

ISAE: Immigration Support and Enforcement

From Removal to Enrollment: A Fiscally Responsible, Enforceable Model for Interior Immigration Management

A policy white paper based on a proposal by Alfred Holzheu

October 2026

Prepared for policymakers. All figures verified against primary or reputable sources; see footnotes and the verification appendix.

Executive Summary

The United States is now operating the largest interior immigration enforcement apparatus in its history. In July 2025, Congress appropriated roughly \$74.85 billion in multi-year funding for U.S. Immigration and Customs Enforcement (ICE), including \$45 billion for detention capacity.¹ As of July 2026, ICE held 65,765 people in detention, and 70.6 percent of them had no criminal conviction.² The question for policymakers is no longer whether the government can spend more on removal. It is whether removal-first spending is the best use of each enforcement dollar and each officer hour.

ISAE (Immigration Support and Enforcement) proposes a different operating model for one specific population: people who are already present, pose no public-safety threat, and could be supervised in the community. ISAE does not abolish enforcement. It re-sequences it. ICE would keep detention and removal for people who are dangerous, a flight risk, or under a final order the government can carry out. For everyone else, ISAE would use structured, app-supported supervision built on authorities that already exist. Each participant would have a verified identity, regular reporting, court tracking, and a clear set of obligations. The program would then reward people who comply.

ISAE rests on four pillars:

1. **Economic pivot.** Each removal is expensive. ICE reported an average of \$10,854 per removal in FY2016. DHS now cites \$17,121 (2025). Mass-scale estimates run much higher. Meanwhile, undocumented immigrants already paid an estimated \$96.7 billion in taxes in 2022, and work authorization would raise that by about \$40.2 billion a year.³ A *Provisional Integration ID* would bring eligible people into the formal tax and labor system.
2. **Compliance through incentive.** The *Green Path* is a gamified, five-year track with milestones in English, civics, a clean record, and steady reporting. The best-documented models of case-managed supervision reached very high court-appearance rates. The often-cited 99 percent figure is real, but it comes from specific programs and populations, explained below.
3. **De-escalation triage.** Officers in the field would use a decision dashboard. A “green light” would route people with no disqualifying factors to administrative enrollment instead of custodial arrest. Mandatory-detention statutes would still apply, and an officer, not an algorithm, would make every decision.

¹ Congressional Research Service, *Understanding the FY2026 DHS Budget Request* (R48704, Sept. 2025), describing Pub. L. 119-21 (the 2025 reconciliation act): \$45 billion for ICE detention capacity and \$29.85 billion for enforcement and related activities, available through FY2029. <https://www.everycrsreport.com/reports/R48704.html>

² TRAC Immigration, “Quick Facts” (data current as of July 11, 2026): 65,765 in ICE detention; 46,436 (70.6%) with no criminal conviction; 183,181 monitored in ATD. <https://tracreports.org/immigration/quickfacts/>

³ Institute on Taxation and Economic Policy, *Tax Payments by Undocumented Immigrants* (July 2024). <https://itep.org/undocumented-immigrants-taxes-2024/>

4. **Force multiplier.** Technology-assisted supervision costs about \$4 per participant per day. Adult detention costs about \$187 per day.⁴ The app would deliver court reminders, check-ins, and English lessons. That lets limited officer time go to the highest-risk cases.

Alfred Holzheu’s long-term aim is for ISAE to replace ICE. Because ICE was created by statute, that would require Congress. Section 8 sets out a two-phase path: first a pilot within current authority, then legislation creating a successor agency. It also covers transition design, sourced local reporting on recent operations in Santa Barbara County, and a frank account of the difficulties and opposition ISAE would face.

This paper checks each claim in the original proposal against primary or reputable sources. Where a figure needs context, it gives the corrected figure (see the Appendix). It also sets out what the executive branch can and cannot do without Congress, and the privacy safeguards that any app-based system must have before launch.

Key figures at a glance

Measure	Figure	Source
ICE average cost per removal, FY2016	\$10,854	ICE, via CNN Money (2017)
DHS average cost to arrest, detain, and remove (2025)	\$17,121	DHS press release (May 2025)
Penn Wharton average cost per deportee at mass scale (2024 dollars)	\$70,236	PWBM (July 2025)
Average adult detention bed cost per day, FY2023 (actual)	\$187.48	ICE FY2025 Budget Justification
ISAP IV (ATD) contract cost per participant per day, FY2023	\$4.11	ICE FY2025 Budget Justification
Taxes paid by undocumented immigrants, 2022	\$96.7 billion	ITEP (2024)
Added annual taxes if granted work authorization	+\$40.2 billion	ITEP (2024)
FCMP court-hearing attendance (ICE-reported, as of March 2017)	100% (99% for ICE check-ins)	DHS OIG-18-22
Share of ICE detainees with no criminal conviction (July 11, 2026)	70.6%	TRAC

1. The Problem: Capacity, Cost, and Misallocated Enforcement

Interior enforcement is limited by a few hard constraints: detention beds, immigration-court capacity, officer hours, and foreign governments’ willingness to accept returns. Increasing any one of them is costly, and the costs add up across every stage of the process.

Scale. The American Immigration Council (AIC) estimates that a one-time operation to deport the roughly 13.3 million people it identifies as targets would cost at least \$315 billion. That is about

⁴ U.S. Immigration and Customs Enforcement, *Budget Overview, Fiscal Year 2025 Congressional Justification* (DHS, 2024). Adult bed cost per day FY2023 actual \$187.48 (performance measure table); ISAP IV FY2023 cost \$4.11 per participant per day; ECMS caseload of no more than 40 participants per case specialist; ECMS at about one-sixth the cost of FCMP; ATD ADP of 274,845 in FY2023; absconder rates of 16.2% (FY2021), 8.1% (FY2022), 12.8% (FY2023); site tiers; 1–5 risk score. https://www.dhs.gov/sites/default/files/2024-04/2024_0308_us_immigration_and_customs_enforcement.pdf

\$23,700 per person by simple division (our calculation).¹ A sustained program of one million removals per year would average \$88 billion a year, or \$967.9 billion over about 10.6 years. It would require 24 times today's detention capacity and more than 1,000 new immigration courtrooms.² The Penn Wharton Budget Model (PWBM) projects that a 10-year program removing 10 percent of the unauthorized population each year would raise primary deficits by about \$862 billion over 2025–2034, or \$987 billion with economic feedback. That is on top of the roughly \$170 billion already provided in the 2025 reconciliation law. PWBM also projects GDP 3.3 percent lower by 2034 under that scenario.³

Who is being detained. TRAC's analysis of ICE data shows that 70.6 percent of people in ICE detention on July 11, 2026 had no criminal conviction, and many of the rest had only minor offenses.⁴ Every detention bed used for a low-risk person with no criminal record is a bed, and officer time, not available for a high-risk case.

A supervision infrastructure already exists. ICE already runs Alternatives to Detention (ATD). As of July 11, 2026, ATD was monitoring 183,181 individuals and family heads.⁵ Its current contract (ISAP IV) already includes a smartphone app (SmartLINK), facial verification, telephonic reporting, GPS, court tracking, and case management.⁶ ISAE does not need to invent the tools. It needs to point them at a different goal: from tracking people toward removal to supervising and integrating people who are eligible to stay, with enforcement kept in reserve.

The federal government has itself shown that app-based, administrative processing can replace custodial arrest. In May 2025, DHS launched a self-deportation channel in the CBP Home app. It said that participants “will also be deprioritized for detention and removal” while making progress, and projected about 70 percent savings per case compared with a \$17,121 average cost to arrest, detain, and remove.⁷ ISAE applies the same logic of app-based enrollment, prioritization, and cost avoidance to compliance and integration, not only departure.

