

The Honorable Kevin McCarthy
Speaker

The Honorable Chuck Schumer
Majority Leader

The Honorable Hakeem Jeffries
Minority Leader

The Honorable Mitch McConnell
Minority Leader

The Honorable Kay Granger
Chairwoman, Committee on Appropriations

The Honorable Patty Murray
Chair, Committee on Appropriations

The Honorable Rosa DeLauro
Ranking Member, Committee on Appropriations

The Honorable Susan Collins
Vice Chair, Committee on Appropriations

The Honorable Dave Joyce
*Chair, Committee on Appropriations,
Subcommittee on Homeland Security*

The Honorable Chis Murphy
*Chair, Committee on Appropriations,
Subcommittee on Homeland Security*

The Honorable Henry Cuellar
*Ranking Member, Committee on Appropriations,
Subcommittee on Homeland Security*

The Honorable Shelley Moore Capito
*Ranking Member, Committee on Appropriations,
Subcommittee on Homeland Security*

U.S. House of Representatives
Washington, DC 20515

U.S. Senate
Washington, DC 20510

March 29, 2023

Re: FY 2024 Department of Homeland Security (DHS) Appropriations

Dear Members of Congress:

The undersigned national, state, and local organizations demand that you prioritize significant reductions to immigration enforcement funding through the Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) Fiscal Year 2024 appropriations. Immigrant communities and advocates are deeply dismayed by Congress' consistent failure to respond to migration with humanity and compassion. Instead, elected officials continue to approve status quo spending on punitive immigration enforcement, despite a deluge of evidence demonstrating the failings of this approach.

As you close out a second decade of funding for ICE and CBP—agencies that target, incarcerate, and deport beloved community members and people seeking safety in the U.S.— we urge you to turn a new leaf towards a more just immigration system. **Specifically, we urge you to stand by immigrant communities and hold these government agencies accountable by prioritizing the following:**

- Reduce ICE Enforcement and Removal Operations (ERO) funding, particularly for Custody Operations and Alternatives to Detention
- Reduce U.S. Border Patrol Operations funding, particularly for additional Border Patrol agents
- Reduce funding for CBP border security technologies
- No new funding for border barriers and rescind previously appropriated, unspent funds for border wall construction
- No further restrictions on asylum, including any language to extend or codify Title 42

- Restrict DHS' authority to transfer or reprogram funding into ICE ERO, U.S. Border Patrol, or for the purposes of border barrier construction

As we share this letter, people in immigration detention are fighting for their lives. Early this month, Cristian Dumitascu died while in ICE custody at the Otay Mesa Detention Center, adding to the more than 220 people who have lost their lives in detention. While ICE attempts to assure the public of the safety and adequacy of medical services in its facilities, [advocates](#), [medical experts](#), and [government oversight bodies](#) have long documented rampant medical neglect throughout the system—as recently as [this fiscal year](#) when details involving discrepancies between the official autopsy and death report filed by ICE for Melvin Ariel Calero-Mendoza indicated his death was preventable. Yet when people in ICE custody seek to protest the conditions of their detention, they [face violence and retaliation](#), ranging from threats of solitary confinement and cutting off lifelines like family visitation to [cruel and inhuman force feeding](#) practices.

Instead of being accountable for these injustices and moving us away from this abusive system, [recent reports](#) revealed that the administration is considering reviving the use of detention for migrant families. There is a [mountain of evidence](#) detailing the lasting physical and psychological damage that family detention causes, especially for children, [including](#) Post-Traumatic Stress Disorder (PTSD), suicidal or self-harming behaviors, neurodevelopmental disabilities, and chronic diseases like diabetes and hypertension. It would be unforgivable for Congress to once again allow ICE to inflict such suffering on children and parents by proactively funding these operations or neglecting to hold ICE accountable to upholding the safety and dignity of migrant families.

We are also concerned with the ongoing construction of border barriers across the southwest. Most recently at Friendship Park in San Diego, construction to replace the existing barrier with a 30ft barrier began earlier this year. Barriers like these are not only harmful to the environment but can be fatal. A recent [report](#) found that over the past year there has been a rise in accidents and serious injuries caused by falls from the border wall. Evidence shows that barriers force people to cross in more remote, dangerous regions that often lead to death. In FY 2022, [CBP reported a record number of migrant deaths](#), 853, since it began tracking in 1998. The harms of physical and virtual barriers are exacerbated by an array of anti-asylum policies that round out an evidently deadly deterrence strategy. In January, the administration announced intentions to roll out a lineup of policies that further strip the asylum system and rely on inhumane Title 42 expulsions and expedited removal to respond to migrants seeking safety at our Southern border. We remain in fear of the mass damage to the borderlands and preventable loss of life that will result from doubling down on this anti-immigrant approach, and urge Congress to not stand idly while our borders are closed to people most in need.

CBP is the second largest funded agency in the Department of Homeland Security with 19% of the total department budget. Within CBP, Border Patrol is an [abusive](#) and [unaccountable](#) force that has inflicted fear and violence on border communities and immigrants and contributes to the over-policing of Black, Brown and Indigenous communities. For years, Border Patrol has operated with lack of oversight and accountability leading to abuse and death across our nation's borders. The Southern Border Communities Coalition has [documented over 260 deaths](#) as a result of an encounter with Border Patrol agents since 2010. Instead of funding more Border Patrol agents, as requested in the FY24 Budget, we must provide oversight and accountability to prevent the further loss of life in the border region.

