE's Enforcement and Removal Operations has in place to evaluate inspection outcomes, such as identifying trends in recurring deficiencies at facilities. DHS said that ERO uses this information to determine whether changes to inspection activities affect its ability to oversee facilities. However, ICE has not provided us with evidence of an assessment that holistically considers the changes to inspections by DHS entities. For example, ICE has not demonstrated that it has analyzed whether changes to DHS OIG, OIDO, ODO, and IHSC inspections creates or closes gaps in ICE's oversight efforts. To meet the intent of our recommendation, ICE needs to provide documentation of its assessment, including the evidence it used, and what it determined about (1) the effects of changes to inspections and (2) whether the inspections are sufficient for overseeing detention facilities.

Regarding our second recommendation, DHS stated that ICE practice already includes a path to modify detention facility inspection and monitoring activities. For example, DHS stated ICE may adjust its oversight activities, such as their timing or frequency, when inspection findings indicate a need for additional review. However, our recommendation states that ICE should modify its inspections based on the findings from the assessment resulting from our first recommendation. Without completing this assessment of changes to facility inspections and making any appropriate changes, ICE cannot ensure that its current oversight efforts are sufficient. To meet the intent of our recommendation, ICE needs to first provide documentation of its assessment of changes to facility inspections, and then of any changes made to address the findings.

How GAO Did This Study

For this work, we reviewed documentation on DHS's various oversight mechanisms, such as policy directives and inspection reports. We interviewed officials responsible for conducting oversight of over-72-hour facilities from DHS OIDO and OIG, as well as ICE ODO and IHSC. We spoke with these officials to learn about their oversight duties, including any changes made to their inspections since fiscal year 2024.

We evaluated ICE's efforts to use evidence to assess the effect of changes to DHS inspections against our criteria on evidence-based policy making, such as the call for agencies to use evidence to inform decision-making.[18]

We obtained and analyzed ICE data from April 2025 to April 2026 on the number of over-72-hour facilities that have contracts with ICE. We also obtained and analyzed ICE data to calculate changes in the average daily population of detained noncitizens during this time period. Further, we obtained data on the number of inspections DHS entities completed during fiscal year 2025. We assessed the reliability of the data by interviewing officials about their data

management practices and examining the data for outliers and errors. We determined that the data were sufficiently reliable describing the number of facilities, average daily population, and inspections completed during fiscal years 2024 and 2025.

We conducted this performance audit from July to November 2026 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

List of Addressees

The Honorable Patty Murray
Vice Chair
Committee on Appropriations
United States Senate

The Honorable Richard J. Durbin
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Bennie Thompson
Ranking Member
Committee on Homeland Security
House of Representatives

The Honorable Jamie Raskin
Ranking Member
Committee on the Judiciary
House of Representatives

The Honorable Robert Garcia
Ranking Member
Committee on Oversight and Government Reform
House of Representatives

The Honorable Pramila Jayapal
Ranking Member
Subcommittee on Immigration Integrity, Security, and Enforcement
Committee on the Judiciary
House of Representatives

The Honorable Cory Booker
United States Senate

The Honorable Teresa Leger Fernandez
House of Representatives

The Honorable Alexandria Ocasio-Cortez
House of Representatives

The Honorable Emily Randall
House of Representatives

The Honorable Adam Smith
House of Representatives

We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, and other interested parties. In addition, the report is available at no charge on the GAO website at https://www.gao.gov.

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Appendix I: Comments from the Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

BY ELECTRONIC SUBMISSION

October 22, 2026

Heather MacLeod
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548-0001

Re: Management Response to GAO-27-109299, "Immigration Detention: Changes In Inspections of ICE Facilities Raise Questions About Oversight"

Dear Ms. MacLeod:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS, or the Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

DHS leadership is pleased to note GAO's recognition of U.S. Immigration and Customs Enforcement's (ICE) efforts to expand enforcement and other activities pursuant to enactment of the One Big Beautiful Bill Act[1] and the Secure America Act.[2] DHS remains committed to ICE providing safe, secure, and humane confinement for detainees in immigration detention facilities for violations of immigration law. This includes providing sound conditions and care to detainees in detention facilities and adhering to established detention standards that cover a variety of areas, including medical care, legal services, and grievance procedures.