2. Pillar One: The Economic Pivot

2.1 What a removal actually costs

The original ISAE proposal cites “about \$10,854” per deportation. That figure is real. An ICE spokesperson said it was the FY2016 average and that it covered “all costs necessary to identify,

¹ American Immigration Council, *Mass Deportation: Devastating Costs to America, Its Budget and Economy* (Oct. 2024). <https://www.americanimmigrationcouncil.org/report/mass-deportation/>

² See note 5.

³ Penn Wharton Budget Model, *Mass Deportation of Unauthorized Immigrants: Fiscal and Economic Effects* (July 25, 2025), Tables 2–4. <https://budgetmodel.wharton.upenn.edu/p/2025-07-25-mass-deportation-of-unauthorized-immigrants-fiscal-and-economic-effects/>

⁴ See note 2.

⁵ See note 2.

⁶ See note 4.

⁷ U.S. Department of Homeland Security, “DHS Announces Historic Travel Assistance and Stipend for Voluntary Self-Deportation” (May 5, 2025). <https://www.dhs.gov/news/2025/05/05/dhs-announces-historic-travel-assistance-and-stipend-voluntary-self-deportation>

apprehend, detain, process through immigration court, and remove an alien.”¹ Policymakers should understand three points of context:

- **It is a FY2016 average, not today’s cost.** In May 2025, DHS stated that “the average cost to arrest, detain, and remove an illegal alien is \$17,121.”²
- **It reflects the case mix of that time.** In FY2016 most ICE removals (about 175,000) were people apprehended at or near the border, which are cheaper to process than interior arrests.^{3 4} Interior arrests cost more per person.
- **Costs rise at mass scale.** Researchers estimating nationwide programs get much higher per-person figures, because they include new detention construction, courtrooms, and personnel. PWBM averages AIC and American Action Forum estimates to get \$70,236 per deportee in 2024 dollars. The AIC-based component alone is \$109,880.⁵ For comparison, the Center for American Progress estimated \$10,070 per person in 2015.⁶

The defensible statement is therefore: *a removal has cost the federal government at least \$10,000–\$17,000 per person at recent operating scale, and credible estimates for a mass program run several times higher.*

2.2 What an integrated taxpayer contributes

Undocumented immigrants already pay substantial taxes. The Institute on Taxation and Economic Policy (ITEP) estimates they paid \$96.7 billion in federal, state, and local taxes in 2022: \$59.4 billion federal and \$37.3 billion state and local. ITEP also estimates that work authorization for the current undocumented population would raise annual contributions by \$40.2 billion, to \$136.9 billion, through higher wages and better tax compliance.⁷ At the macroeconomic level, the Congressional Budget Office projected that the 2021–2026 immigration surge would reduce federal deficits by about \$0.9 trillion over 2024–2034, mainly through higher revenue.⁸ (The CBO estimate covers a broader population than ISAE’s target group and is cited only as directional evidence.)

PWBM’s deportation modeling makes the same point from the other side. Removal costs money to carry out, and it also removes taxpayers. In PWBM’s 10-year scenario, federal revenues fall by about

¹ CNN Money, “How much it costs ICE to deport an undocumented immigrant” (Apr. 13, 2017), quoting an ICE official: average of \$10,854 per removal in FY2016. <https://money.cnn.com/2017/04/13/news/economy/deportation-costs-undocumented-immigrant/index.html>. See also WTSP/USA Today, quoting ICE spokeswoman Yasmeen Pitts O’Keefe (“all costs necessary to identify, apprehend, detain, process through immigration court, and remove an alien”). <https://www.wtsp.com/article/news/politics/how-much-does-it-cost-to-deport-one-migrant-it-depends/67-434814864>

² See note 11.

³ See note 12.

⁴ ICE, *Fiscal Year 2016 ICE Enforcement and Removal Operations Report*. <https://www.ice.gov/sites/default/files/documents/Report/2016/removal-stats-2016.pdf>

⁵ See note 7.

⁶ Center for American Progress, “What Would It Cost to Deport 11.3 Million Unauthorized Immigrants?” (\$10,070 per person; \$114 billion total). <https://www.americanprogress.org/article/what-would-it-cost-to-deport-11-3-million-unauthorized-immigrants/>

⁷ See note 3.

⁸ Congressional Budget Office, *Effects of the Immigration Surge on the Federal Budget and the Economy* (July 2024). <https://www.cbo.gov/publication/60165>

\$300 billion over the budget window, because roughly 44 percent of unauthorized immigrants pay income and payroll taxes.⁹

2.3 The Provisional Integration ID

ISAE proposes a **Provisional Integration ID (PII-D)** for enrolled participants. It is a DHS-issued credential that records a person’s ISAE status, obligations, and milestone progress. It would be issued first as a temporary digital ID, sent by SMS or WhatsApp at field enrollment (Section 4), and then confirmed once identity checks are complete. To be lawful and durable, the ID must rest on authorities that already exist, not create a new immigration status (see Section 6):

- **Status layer:** deferred action or parole granted case by case under existing authority. Neither is lawful immigration status.
- **Work layer:** an Employment Authorization Document under existing regulations for people granted deferred action or parole.¹⁰
- **Tax layer:** a Social Security number where work authorization is granted, or an IRS Individual Taxpayer Identification Number (ITIN) otherwise. Filing taxes would be a Green Path milestone.

An honest fiscal comparison. Supervision is not free, and the savings should not be overstated. At the FY2023 ISAP IV rate of \$4.11 per day, five years of supervision would cost about \$7,500 per participant (our calculation). That is not trivially cheaper than one removal. The economic case for ISAE rests on three points together:

- It avoids detention at about \$187 per day.
- It keeps and expands a tax base that removal eliminates.
- It saves officer time for high-risk cases.

A well-designed program would also step participants down to lower-cost supervision as they show compliance. ICE’s existing “maintenance site” tier already works this way.¹¹

3. Pillar Two: Compliance Through Incentive (the “Green Path”)

3.1 What the evidence actually says about 99 percent

The proposal says that case-managed alternatives to detention achieve “about 99 percent” court-appearance compliance. The evidence supports very high compliance in specific, well-resourced programs. It does not support a universal 99 percent rate:

⁹ See note 7.

¹⁰ 8 C.F.R. § 274a.12(c)(11) (parolees) and (c)(14) (deferred action).
<https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-274a/subpart-B/section-274a.12>

¹¹ See note 4.

- **Family Case Management Program (FCMP), 2016–2017.** DHS’s Office of Inspector General reported that, as of March 30, 2017, ICE reported 100 percent attendance at court hearings and 99 percent compliance with ICE check-ins and appointments across the five FCMP regions. Since the program began, 23 of 954 participants (2 percent) had been reported as absconders.¹ The Congressional Research Service (CRS) describes ICE’s evaluation as showing 99 percent court attendance and 99 percent compliance with monitoring. CRS adds that most participants were still in proceedings when ICE ended the program in June 2017, so the evaluation is limited. FCMP cost about \$38.47 per family per day in FY2016, versus about \$4.40 per person for ISAP III.² FCMP enrolled vulnerable families (young children, pregnant or nursing women, survivors of trauma), not a general population.
- **ISAP II “full-service” participants, FY2011–FY2013.** The Government Accountability Office (GAO) found that 99 percent appeared at their court hearings, falling to 95 percent for final removal hearings. No comparable data were collected for “technology-only” participants, who were 39 percent of enrollees in 2013.³
- **Non-detained immigrants generally.** An AIC analysis of EOIR data for FY2008–2018 found that 83 percent of non-detained immigrants attended all their hearings, and 96 percent of those with lawyers did.⁴
- **Today’s ATD program at scale.** ICE reported an overall ATD absconder rate of 12.8 percent in FY2023, after 8.1 percent in FY2022 and 16.2 percent in FY2021.⁵ GAO found that ICE’s absconder figures left out some relevant participants and that ICE did not fully assess program performance. As of mid-2026, most of GAO’s ten recommendations were still open.⁶

Bottom line: intensive, service-rich case management with legal orientation has produced court-appearance rates of 99 percent or higher in documented programs. Lighter, technology-only supervision at very large scale has lower and less well-measured compliance. ISAE should be designed and funded around the features that produced the high rates: a real case manager, access to counsel or legal orientation, and stabilizing services. It should not assume that an app alone will produce 99 percent.