Besides the immense trauma these agencies inflict on immigrant communities, ICE and CBP also woefully mismanage taxpayer dollars. For years, advocates [sounded the alarm](#) at the agencies' [consistent disregard](#) for and [manipulation of](#) Congressional appropriations. Last year, despite receiving its highest ever appropriation, ICE still took advantage of DHS' transfer and reprogramming authority to compensate for what it claimed was

a [\\$345 million shortfall](#). Meanwhile, records obtained through the Freedom of Information Act by the Transactional Records Access Clearinghouse (TRAC) revealed that [long-time misreporting](#) on ICE's so-called "Alternatives to Detention" by contractor BI, Inc.—a subsidiary of private prison company the GEO Group—may have resulted in inflated payments, and therefore reported costs, by as high as 31 percent. Recently published research has also exposed how ICE engages in ["circular transfer" practices](#) as methods of retaliation and labor trafficking, wasting millions in federal funds each year to torture immigrants in custody.

DHS has itself previously admitted to wasting potentially billions in federal resources from its agencies. An internal investigative report [detailed a failed operation](#) to tie protestors in Portland to a terrorist plot that did not exist, carried out by agencies like CBP and other intelligence entities. Yet, the Biden administration's FY 2024 request, which includes even higher levels of funding for enforcement and an enormous slush fund that further diminishes spending accountability, recklessly ignores this history.

Congress cannot accede to writing yet another blank check for ICE and CBP. Now is the time for bold leadership. We are looking to Congress to stop putting immigrant lives at risk and start acting out the values of freedom and dignity you were elected to uphold.

Sincerely,

Advocates for Immigrant Rights
Afghans For A Better Tomorrow
Al Otro Lado
Alianza Americas
Alianza Sacramento
Ameinu
American Friends Service Committee (AFSC)
American-Arab Anti-Discrimination Committee (ADC)
Amnesty International USA
APALA - San Diego
Arizona Justice for our Neighbors
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice | AAJC
Asian Pacific Institute on Gender-Based Violence
Avodah
Bend the Arc: Jewish Action
Bend the Arc: Jewish Action South Jersey
Bend the Arc: Jewish Action California
Bend the Arc: Jewish Action Maryland
Bridges Faith Initiative
CA Collaborative for Immigrant Justice
Californians for Pesticide Reform
Carolina Jews for Justice
CASA, Inc.
Centro de Trabajadores Unidos: United Workers Center
Church World Service
Cleveland Jobs with Justice
Coalition for Humane Immigrant Rights (CHIRLA)
Colorado Immigrant Rights Coalition (CIRC)

Communities United for Status & Protection (CUSP)
Community Change Action
Community Justice Exchange
Comunidad Maya Pixan Ixim
Comunidades Sin Fronteras CFS - CT INC
Connecticut Shoreline Indivisible
Cosmovisiones Ancestrales
Detention Watch Network
Disability Justice League, Bay Area
Doctors for Camp Closure
Empowering Pacific Islander Communities
Esperanza Immigrant Rights Project
Faith in New Jersey
Families for Freedom
FIRM/FIRM Action
First Friends of New Jersey & New York
Florence Immigrant & Refugee Rights Project
Freedom for Immigrants
Freedom Network USA
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Action Alliance
Immigrant Defenders Law Center
Inter-Faith Committee on Latin America
ISLA: Immigration Services and Legal Advocacy
Jewish Activists for Immigration Justice of Western Mass
Jewish Alliance for Law and Social Action
Jewish Community Action
JUNTOS Philadelphia
Just Detention International
Justice At Last
Justicia Digna
Lab/Shul
Las Americas Immigrant Advocacy Center
Legal Aid Justice Center
Louisiana Advocates for Immigrants in Detention
Make the Road NJ
Make the Road NY
Mariposa Legal, program of COMMON Foundation
Mijente
Movement for Justice in El Barrio
Muslim Advocates
Muslim Counterpublics Lab
Muslim Justice League
Muslims for Just Futures
National Black Justice Coalition
National Council of Jewish Women
National Immigrant Justice Center
National Immigration Law Center

National Immigration Project
National Lawyers' Guild-SF Bay Area chapter
National Network for Immigrant and Refugee Rights
National Priorities Project at the Institute for Policy Studies
NETWORK Lobby for Catholic Social Justice
New Jersey Alliance for Immigrant Justice
New Sanctuary Coalition
NorCal Resist
Northwest Immigrant Rights Project
OCRRN
Project ANAR
Quixote Center
Respond Crisis Translation
Rocky Mountain Immigrant Advocacy Network
Services, Immigrant Rights and Education Network (SIREN)
Showing Up for Racial Justice
Sisters of Mercy of the Americas - Justice Team
Society of the flora, fauna & friend
Sojourners
South Texas Human Rights Center
Southern Border Communities Coalition
T'ruah: The Rabbinic Call for Human Rights
Takoma Park Mobilization—Equal Justice
The Border Network for Human Rights
The Bronx Defenders
The Mami Chelo Foundation
The Sex Workers Project of the Urban Justice Center
Transformations CDC
True Colors United
Tsuru For Solidarity
UndocuBlack
Unitarian Universalist Ministry of California
Unitarian Universalist Refugee & Immigrant Services & Education
Unitarian Universalists for Social Justice
United We Dream Network
Voces Unidas RGV
Voice for Refuge Action Fund
Washington Association Criminal Defense Lawyers
Washington Defender Association
Win Without War
Witness At The Border
Young Center for Immigrant Children's Rights