However, the report mischaracterizes the Office of the Immigration Detention Ombudsman's (OIDO) activities and the fact that OIDO did not conduct formal inspections through fiscal year (FY) 2024. While the draft report calls OIDO's activities "inspections" of a subset of standards, OIDO defines them as limited "observations"

[1] "One Big Beautiful Bill Act," dated July 4, 2025; Public Law 119-21.
[2] "Secure America Act," dated June 10, 2026; Public Law 119-98.

consisting only of brief summaries. Accordingly, these "observations" were not inspections fulsomely addressing compliance with the ICE detention standards nor were they an adequate substitute for the work of the other oversight offices. In comparison, the ICE Office of Professional Responsibility (OPR), Office of Detention Oversight (ODO) conducts comprehensive inspections of records and assesses a facility's compliance with applicable ICE detention standards. During each facility inspection, ODO reviews all core standards related to detainees' life, health and safety, as well as rotating non-core standards, to ensure 100 percent of the applicable standards are reviewed over the course of two years.

Moreover, the report does not acknowledge the ongoing work of the Office for Civil Rights and Civil Liberties (CRCL). Specifically, since June 2025 CRCL has conducted 60 inspections of detention facilities and continues to maintain an oversight role consistent with its statutory obligations. CRCL reviews every complaint it receives and recommends corrective action where appropriate.

The report also focuses on formal inspections of ICE facilities while lacking context on ICE's multi-layered oversight mechanisms which are employed to ensure effective oversight. For example, each facility contract is overseen by a Contracting Officer and Contracting Officer's Representative (COR), while ICE field offices and ICE Headquarters also retain compliance staff who are tasked with conducting ongoing and frequent compliance assessments of ICE detention facilities to ensure compliance with ICE detention standards. When deficiencies are identified, the COR and vendor are notified and are required to resolve these issues promptly.

In addition, this draft report misrepresents facility clinic site visits conducted by the ICE Health Service Corps (IHSC) and leaves readers misinformed of the extent of ICE's oversight activities. Specifically, the draft report describes activity that only applies to IHSC-staffed facilities, rather than the broad scope of work conducted by IHSC. IHSC Field Medical Coordinators conduct annual site visits at the non-IHSC staffed (contracted) facilities, as well as follow up on medically related corrective action concerns identified during ODO inspections.

The draft report contains two recommendations, with which the Department concurs. Enclosed find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, and other issues under a separate cover for GAO's consideration, as appropriate.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Sincerely,

DAVID E SCHMITT
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Date: 2026.10.22 13:19:14 -04'00'

DAVID SCHMITT
Director
Departmental Audit Liaison Office

Enclosure

Enclosure: Management Response to Recommendations Contained in GAO-27-109299

GAO recommended that the Director of ICE:

Recommendation 1: Use evidence, such as data and performance information, to determine the effects of changes to inspections by DHS entities and whether the inspections are collectively sufficient for overseeing detention facility compliance with detention standards and identifying deficiencies.

Response: Concur. ICE already uses inspection data, performance information, and other oversight evidence to assess the effects of changes to its detention-inspection framework and to determine whether its collective oversight activities are sufficient to monitor compliance with applicable detention standards and identify deficiencies. We also agree with the importance of documenting these assessments and will continue to maintain and review the relevant evidence.

Through the "ICE Modified Inspection Framework," dated March 28, 2025, ICE modified its detention inspections framework to reduce the burden on service providers without compromising ICE's ability to meet its legal obligations and the safety/security of its detained population. Specifically, this framework shifted OPR from a model in which inspections were conducted twice a year for each facility with an average population of 10 or more, to a model that considers the operational cadence of individual facilities. The framework preserves ICE's ability to conduct follow-up inspections when significant concerns are identified at a facility and ensures that additional oversight remains available when needed.

In addition, an accurate comparison of the number of inspections conducted before and after the implementation of this framework should account for the nature and purpose of those inspections. In FY 2024 and under the prior oversight framework, OPR conducted approximately 194 inspections annually. However, the second inspection was generally a follow-up inspection and was not separately rated. Under the current framework, however, OPR conducts inspections throughout the year, and each applicable on-site and self-inspection results in a facility's performance rating. Accordingly, the reduction in the number of inspections does not—in and of itself—reflect a reduction in the number of facilities receiving a rated assessment of compliance with applicable detention standards.

Furthermore, it should be noted that ERO uses evidence, including inspection data and performance information, to assess the effects of changes to detention facility inspections conducted by DHS entities. This information is used to determine whether inspection activities are collectively sufficient to oversee detention facility compliance with applicable detention standards and identify deficiencies. ERO maintains oversight

through Detention Service Managers (DSM) and Detention Standards Compliance Officers (DSCO), who support monitoring activities across the ICE detention network. DSMs and DSCOs conduct risk-informed, including unannounced when appropriate, oversight activities in coordination with field office personnel and facility staff to identify compliance concerns, support corrective action, and promote sustained adherence to detention standards.