¹ DHS Office of Inspector General, *U.S. Immigration and Customs Enforcement’s Award of the Family Case Management Program Contract* (OIG-18-22, Nov. 30, 2017), “Program Costs and Performance Metrics.”
<https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-22-Nov17.pdf>

² Congressional Research Service, *Immigration: Alternatives to Detention (ATD) Programs* (R45804, July 8, 2019), pp. 12, 15, 17 (GAO ISAP II findings; FCMP evaluation and costs; detention vs. ATD costs).
https://www.congress.gov/crs_external_products/R/PDF/R45804/R45804.5.pdf

³ See note 24.

⁴ Ingrid Eagly and Steven Shafer, *Measuring In Absentia Removal in Immigration Court* (American Immigration Council, Jan. 2021).
<https://www.americanimmigrationcouncil.org/report/measuring-absentia-removal-immigration-court/>

⁵ See note 4.

⁶ U.S. Government Accountability Office, *Alternatives to Detention: ICE Needs to Better Assess Program Performance and Improve Contract Oversight* (GAO-22-104529, June 22, 2022), including recommendation status updates through 2026.
<https://www.gao.gov/products/gao-22-104529>

3.2 Green Path design

The Green Path turns compliance into a visible, step-by-step journey over five years. Five years matches the standard residence period before a lawful permanent resident may apply to naturalize.⁷ English and civics milestones mirror the knowledge requirements of the naturalization test.⁸ The parallel is deliberate, but the Green Path itself does not confer permanent residence or citizenship (see Section 6).

Track	Example milestones	Verification
Accountability	Attend every hearing and check-in, keep a current address	Court tracking, check-in log
Clean record	No disqualifying arrests or convictions; periodic background re-checks	FBI/DHS checks
Self-sufficiency	Lawful employment once authorized; annual tax filing	EAD, tax transcript
English	Progressive levels (e.g., beginner to intermediate) via in-app and partner courses	Assessed modules
Civics	Units modeled on USCIS civics content	Assessed modules
Community	Optional volunteering, school enrollment for children	Partner attestations

Milestones would unlock concrete, lawful benefits within the agency's discretion:

- fewer check-ins
- a lower supervision tier
- longer renewal periods for deferred action and work authorization
- priority for any status Congress later creates

Automated multilingual court reminders should be standard. Missed obligations would trigger a stepped response: an outreach call first, then more supervision, and only then enforcement referral. They would not trigger automatic arrest.

4. Pillar Three: The De-escalation Triage Dashboard

ISAE gives field officers a decision-support dashboard that pulls together the information officers already use: identity verification, criminal history, prior immigration history, pending cases, and statutory detention flags. It then shows a recommended pathway:

- **Green:** no criminal convictions or disqualifying charges, not subject to mandatory detention, verified identity and residence. *Recommended pathway: administrative enrollment.* The person is referred for field enrollment (below) and receives a first check-in date. No custodial arrest.
- **Yellow:** minor history or incomplete information. *Recommended pathway: supervisor review and a higher supervision tier.*

⁷ INA § 316, 8 U.S.C. § 1427 (residence requirements for naturalization). <https://www.law.cornell.edu/uscode/text/8/1427>

⁸ INA § 312, 8 U.S.C. § 1423 (English and civics requirements). <https://www.law.cornell.edu/uscode/text/8/1423>

- **Red:** public-safety or national-security concern, mandatory-detention category, or an executable final order. *Recommended pathway: standard enforcement.*

Field enrollment and identity checks. Enrollment happens where the person is, not at a government building. Trained ISAE case workers or contracted community partners (legal-service providers, faith and community organizations) carry it out at the person's home, workplace, or a community location of their choosing. The process:

1. **Temporary digital ID.** At enrollment, the participant receives a temporary digital ID and their obligations by SMS or WhatsApp, in their language. They do not need to install an app or own a smartphone to begin.
2. **One-time 1:N face check.** At enrollment only, a single one-to-many (1:N) face search is run against criminal-history databases. Any result is an *investigative lead only*, never an identification. This mirrors the FBI's own rule for its face-search system, which returns a list of candidate photos that must be manually reviewed and is "only used as an investigative lead, and not as a means of positive identification."¹
3. **Fingerprints when in doubt.** If the face search returns a possible match, or there is any other doubt about identity, the case goes to follow-up fingerprint verification at a later scheduled time. Fingerprints are the established standard for positive identification.
4. **No adverse action in the meantime.** While a lead is being resolved, the person stays enrolled with full program protections. **No arrests take place at enrollment.** Any later enforcement step requires a confirmed identification and separate review under the red-tier rules.
5. **Check-ins are 1:1 only.** After enrollment, routine check-ins use one-to-one face *verification* (is this the enrolled person?) against the participant's own template. They never use database searches.

This design is deliberately different from field face recognition used for enforcement. Reporting in 2025 described ICE officers using a mobile app, Mobile Fortify, to photograph people in the field and match them against government biometric systems.²

Guardrails are essential:

- **The law sets the floor.** Some categories must be detained by statute. The 2025 Laken Riley Act expanded mandatory detention to certain inadmissible noncitizens who are charged with, arrested for, or admit to theft-related offenses, among others.³ The Board of Immigration Appeals' 2025 decision in *Matter of Yajure Hurtado* reads the law to require

¹ Kimberly J. Del Greco, FBI, "Law Enforcement's Use of Facial Recognition Technology," statement before the House Committee on Oversight and Government Reform (Mar. 22, 2017). <https://www.fbi.gov/news/testimony/law-enforcements-use-of-facial-recognition-technology>

² Joseph Cox, "ICE Is Using a New Facial Recognition App to Identify People, Leaked Emails Show," *404 Media* (June 26, 2025). <https://www.404media.co/ice-is-using-a-new-facial-recognition-app-to-identify-people-leaked-emails-show/>

³ Laken Riley Act, Pub. L. 119-1 (Jan. 29, 2025), adding INA § 236(c)(1)(E). <https://www.congress.gov/119/plaws/publ1/PLAW-119publ1.pdf>

detention, with no bond hearing, of people present without admission. That interpretation is being challenged in the federal courts.⁴ The dashboard must encode current law, and the green pathway is available only where release is legally allowed.

- **A human decides.** The dashboard recommends and the officer decides. Officers must record their reasons when they depart from a recommendation, and departures are audited in both directions.
- **No opaque risk scoring.** ICE already uses a 1–5 ATD risk score.⁵ Any score used by ISAE must be published, tested for disparate impact, and open to challenge.

The aim is operational. Officers face fewer contested, high-tension custodial arrests of people who are not a threat, and detention beds and officer hours are kept for the cases that justify them.

5. Pillar Four: The Force Multiplier

Supervision through technology changes the economics of each officer hour.

- **Unit costs.** ISAP IV cost \$4.11 per participant per day in FY2023, against \$187.48 for an adult detention bed.¹
- **Scale already demonstrated.** ATD’s average daily population reached 274,845 in FY2023.² It stood at 183,181 in July 2026.³
- **Tiered staffing.** ICE already uses tiers. Contractor case specialists handle intensive cases. Enhanced case management is capped at 40 participants per case specialist. ICE officers at “technology sites” directly supervise lower-risk participants using contractor software, and compliant participants move to a “maintenance” tier with no scheduled in-person contact.⁴ Under ISAE, any in-person contact would be a case-worker visit at the participant’s location, not a summons to a government building.

Context on “one agent, hundreds of cases.” ICE does not publish officer-to-participant ratios, so this claim could not be verified. The structure above makes high caseloads plausible for compliant, low-risk participants whose routine contacts (reminders, check-ins, lessons) are automated. It does not support high caseloads for people who need intensive case management. ISAE should treat caseload capacity as something to measure in a pilot, not something to assume.

The app’s core functions would be:

- multilingual court and appointment reminders with calendar sync
- scheduled check-ins

⁴ *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). <https://www.justice.gov/eoir/media/1413311/dl>

⁵ See note 4.

¹ See note 4.

² See note 4.

³ See note 2.

⁴ See note 4.

- English and civics modules
- a document wallet for notices and EAD status
- a secure messaging channel to the assigned case manager
- referrals to legal service providers and community resources

Because ISAE rewards compliance instead of only monitoring it, participants have a reason to engage with the app, not just tolerate it.

6. Legal Constraints: What the Executive Can and Cannot Do

Durable reform depends on staying within existing law.

What the executive branch cannot do alone.

- It cannot create a new immigration status or a path to permanent residence or citizenship. Those come only from statute. Naturalization, for example, requires lawful permanent residence, generally for five years.¹
- It cannot waive statutory bars such as the three- and ten-year unlawful-presence bars to re-admission², or override mandatory-detention provisions.³
- Large categorical programs face serious litigation risk. The DAPA program was blocked and the injunction was left in place by an equally divided Supreme Court in 2016. In January 2025 the Fifth Circuit held DACA's work-authorization and lawful-presence provisions unlawful, while leaving its forbearance from removal in place and limiting relief to Texas.⁴ In November 2024 a federal court vacated the "Keeping Families Together" parole-in-place process.⁵

What the executive branch can do under current law.

- *Prosecutorial discretion and enforcement priorities.* The Supreme Court in *United States v. Texas* (2023) held that the states lacked standing to challenge DHS's enforcement-priority guidelines. That decision leaves the executive substantial room to set priorities.⁶
- *Release with conditions.* For people not subject to mandatory detention, DHS may release on bond or conditional parole pending proceedings (INA § 236(a)). ATD operates under this authority.⁷

¹ See note 29.

² INA § 212(a)(9)(B), 8 U.S.C. § 1182(a)(9)(B). <https://www.law.cornell.edu/uscode/text/8/1182>

³ See note 33.

⁴ *Texas v. United States*, No. 23-40653 (5th Cir. Jan. 17, 2025). <https://law.justia.com/cases/federal/appellate-courts/ca5/23-40653/23-40653-2025-01-17.html>. On DAPA: *United States v. Texas*, 579 U.S. 547 (2016) (per curiam, affirmed by an equally divided Court). https://www.supremecourt.gov/opinions/15pdf/15-674_jhlo.pdf

⁵ *Texas v. U.S. Department of Homeland Security* (E.D. Tex. Nov. 7, 2024) (vacating the Keeping Families Together parole-in-place process). Summary: <https://houstonimmigration.org/second-on-parole-in-place-program/>

⁶ *United States v. Texas*, 599 U.S. 670 (2023). https://www.supremecourt.gov/opinions/22pdf/22-58_i425.pdf

⁷ See note 24.

- *Parole*, only “on a case-by-case basis for urgent humanitarian reasons or significant public benefit” (INA § 212(d)(5)(A)).⁸
- *Deferred action* granted individually, with eligibility to apply for work authorization.⁹

What Congress would need to do. Congress would need to create a genuine earned-legalization pathway. Two examples: update the “registry” date in INA § 249, which today applies only to people who entered before January 1, 1972¹⁰, or enact a conditional-status program. One current vehicle is H.R. 4393, the bipartisan Dignity Act of 2025. It would create a renewable seven-year status with work authorization in exchange for registration, background checks, tax payment, regular DHS check-ins, and \$7,000 in restitution payments.¹¹ ISAE is designed to work alongside such legislation. Its compliance records would give Congress and DHS a verified, ready list of people who have already shown accountability.

Recommended legal posture: launch ISAE as a case-by-case, discretionary supervision and integration program inside existing ATD authority. Avoid categorical eligibility rules that invite APA challenges. Do notice-and-comment rulemaking where benefits are standardized. Seek explicit appropriations language and authorizing legislation to make the program durable.

7. Privacy and Civil Liberties: Risks and Safeguards

An app that verifies faces and records locations is powerful, and it can be misused. A credible ISAE must face this directly.

Current practice. According to DHS’s own Privacy Impact Assessment for ATD (DHS/ICE/PIA-062, 2023), the SmartLINK app:

- uses one-to-one facial *verification* against the participant’s enrollment template, not one-to-many facial *recognition*
- deletes photos from the device and keeps only facial measurements
- transmits location only when the participant logs in or completes a check-in, so it does not track continuously¹

The same assessment acknowledges several risks:

- ATD data may be stored in other ICE/DHS databases and used for other mission purposes.

⁸ INA § 212(d)(5)(A), 8 U.S.C. § 1182(d)(5)(A). <https://www.law.cornell.edu/uscode/text/8/1182>

⁹ See note 21.

¹⁰ INA § 249, 8 U.S.C. § 1259 (registry for entry before Jan. 1, 1972). <https://www.law.cornell.edu/uscode/text/8/1259>

¹¹ H.R. 4393, *Dignity Act of 2025* (119th Cong.), and sponsor’s section-by-section summary. <https://www.congress.gov/bill/119th-congress/house-bill/4393> ; https://salazar.house.gov/sites/evo-subsites/salazar.house.gov/files/evo-media-document/dignity-act-of-2025-section-by-section_0.pdf

¹ DHS, *Privacy Impact Assessment for the Alternatives to Detention (ATD) Program*, DHS/ICE/PIA-062 (Aug. 2023). <https://www.dhs.gov/sites/default/files/2023-08/privacy-pia-ice062-atd-august2023.pdf>

- The contractor may keep records beyond what is required. Contractor records are generally destroyed seven years after a participant leaves the program.
- Records in one ATD case-management system will be kept permanently until that system is linked with ICE's removal module.²

Key risks (for the current system and for any ISAE design):

1. *Function creep*: check-in location data being repurposed to plan enforcement operations against participants, their families, or their communities.
2. *Algorithmic error and bias*: NIST testing found demographic differences in false-match and false-non-match rates across many face-recognition algorithms.³ One-to-many searches carry false-match risk, and one-to-one checks carry false-non-match risk. Under the current ATD program, a failed match can trigger an alert that leads to arrest.⁴ ISAE's design removes that link.
3. *Chilling effects*: participants and mixed-status families may avoid enrollment, schools, or health care if they fear their data will be used against them.
4. *Contractor control and security*: a private vendor holding sensitive biometric and location data.
5. *Constitutional exposure*: the Supreme Court has recognized strong privacy interests in historical location data (*Carpenter v. United States*, 2018).⁵

Proposed safeguards (to be written into the program's governing directive and contracts):

- **Purpose limitation**: ISAE data used only for supervision, services, and adjudication of the participant's own case. A firewall would bar its use for broader enforcement targeting, with any exception requiring a judicial warrant.
- **Data minimization**: location captured only at the moment of check-in. No continuous tracking or geofencing for green-tier participants. GPS ankle monitors only on an individualized finding.
- **Biometric limits**:
 - o One one-to-many (1:N) face search, at enrollment only, against criminal-history databases. It is treated strictly as an investigative lead and logged for audit.
 - o Any doubt goes to follow-up fingerprints at a later time. There is no adverse action while a lead is being resolved, and no arrests at enrollment.
 - o All later check-ins are one-to-one (1:1) verification against the participant's own template. No further database searches.