ERO also leverages Detention and Deportation Officers (DDO), who are subject matter experts, to expand oversight capacity and strengthen monitoring coverage across the ICE detention operations. DDOs review facility responses to deficiencies identified through the OPR ODO and other DHS inspections (e.g., Office of Inspector General (OIG) unannounced inspections) and evaluate whether proposed or completed corrective actions sufficiently address the underlying findings, to determine whether the facility's supporting documentation adequately verifies resolution of the identified deficiencies. When responses or documentation do not demonstrate sufficient corrective action, DDOs reject the submission and require additional evidence or clarification to support closure.

To inform oversight decisions, ERO personnel review multiple sources of evidence, including OPR ODO inspection reports, DHS inspection reports, DSM and DSCO monitoring reports, facility responses to ODO-identified deficiencies, and Uniform Corrective Action Plans.[3] These sources help ERO evaluate inspection outcomes, identify trends and recurring deficiencies, assess corrective action progress, and determine whether changes to inspection activities affect ICE ERO's ability to oversee contracted detention facilities.

We request that GAO consider this recommendation resolved and closed as implemented.

Recommendation 2: Modify inspections ICE conducts of detention facilities based on its findings, as appropriate.

Response: Concur. Current ICE practice already includes a path to modify detention facility inspection and monitoring activities, as appropriate, based on inspection findings, identified risks, corrective-action status, and other available oversight information. ICE's modified detention facility inspection framework previously described in this letter is designed to align inspection activity with facility-specific operations and risk while maintaining ICE's ability to meet applicable legal obligations and protect the safety and security of detained populations. Under this framework, ICE may adjust the type, timing, scope, and frequency of oversight activities when inspection findings or other monitoring information indicate a need for additional review. Depending on the nature, severity, and

[3] A formal compliance mechanism used by ICE to remedy operational deficiencies and violations of detention standards at facilities housing immigration detainees. When a detention center—whether run directly by ICE, a private contractor, or a local jail through an Intergovernmental Service Agreement—fails an inspection, it is contractually required to resolve those specific issues through a Uniform Corrective Action Plan.

recurrence of identified concerns, ICE may conduct or support follow-up inspections, targeted or special inspections, additional on-site compliance reviews, technical assistance, or other risk-informed oversight activities.

At the completion of a facility inspection by OPR ODO or OIG, any deficiencies found require a Uniform Corrective Action Plan to ensure consistency in corrective actions, assign responsibility for implementation, and provide a mechanism for tracking progress and verifying completion to achieve compliance with applicable standards. The corrective-action process also provides ICE with information to determine whether a facility's identified deficiencies are being timely and adequately resolved and whether additional inspection or monitoring activity is warranted.

ERO DSCOs then monitor detention conditions through on-site compliance reviews to identify deficiencies, areas of concern, and contract and facility issues, as well as to implement any necessary corrective actions. These reviews are a part of a multi-layered approach to oversight that provides senior leadership with a tool to quickly identify and address issues that occur between annual inspections or that may not have been identified during a prior inspection.

In addition, ERO deploys Compliance and Contract Services contractors to support ad hoc special inspections, Technical Assistance Teams, and compliance training across ICE ERO's 24 field offices. These activities provide additional oversight capacity and help ensure that detention facility compliance is monitored consistently and deficiencies are addressed. Through these combined efforts, ICE ERO uses inspection data, monitoring reports, corrective action information, and targeted oversight activities to evaluate the sufficiency and effectiveness of detention inspections and support ongoing compliance with detention standards. Accordingly, we request that GAO consider this recommendation resolved and closed as implemented.

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Endnotes

[1]GAO, *Immigration Detention: DHS Should Define Goals and Measures to Assess Facility Inspection Programs*, GAO-25-107580 (Washington, D.C.: May 21, 2025).

[2]Protecting the American People Against Invasion, Exec. Order No. 14159, § 10, 90 Fed. Reg. 8443, 8445 (Jan. 29, 2025) (issued Jan. 20).

[3]6 U.S.C. § 252 (establishing U.S. Immigration and Customs Enforcement). For readability, we generally use the term "noncitizen," to refer to an "alien"—defined under 8 U.S.C. § 1101(a)(3) as any person who is not a U.S. citizen or national—except when quoting language which includes the term "alien" in statute, regulation, or executive orders. In our audit work, we have found that DHS documentation often uses various terms such as "alien," "migrant," and "noncitizen," among other words or phrases, in reference to those of non-U.S. nationality.