² See note 51.

³ Patrick Grother, Mei Ngan, and Kayee Hanaoka, *Face Recognition Vendor Test (FRVT) Part 3: Demographic Effects*, NISTIR 8280 (Dec. 2019). <https://nvlpubs.nist.gov/nistpubs/ir/2019/NIST.IR.8280.pdf>

⁴ See note 51.

⁵ *Carpenter v. United States*, 585 U.S. 296 (2018). https://www.supremecourt.gov/opinions/17pdf/16-402_h315.pdf

- o Independent accuracy and demographic-differential testing before deployment and every year.
- o Before any adverse action based on a failed check-in match: human review and an alternative check-in method (a voice check-in, or a case-worker visit at the participant's location).
- **Retention limits:** biometric templates deleted within 90 days of program exit. Location records purged on a fixed schedule. No permanent retention.
- **Transparency and redress:** plain-language notices in the participant's language, access to one's own data, a correction process, and an independent ombudsman.
- **Oversight:** quarterly public reporting by the DHS Office for Civil Rights and Civil Liberties and the Privacy Office, annual Inspector General audits, and full implementation of GAO's ATD recommendations on performance measurement and contractor oversight.⁶
- **Security:** encryption in transit and at rest, independent penetration testing, and breach-notification duties in the vendor contract.

8. From ICE to ISAE: A Successor Agency

Alfred Holzheu's long-term goal is for ISAE to replace ICE as the agency responsible for interior immigration management. This paper treats that as a serious proposal. It also states plainly what it would take: an act of Congress, a multi-year transition, and evidence from a pilot that the model works.

8.1 Why replacement requires Congress

ICE was created by statute. Section 442 of the Homeland Security Act of 2002 (Pub. L. 107-296, 116 Stat. 2135, 2193; codified at 6 U.S.C. § 252) established a "Bureau of Border Security" inside the new Department of Homeland Security.¹ The bureau was renamed the Bureau of Immigration and Customs Enforcement effective March 1, 2003, and "U.S. Immigration and Customs Enforcement" effective March 31, 2007.² The same Act abolished the Immigration and Naturalization Service (Sec. 471).³ It also combined all or part of 22 federal departments and agencies into DHS.⁴ That history matters here. It shows that Congress can restructure immigration agencies, and that it is the body that has done so.

⁶ See note 28.

¹ Homeland Security Act of 2002, Pub. L. 107-296, § 442, 116 Stat. 2135, 2193 (Nov. 25, 2002), codified at 6 U.S.C. § 252. [https://uscode.house.gov/view.xhtml?req=\(title:6%20section:252%20edition:prelim\);enacted;text:https://www.congress.gov/107/plaws/publ296/PLAW-107publ296.htm](https://uscode.house.gov/view.xhtml?req=(title:6%20section:252%20edition:prelim);enacted;text:https://www.congress.gov/107/plaws/publ296/PLAW-107publ296.htm)

² DHS, "Name Change of Two DHS Components," 75 Fed. Reg. (Mar. 16, 2010) (describing the renaming to Bureau of Immigration and Customs Enforcement effective Mar. 1, 2003, and to U.S. Immigration and Customs Enforcement effective Mar. 31, 2007). <https://www.federalregister.gov/documents/2010/03/16/2010-5639/name-change-of-two-dhs-components>

³ Homeland Security Act of 2002, as amended through Pub. L. 119-4 (DHS compilation, 2025), table of contents (Sec. 471, "Abolishment of INS"). https://www.dhs.gov/sites/default/files/2025-04/25_0315_HSA-2002-updated-through-Mar2025.pdf

⁴ DHS, "Who Joined DHS" (combination of all or part of 22 federal departments and agencies). <https://www.dhs.gov/who-joined-dhs>

The DHS Secretary cannot do this alone. The Secretary may consolidate, alter, or discontinue organizational units after giving Congress 60 days' notice. However, that authority "does not extend to the abolition of any agency, entity, organizational unit, program, or function established or required to be maintained by statute" (HSA § 872, 6 U.S.C. § 452).⁵ A Secretary could therefore launch ISAE-style programs inside ICE and change how ICE's resources are used. Replacing ICE with a new agency requires legislation.

8.2 A two-phase path

Phase 1: prove it inside current authority (years 1–3). Run the pilot described in Section 9 using existing ATD authority, discretionary release, parole, and deferred action. Use pre-registered metrics and independent evaluation. The goal is evidence. Phase 1 must show whether field enrollment, incentive-based compliance, and app-supported case management produce court-appearance, compliance, and cost results that justify a larger change. If they do not, the case for a successor agency weakens, and the paper says so in advance.

Phase 2: legislate a successor agency (after positive evaluation). Congress would amend HSA § 442 to establish ISAE as a DHS component with a statutory integration mission:

- supervising people with pending immigration cases in the community
- running the Green Path and the Provisional Integration ID
- coordinating with USCIS on any status Congress creates
- carrying out removals that are lawful and appropriate as the last step in a fair process

Criminal enforcement against serious offenders would remain, but as a smaller, separately accountable function. There are two options:

- **Option A: an internal unit.** A distinct criminal enforcement and removal unit inside ISAE, with its own leadership, budget line, and reporting. Its mandate would be limited to serious criminal offenders, national-security cases, and executable final orders.
- **Option B: transfer elsewhere.** Move transnational criminal investigations (today's Homeland Security Investigations, HSI, which handles smuggling, trafficking, and customs fraud) to a separate DHS component or to the Department of Justice, and leave ISAE with civil immigration management.

There is precedent for Option B. In 2018, 19 HSI special agents in charge wrote to the DHS Secretary asking that HSI be separated from ICE's Enforcement and Removal Operations. They said association with civil deportation work was damaging HSI's investigations and relationships with local jurisdictions.⁶

⁵ HSA § 872, 6 U.S.C. § 452 (reorganization authority and its limitations). <https://www.law.cornell.edu/uscode/text/6/452>

⁶ Texas Observer, "ICE Criminal Investigators Ask to Be Distanced from Detentions, Deportations in Letter to Kirstjen Nielsen" (June 27, 2018). <https://www.texasobserver.org/ice-hsi-letter-kirstjen-nielsen-criminal-civil-deportation-zero-tolerance/>; see also Washington Post (June 28, 2018). https://www.washingtonpost.com/world/national-security/seeking-split-from-ice-agents-say-trumps-immigration-crackdown-hurts-investigations-morale/2018/06/28/7bb6995e-7ada-11e8-8df3-007495a78738_story.html

8.3 Transition design

- **Workforce.** ICE reports that it hired more than 12,000 officers and agents in 2025, more than doubling its personnel from about 10,000 to about 22,000.⁷ A successor agency should treat this workforce as an asset to be retrained, not discarded. Federal law already requires that employees performing a transferred function move with it (5 U.S.C. § 3503).⁸ The enabling statute should include:
 - a guaranteed transfer of positions
 - paid retraining for officers moving into case-management, field-enrollment, and supervision roles (e.g., motivational interviewing, language access, trauma-informed practice)
 - preservation of grade, pay, and retirement status for a defined period
 - a clear, voluntary path into the criminal enforcement unit or HSI for officers who want enforcement careers
- **Budget reallocation.** The 2025 reconciliation law's ICE funds (\$45 billion for detention capacity and \$29.85 billion for other activities) are largely available through FY2029.⁹ Redirecting any of that money to supervision and integration would require congressional action through appropriations or authorizing language. A credible bill would phase reallocation to measured reductions in detention use, not to fixed dates.
- **Oversight.** The enabling statute should create:
 - an independent ISAE Inspector General function, or a dedicated DHS OIG unit
 - a statutory privacy and civil-liberties officer with authority over data rules (Section 7)
 - a community advisory board that includes local governments, schools, employers, and immigrant-serving organizations
 - public quarterly reporting on the metrics in Section 9
- **Sunset and evaluation.** Two evaluation points: an independent GAO evaluation at year three, and a sunset clause at year five that requires Congress to reauthorize after reviewing the results. Reauthorization would depend on published targets for court appearance, absconding, cost per case, public-safety outcomes, and civil-liberties audit findings.
- **Learning from DHS's own creation.** GAO placed the implementation and transformation of DHS on its High-Risk List in January 2003, citing the difficulty of merging 22 agencies.¹⁰ A successor agency should be phased, funded for transition costs, and monitored with the same seriousness.

⁷ ICE, "ICE announces historic 120% manpower increase thanks to recruitment campaign that brought in 12,000 officers and agents" (Jan. 2026) (agency-reported figures). <https://www.ice.gov/news/releases/ice-announces-historic-120-manpower-increase-thanks-recruitment-campaign-brought>

⁸ 5 U.S.C. § 3503 (transfer of functions). <https://www.law.cornell.edu/uscode/text/5/3503>

⁹ See note 1.

¹⁰ U.S. GAO, *High-Risk Series: An Update* (GAO-03-119, Jan. 2003). <https://www.gao.gov/products/gao-03-119>

8.4 Community impact: what recent operations look like locally

The case for change is not only fiscal. Enforcement operations also affect places. This subsection relies on dated local and regional newspaper reporting about Santa Barbara County and the Central Coast.

Official figures are limited. At the time of writing (mid-October 2026), the most recent operation was just ending, and official DHS or ICE figures for it were not available. The arrest counts below come from 805 UndocuFund, a local nonprofit, as reported in the press. That group compiles them from rapid-response observers and family reports, and has said it checks them for duplicates. They are not official statistics.

- **October 2026, Santa Maria, Lompoc, and Guadalupe.**
 - o *Arrest counts.* The *San Luis Obispo Tribune* (Oct. 13, 2026) reported 114 people taken into custody across San Luis Obispo, Santa Barbara, and Ventura counties from Oct. 5 to Oct. 11. That included 75 in Santa Barbara County: 55 in Santa Maria, 16 in Lompoc, three in Santa Barbara, and one in Guadalupe. It also reported 2,986 tri-county arrests since Jan. 1, 2025, all per 805 UndocuFund.¹¹ The *Santa Barbara Independent* (Oct. 9, 2026) reported earlier, partial-week figures from the same group: “nearly 100” tri-county arrests and “at least 63” in Santa Barbara County. It said the group estimated at least 2,770 Central Coast arrests since January 2025.¹² The difference reflects different reporting dates.
 - o *The federal government’s position.* DHS described the activity as part of a “nationwide public safety surge in sanctuary cities.” It said officers were making “lawful arrests” using “the same tactics we have always used within policy.”¹³
- **Schools and colleges.**
 - o On Oct. 5, 2026, Allan Hancock College said ICE officers detained a student’s parent in a campus parking lot in Santa Maria. The college said it was not notified and did not assist. An ICE spokesman told Noozhawk the agency had “no record of activity” at the college that morning, so the account is disputed.¹⁴
 - o According to the *Santa Maria Times*, the student said her father was detained while dropping her off. College employees then organized a voluntary “Walking Watch” on campus.¹⁵

¹¹ Stephanie Zappelli and Melissa Chavez, “ICE agents detain 114 people on Central Coast during weeklong operation,” *San Luis Obispo Tribune* (Oct. 13, 2026) (counts per 805 UndocuFund; includes DHS statement and interview with a Guadalupe resident). <https://www.sanluisobispo.com/news/local/article317562167.html>

¹² “ICE Activity Ramps Up on Central Coast as Election Approaches,” *Santa Barbara Independent* (Oct. 9, 2026). <https://www.independent.com/2026/10/09/ice-activity-ramps-up-on-central-coast-as-election-approaches/>

¹³ See note 67.

¹⁴ Jack Dindia, “ICE Detains Parent of Student on Allan Hancock College Campus,” *Noozhawk* (Oct. 5, 2026). <https://www.noozhawk.com/ice-detains-parent-of-student-on-allan-hancock-college-campus/>

¹⁵ “Hancock clarifies ICE protocol after campus detention, outlines support for immigrant students,” *Santa Maria Times* (Oct. 2026). https://santamariatimes.com/news/local/hancock-clarifies-ice-protocol-after-campus-detention-outlines-support-for-immigrant-students/article_b79ca227-6908-4642-a89e-37d373c52596.html ; see also “Community leaders speak against ICE action on Hancock’s

- o The *Independent* reported that patrollers saw ICE vehicles near Harding School in Santa Barbara and outside Santa Maria High School.¹⁶
- o Effects on attendance are less clear locally. In December 2025, the *Independent* reported that Santa Barbara County schools had *not* seen attendance drops like those reported in Los Angeles, and that Santa Maria-Bonita students were “attending school at high rates.” The same report said Santa Barbara Unified’s “newcomer” enrollment fell from 326 to 262 between 2024–25 and 2025–26. It also said hundreds of Santa Barbara High students had walked out in March, saying ICE’s actions left them “terrified.”¹⁷
- o Regional research points the same direction. A peer-reviewed PNAS study of five California Central Valley districts found that raids in early 2025 coincided with a 22 percent increase in daily student absences, with larger effects among the youngest students.¹⁸
- **The July 2025 Glass House Farms operation.**
 - o DHS said at least 361 people were arrested across the Carpinteria (Santa Barbara County) and Camarillo (Ventura County) sites. It cited suspected child labor and criminal histories among some of those arrested.¹⁹
 - o At the Carpinteria site, Noozhawk reported that agents deployed smoke grenades near a crowd of about 100–200 people. Carpinteria Councilwoman Mónica Solórzano said she was pushed to the ground and injured when agents used flash-bang grenades.²⁰
 - o At the Camarillo site, farmworker Jaime Alanís García died after falling from a greenhouse roof during the raid.²¹
 - o The *Independent* reported that the rapid-response hotline received 1,258 calls the day after the raids. It also reported that Carpinteria’s St. Joseph’s Festival was “noticeably emptier” and that the Fiesta Carnival de Los Niños was canceled due to

Santa Maria campus” (Oct. 5, 2026). https://santamariatimes.com/news/local/community-leaders-speak-against-ice-action-on-hancocks-santa-maria-campus/article_e0525b87-b0e7-4b5c-905e-71d66b5cce3b.html

¹⁶ See note 68.