[4]Under 8 U.S.C. § 1231(g), the Secretary of Homeland Security shall arrange for appropriate places of detention for noncitizens pending removal or a decision on removal. ICE also has holding facilities typically for housing individuals for 24 hours or less, but generally no more than 72 hours, to complete general processing and to determine the appropriate course of action, such as transfer to an ICE over-72-hour facility. Under U.S. immigration law, a noncitizen is "removable" under 8 U.S.C. §§ 1182(a), 1227, 1229a(c), (e)(2).

[5]In July 2025, Public Law 119-21, commonly referred to as the One Big Beautiful Bill Act, provided ICE $45 billion through fiscal year 2029 for detention capacity. An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14, Pub. L. No. 119 21, title IX, subtitle A, § 90003, title X, subtitle A, pt. II, § 100052, 139 Stat. 72, 358, 387-89 (2025). Further, in June 2026, the Secure America Act provided ICE with over $31 billion for various activities, such as mission support, including immigration enforcement functions, through fiscal year 2029, of which ICE reported approximately $1.1 billion was allocated for custody operations in fiscal year 2026. Pub. L. No. 119-98, title II, § 202, 140 Stat. 837, 839.

[6]ICE obtained Camp East Montana through a contract awarded and administered by the U.S. Army, which subsequently transferred contract administration to ICE. We previously reported on the acquisition of Camp East Montana. See GAO, *Immigration Detention: Waste and Performance Issues at Camp East Montana Provide Valuable Lessons for Future Facilities,* GAO-26-108886 (Washington, DC: June 9, 2026).

[7]ICE's 2026 National Detention Standards state that ICE is committed to ensuring that all immigration detention operations adhere to constitutional standards. Detention conditions are to be non-punitive and must ensure the due process, health, safety, and security of all individuals in custody.

[8]OIDO supported the Immigration Detention Ombudsman's statutory oversight of ICE facilities including unannounced inspections of detention facilities (among other functions established under 6 U.S.C. § 205).

[9]172 Cong. Rec. H1661, H1691 (daily ed. Jan. 22, 2026), accompanying Homeland Security and Further Additional Continuing Appropriations Act, 2026, Pub. L. No. 119-86 140 Stat. 773.

[10]31 U.S.C. §§ 1341, 1342, 1517.

[11]During the first semiannual inspection each year, ODO inspectors would assess over-72-hour facilities for compliance with the 14 core standards that are intended to directly safeguard the life, health, and safety of detained noncitizens. During the second inspection each year, ODO inspectors assessed the corrective actions facilities took to address any deficiencies identified in ODO's first inspection. ODO inspected each facility's compliance with the non-core standards every other year. ODO conducted inspections on a semiannual (twice per year) basis in response to the 2019 Joint Explanatory Statement, which included a provision for ICE to increase the number of inspections of over-72-hour facilities from once every three years to twice per year by the end of fiscal year 2019. Conference Report accompanying H.J. Res. 31, H. Rep. No. 116-9, at 485 (Feb. 13, 2019).

[12]ICE, *Modified Detention Facility Inspections Framework* (Washington, D.C.: March 28, 2025).
[13]Prior to fiscal year 2025, ODO did not conduct on-site inspections of under-72-hour facilities. Under its revised inspection processes, it conducts in-person inspections of all facilities or requires the facility to conduct a self-inspection, regardless of whether they are under- or over-72-hour facilities. Now, ODO determines the inspection frequency and type based on the facility's average daily population. For example, ODO conducts on-site inspections of facilities with an average daily population of 50 or more noncitizens every 2 years. Facilities with an average daily population of 49 or less complete a self-inspection every 2 years.

[14]Beginning in fiscal year 2019, funds were not to be used to continue any contract for detention services if the two most recent rated performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system. See Pub. L. No. 116-93, div. D, title II, § 215, 133 Stat. 2317, 2513 (2019) (classified at 6 U.S.C. § 211 note). The provision was most recently enacted in Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. C, title II, § 213, 138 Stat.at 460, 603, which was continued into fiscal year 2025 by the Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No 119-4, div. A, title I, § 1101(a)(6), 139 Stat. 9, 11. In August 2026, officials told us that because this provision was not included in the fiscal year 2026 DHS Appropriations Act, it is not applicable to determining whether to continue any contract for detention services.

[15]Pub. L. No. 119-86, div. A, title I, 140 Stat. at 775.

[16]GAO, *Evidence-Based Policymaking: Practices to Help Manage and Assess the Results of Federal Efforts*, GAO-23-105460 (Washington, D.C.: July 12, 2023).

[17]ICE, Performance-Based National Detention Standards 2011 (Revised 2016).

[18]GAO-23-105460.