¹⁷ “State Releases New Guidelines for Immigration Enforcement on School Campuses,” *Santa Barbara Independent* (Dec. 30, 2025). <https://www.independent.com/2025/12/30/state-releases-new-guidelines-for-immigration-enforcement-on-school-campuses/>

¹⁸ Thomas S. Dee, “Recent immigration raids increased student absences,” *Proceedings of the National Academy of Sciences* (2025). <https://www.pnas.org/doi/10.1073/pnas.2510395122>

¹⁹ “DHS confirms 361 people detained in Carpinteria and Camarillo raids at Glass House Farms,” KEYT News Channel 3-12 (July 14, 2025). <https://keyt.com/news/santa-barbara-s-county/2025/07/14/fallout-from-federal-law-enforcement-operations-in-central-coast-region-continue-monday/>

²⁰ “Federal Agents Raid Carpinteria Cannabis Farm, Deploy Smoke Grenades Near Crowd,” *Noozhawk* (July 10, 2025). <https://www.noozhawk.com/federal-agents-raid-carpinteria-cannabis-farm-deploy-smoke-bombs-on-crowd/>

²¹ “More details emerge about California immigration raid as worker dies,” *Los Angeles Times* (July 12, 2025). <https://www.latimes.com/california/story/2025-07-12/ice-agents-raid-farm-mans-death> ; Associated Press, “California farmworker who fell from greenhouse roof during chaotic ICE raid dies.” <https://apnews.com/article/jaime-alanis-immigrant-farmworker-death-raid-c3c6f60a087f5f9fd1d2b053fcef35b57>

“recent uncertainties in the community.”²² The Carpinteria City Council approved \$10,000 in emergency funding for nonprofits supporting affected residents.²³

- **Businesses and workers.**

- o Early results from a Santa Barbara South Coast Chamber of Commerce survey (174 respondents, August 2025) found that 49.5 percent of businesses reported direct impacts from enforcement and 57.7 percent reported “notable levels of fear and anxiety” among employees. Twenty-one percent reported lost employee hours, ranging from 10 to 40 hours per week.²⁴
- o In January and February 2025, Milpas Street businesses told local TV that business had slowed and that fewer day laborers were gathering on the street. One café owner said customers were “afraid to come and eat.”^{25 26}
- o In October 2026, the Westside bakery La Bella Rosa closed for two mornings after videos of ICE officers on San Andres Street circulated.²⁷

- **Withdrawal from public life and services.**

- o A 65-year-old U.S. citizen in Guadalupe told the *Tribune* that ICE agents had demanded identification outside her church months earlier: “That was the last day I went to church.” She described neighbors who avoid leaving home and children who keep a packed bag in case a parent is detained.²⁸
- o The pattern is not new. In 2019, after national announcements of ICE sweeps, the Foodbank of Santa Barbara County reported a 55 percent countywide drop in its free summer lunch program for children.²⁹

Author’s firsthand observation. Alfred Holzheu, the author of the ISAE proposal, has said he personally witnessed severe effects of these operations on families and neighborhoods in Santa Barbara County. His account is noted as firsthand observation behind this proposal, not as data.

Why this matters for policy. Avoidance of schools, festivals, businesses, churches, and food programs is the “trust deficit” that any successor agency inherits. It is also the strongest practical

²² “Federal Show of Force Prompts Real Community Response,” *Santa Barbara Independent* (July 16, 2025). <https://www.independent.com/2025/07/16/federal-show-of-force-prompts-real-community-response/>

²³ “The aftermath of an ICE raid,” *Coastal View News* (Carpinteria, July 2025). https://www.coastalview.com/news/the-aftermath-of-an-ice-raid/article_e3f50378-acde-4cca-9359-07a1f22a0196.html

²⁴ Ryan P. Cruz, “Survey Results Show Half of South Coast Businesses Report Immigration Impact,” *Santa Barbara Independent* (Aug. 5, 2025) (early results, 174 respondents). <https://www.independent.com/2025/08/05/survey-results-show-half-of-south-coast-businesses-report-immigration-impact/>

²⁵ “Santa Barbara Reacts to Increased ICE Immigration Enforcement,” KEYT News Channel 3-12 (Jan. 27, 2025). <https://keyt.com/politics/2025/01/27/workers-worry-about-immigration-enforcement/>

²⁶ “Local businesses feeling the effects of ICE fears in Santa Barbara,” News Channel 3-12 report (Feb. 21, 2025), syndicated at <https://kvia.com/news/2025/02/21/local-businesses-feeling-the-effects-of-ice-fears-in-santa-barbara/>

²⁷ See note 68.

²⁸ See note 67.

²⁹ “Deportation Fears Keep Kids Away from Summer Lunch Program,” *Santa Barbara Independent* (July 9, 2019). <https://www.independent.com/2019/07/09/immigration-fears-keep-kids-away-from-summer-lunch-program/>

argument for ISAE’s field-enrollment design. Enrollment conducted by case workers and community partners, with no arrests at enrollment (Section 4), is meant to reverse that avoidance.

8.5 Difficulties and opposition

ISAE would face real obstacles. Each is listed below with the strongest version of the objection and a fair response.

Difficulty	The objection, stated fairly	Response
Political controversy	Immigration is among the most polarized issues in American politics. Any proposal seen as “amnesty” or as weakening ICE will be attacked, and many members of Congress were elected on enforcement-first platforms.	Public opinion is mixed, not one-sided. Gallup (June 2025) found 78 percent support for letting undocumented immigrants become citizens if they meet requirements over time, while 38 percent supported deporting all of them. ³⁰ ISAE keeps enforcement for serious offenders, requires accountability, and asks Congress, not the executive, to decide status questions.
Enforcement-first constituencies	Congress has just made the largest investment in detention and removal in its history, and its supporters see that as a mandate.	ISAE does not ask Congress to reverse that decision on faith. Phase 1 produces evidence on cost per case and compliance, and Phase 2 reallocation is tied to measured results.
Union and workforce concerns	Officers may see a successor agency as a threat to their jobs, mission, and identity. ICE’s officer union has opposed discretion-based programs before: in 2012 its president and other agents sued over DACA. The suit was dismissed, and the dismissal was affirmed on appeal. ³¹	Guaranteed transfer and pay protection, paid retraining, a voluntary enforcement career track, and early union consultation. Without these, ISAE should expect organized resistance.
Fraud and gaming	People may enroll under false identities or exploit sponsor and verification systems. In 2024, DHS paused new CHNV parole travel authorizations after an internal review flagged about 101,000 sponsor forms tied to 3,218 “serial” sponsors, including Social Security numbers belonging to deceased people. ³²	Fraud controls must be built in from the start: enrollment identity checks, follow-up fingerprints when there is doubt, cross-checks of documents and sponsors, audits, and penalties for fraud. CHNV also shows that detection works when systems are designed for it.
Public-safety fears	Releasing people into supervision instead of detention could let dangerous people go free.	Mandatory-detention law still applies. Red-tier cases still go to enforcement, and the triage dashboard is audited in both directions. Today, 70.6 percent of ICE detainees have no criminal conviction, ³³ which suggests detention capacity

³⁰ Lydia Saad, “Surge in U.S. Concern About Immigration Has Abated,” Gallup (July 2025; fieldwork June 2–26, 2025). <https://news.gallup.com/poll/692522/surge-concern-immigration-abated.aspx>

³¹ NPR, “Immigration Employees File Suit Against Obama’s New Immigration Policy” (Aug. 23, 2012). <https://www.npr.org/sections/thetwo-way/2012/08/23/159926481/immigration-employees-file-suit-against-obamas-new-immigration-policy>; *Crane v. Johnson*, 783 F.3d 244 (5th Cir. 2015). <https://www-dev.ca5.uscourts.gov/opinions/pub/14/14-10049-CV0.pdf>

³² NBC News, “Biden administration may soon restart immigration program that was paused for possible fraud” (2024). <https://www.nbcnews.com/investigations/biden-admin-may-restart-immigration-program-paused-for-possible-fraud-rcna168440>

³³ See note 2.

Difficulty	The objection, stated fairly	Response
		is not concentrated on the highest-risk people.
Litigation	States, enforcement-minded plaintiffs, or civil-liberties groups will sue. Categorical programs (DAPA, DACA, Keeping Families Together) have been blocked or narrowed. ^{34 35}	Phase 1 relies on case-by-case discretion within existing authority. Phase 2 puts the program on a statutory footing, which is the most durable protection against legal challenge.
Transition cost and disruption	Creating a new agency is expensive and distracting. DHS's own creation was placed on GAO's High-Risk List. ³⁶	Phase the transition, fund it explicitly, measure it, and include a sunset. The costs of the status quo (Sections 1–2) also continue every year.
Technology failure	Apps fail, phones get lost, coverage is uneven, and face-matching has documented demographic error differences. In 2023, advocates reported that the CBP One app often failed to accept photos of darker-skinned asylum seekers; CBP said the app did not use facial recognition. ^{37 38}	Do not treat a technical failure as non-compliance. Provide manual fallbacks (voice check-in, or a case-worker visit at the participant's location). Test independently for demographic error rates. Never take adverse action based on a single automated result (Section 7).
Trust deficit	After recent operations, immigrant communities may see any DHS enrollment program as a trap. An app may look like a tool for locating people. Reporting on ICE's Mobile Fortify field face-recognition app has made that fear concrete. ³⁹	Trust has to be earned. Enrollment would be carried out by community partners, with no arrests at enrollment, statutory data firewalls, independent oversight, and published audit results. Without these, enrollment rates will be low and the model will fail.

Why change is still urgent. None of these difficulties is a reason to keep the status quo. Current policy has its own costs:

- tens of billions of dollars in multi-year detention and enforcement spending⁴⁰
- projected deficit increases and GDP losses under sustained mass deportation⁴¹
- a detention population that is mostly people with no criminal conviction⁴²
- documented harm to schools, businesses, and civic life in communities such as those described above

The relevant comparison is not ISAE versus a costless status quo. It is ISAE's risks, which can be managed and measured, versus the certain costs of continuing on the current course.

³⁴ See note 43.

³⁵ See note 44.

³⁶ See note 66.

³⁷ *The Guardian*, "Facial recognition bias frustrates Black asylum applicants to US, advocates say" (Feb. 8, 2023). <https://www.theguardian.com/us-news/2023/feb/08/us-immigration-cbp-one-app-facial-recognition-bias> ; BBC, "At US border, tech issues plague new migrant applications" (2023). <https://www.bbc.com/news/world-us-canada-64814095>

³⁸ See note 53.

³⁹ See note 32.

⁴⁰ See note 1.

⁴¹ See note 7.

⁴² See note 2.

9. Implementation Roadmap and Metrics

Phase 1 (months 0–12): pilot. This is the start of Phase 1 of the successor-agency path in Section 8. Launch in three to five ICE areas of responsibility that have established legal-service and community partners able to carry out field enrollment. Use randomized or matched-comparison designs where feasible. DHS’s existing Case Management Pilot Program, run through its Office for Civil Rights and Civil Liberties with nonprofit providers, offers a ready governance model.¹

Phase 2 (months 12–36): scale with evidence. Expand only if pre-registered benchmarks are met. Publish results.

Core metrics (published quarterly):

- court-appearance rate (all hearings, and final hearings separately)
- absconder rate measured against both active and unenrolled participants, as GAO recommends²
- cost per participant per day, by tier
- officer and case-worker hours per case
- enrollment uptake, 1:N lead rate, fingerprint follow-up outcomes, and any enrollment-related complaints
- milestone completion
- EAD issuance and tax filing rates
- complaint, error, and civil-liberties audit findings

10. Conclusion

Removal-first enforcement for everyone is the most expensive way to manage a population that is mostly settled, mostly working, and mostly without criminal convictions. It uses up detention beds, court time, and officer hours, and it shrinks the tax base. ISAE offers a disciplined alternative built on tools the government already uses. People would be enrolled instead of detained, and compliance would be rewarded and verified. Removal would be kept for those who threaten public safety. ISAE asks officers and participants to accept accountability in exchange for a credible future. It asks Congress to finish the job only Congress can do: first by authorizing the program, and then, if the evidence supports it, by establishing ISAE as ICE’s successor.

For the people ISAE serves, the message at the first encounter should be clear:

“You are not under arrest; you are under enrollment.”

¹ See note 51.

² See note 28.

Appendix: Figure Verification and Corrections

Claim in original proposal	Status	Accurate figure, context, and sources
Deportation costs about \$10,854 per person	Verified, needs context	ICE FY2016 average per removal (all stages), stated by an ICE spokesperson in 2017. Not current: DHS cited \$17,121 in May 2025. Mass-scale estimates are higher (\$70,236, PWBM, 2024 dollars). Sources: CNN Money (ICE); DHS (May 2025); Penn Wharton (2025).
About 99% court-appearance compliance with case-managed ATD	Verified, needs context	FCMP (vulnerable families, 2016–17, ICE-reported): 100% court attendance, 99% check-in compliance, 2% absconded (OIG); CRS: 99%/99%, limited evaluation. ISAP II full-service (FY2011–13, GAO): 99%, 95% at final hearings. Not representative of ATD at scale (FY2023 absconder rate 12.8%). Sources: DHS OIG-18-22; CRS R45804; ICE FY2025 CJ.
One agent can manage hundreds of cases via app	Could not verify	ICE publishes no officer-to-participant ratio. Enhanced case management is capped at 40:1 per contractor case specialist. Technology-site and maintenance-site tiers make high caseloads plausible only for low-risk, compliant participants. Recommended as a pilot metric. Sources: ICE FY2025 CJ; GAO-22-104529.
Integration converts people into taxpayers	Verified	\$96.7B in taxes paid (2022). Work authorization adds an estimated \$40.2B a year. Sources: ITEP (2024).
Green Path implies a route to permanent status or citizenship	Corrected	A path to permanent residence or citizenship requires an act of Congress. The executive can use case-by-case deferred action or parole with work authorization, subject to litigation risk. Sources: INA §§ 316, 212(d)(5); 5th Cir. (2025).
Face scanning and location check-ins (design element)	Context and safeguards added	ATD uses one-to-one verification and location at check-in only (PIA), but the PIA itself identifies retention and secondary-use risks. NIST documents demographic differences in face-recognition error rates. Sources: DHS/ICE/PIA-062; NIST IR 8280.

Additional claims (Oct. 2026 update)	Status	Accurate figure, context, and sources
ICE was created by statute; replacing it requires Congress	Verified	HSA § 442 (6 U.S.C. § 252) established the bureau later renamed ICE (2003, 2007). HSA § 872 (6 U.S.C. § 452) bars the Secretary from abolishing statutorily established units. Sources: 6 U.S.C. §§ 252, 452; 2010 Federal Register name-change notice.
Arrest counts in Santa Barbara County, October 2026	Unofficial; reported by the press	805 UndocuFund counts reported by the SLO Tribune (Oct. 13, 2026: 75 in SB County, Oct. 5–11) and the SB Independent (Oct. 9, 2026: at least 63, partial week). No official DHS/ICE figures were available at the time of writing. Sources: SLO Tribune; SB Independent.
ICE activity on the Allan Hancock College campus (Oct. 5, 2026)	Disputed	The college reported the detention. An ICE spokesman told Noozhawk ICE had “no record of activity.” Sources: Noozhawk; Santa Maria Times.
Local school-attendance drop	Not found locally	Dec. 2025 reporting: SB County schools had not reported drops like those in LA, but SBUSD newcomer enrollment fell from 326 to 262. A regional Central Valley study found a 22% increase in absences. Sources: SB Independent; PNAS (Dec 2025).
ICE workforce of about 22,000	Agency claim	ICE says it hired 12,000+ in 2025, growing from about 10,000 to about 22,000. Source: ICE press release (Jan. 2026).

Calculations labeled “our calculation” are simple arithmetic on the cited figures and are not estimates from the cited organizations. All URLs accessed October 2026.