

The Honorable Nancy Pelosi

*Speaker*

The Honorable Kevin McCarthy

*Minority Leader*

The Honorable Rosa DeLauro

*Chairwoman, Committee on Appropriations*

The Honorable Kay Granger

*Ranking Member, Committee on Appropriations*

The Honorable Lucille Roybal-Allard

*Chairwoman, Committee on Appropriations*

*Subcommittee on Homeland Security*

The Honorable Chuck Fleischmann

*Ranking Member, Committee on Appropriations*

*Subcommittee on Homeland Security*

The Honorable Chuck Schumer

*Majority Leader*

The Honorable Mitch McConnell

*Minority Leader*

The Honorable Patrick Leahy

*Chairman, Committee on Appropriations*

The Honorable Richard Shelby

*Vice Chairman, Committee on Appropriations*

The Honorable Chis Murphy

*Chairman, 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

September 16, 2021

**Re: FY 2022 Continuing Resolution (CR) anomalies request for a short-term CR**

Dear Members of Congress:

As you consider the FY2022 Continuing Resolution (CR) Appropriations request for anomalies required for a short-term CR, we write to urge you to oppose the White House's [requests](#) for additional funding or flexibility in spending for immigration enforcement and detention operations. We ask, specifically, that you reject the request from the White House for additional flexibility to increase spending on Immigration and Customs Enforcement (ICE) detention and removals above the Fiscal Year 2021 levels. We also caution against providing additional flexibility for U.S. Customs and Border Protection (CBP) funds that could be channeled towards further border militarization and enforcement. It is critical that Congress assert its authority to stop the administration's unaccountable runaway spending on its abusive detention system and protect against further border militarization.

ICE has expanded its detention system with little accountability at a dramatic rate, in part because Congress has failed to use its power to rein in the agency's wasteful and abusive operations. CBP also has a record of [mis-using funds](#) appropriated by Congress for humanitarian purposes, spending instead on enforcement. Now, the White House FY2022 request for a short-term CR includes an anomaly request to utilize ICE "Operations and Support" funds for [Alternatives to Detention](#) programs, which entail ICE supervision and [electronic surveillance](#) programs, and detention and removal operations for non-citizens apprehended crossing the southwest land border between ports of entry. The request is completely unwarranted, especially given that Congress funded ICE in FY2021 to detain 10,000 more individuals than are [currently detained](#) and [more than double](#) the amount of people that were in detention at the time.

The White House is also [requesting](#) flexible spending on CBP “Operations and Support” to “respond to changing migration patterns across the southwest land border.” If such flexibility is granted, Congress must include guardrails to ensure this funding is used as intended for timely processing and support for Afghan evacuees, and not for enforcement purposes. Furthermore, any funding to mitigate the effects of COVID-19 should ensure that individuals are not held in congregate settings, but instead released responsibly in coordination with community-based and operated local shelters and community groups.

The immigration detention and enforcement system’s abusive history is long and well-documented. A look at this past year alone reveals the cruelty of this system to which Congress continues to dedicate billions in funding. People in detention continue to file complaints of abuses, including [medical neglect](#), violations of [disability rights](#), and [racist](#) and [discriminatory](#) treatment. Rights groups continue to [document](#) persistent abuses, including due process violations, committed by Border Patrol agents against asylum seekers along the Southwest border.

In March, more than 245 organizations [wrote](#) to urge Congress to prioritize the wellbeing of all immigrant and border communities by dramatically cutting funding to ICE and CBP as a first step to ending the United States’ enforcement-only response to migration. Last month, as the end of FY2021 approached, more than 190 organizations sent a [letter](#) to reiterate the need for Congress to take bold action in FY2022 to reduce the United States’ reliance on incarceration for immigration processing. Today, we write again to raise alarm over the White House’s request for *additional* funding for immigration and detention enforcement on a short-term CR that will continue already bloated enforcement budgets. To make good on its promise to reimagine a humane immigration processing system, the administration should be working to support, not further militarize, border communities; and to reduce, not increase, the population of people detained by ICE.

Congress has the power and the resources to ensure that people navigating their immigration case can do so with their families and with their [community](#)—not behind bars in immigration detention. As you consider the White House short-term CR FY2022 anomalies requests, we, the undersigned organizations, strongly urge you to recognize the critical role of Congress to protect immigrant and border communities from the dangers of ICE’s deadly and unnecessary detention system and Border Patrol’s unaccountable enforcement tactics.

Sincerely,

Advocate Visitors with Immigrants in Detention (AVID) in the Chihuahuan Desert  
Advocates for Basic Legal Equality, Inc.  
African American Ministers In Action  
Aldea - The People's Justice Center  
Alianza Americas  
Alianza Nacional de Campesinas  
Alliance for Action Immigration Action Group  
America's Voice

American Civil Liberties Union  
American Friends Service Committee  
American Gateways  
American Immigration Council  
American Immigration Lawyers Association  
American Muslim Empowerment Network (AMEN)  
American-Arab Anti-Discrimination Committee (ADC)  
Amnesty International USA  
Asian Americans Advancing Justice - AAJC  
Asian Americans Advancing Justice - Asian Law Caucus  
Asian Americans Advancing Justice - Los Angeles  
Asian Americans Advancing Justice-Atlanta  
Asian Counseling and Referral Service  
Asian Law Alliance  
ASISTA  
Asylum Seeker Advocacy Project (ASAP)  
Autistic Self Advocacy Network  
Avodah  
Bend the Arc: Jewish Action  
Bend the Arc: Jewish Action California  
BORDER ANGELS  
Boston University School of Law, Immigrants' Rights and Human Trafficking Program  
Bridges Faith Initiative  
Brooklyn Community Bail Fund  
Capital Area Immigrants' Rights Coalition  
Center for Disability Rights  
Center for Gender & Refugee Studies  
Center for Popular Democracy  
Center for Victims of Torture  
Chicago Religious Leadership on Latin America  
Chinese-American Planning Council (CPC)  
Church World Service  
Coalition for Humane Immigrant Rights (CHIRLA)  
Coastal Roots Farm  
Colorado Jobs with Justice  
Community Change Action  
Connecticut Shoreline Indivisible  
CREEC Law (Civil Rights Education and Enforcement Center)  
Detention Watch Network  
End Streamline Coalition  
Fair Immigration Reform Movement (FIRM) Action  
Faith in Action  
Faith in Public Life  
Families for Freedom  
Family Voices NJ  
Fight for the Future

Florence Immigrant & Refugee Rights Project  
Free Migration Project  
Freedom for Immigrants  
Friends Committee on National Legislation  
Good Figures, LLC  
H-CAN Immigration and Refugee group  
Haitian Bridge Alliance  
Hispanic Federation  
Houston Immigration Legal Services Collaborative  
Human Rights First  
ICNA Council for Social Justice (ICNA CSJ)  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Action Alliance  
Immigrant Defenders Law Center  
Immigrant Defense Project  
Immigrant Legal Advocacy Project  
Immigration Hub  
Indivisible  
Inland Coalition for Immigrant Justice  
International Refugee Assistance Project (IRAP)  
Jewish Activists for Immigration Justice of Western MA  
Jewish Alliance for Law and Social Action  
Jewish Community Action  
Jewish Community Action (MN)  
Juntos  
Justice Strategies  
Kern Welcoming and Extending Solidarity to Immigrants  
Keshet  
Kino Border Initiative  
La Resistencia  
Latin America Working Group (LAWG)  
Legal Aid Justice Center  
Living hope wheelchair association  
Louisiana Advocates for Immigrants in Detention  
Make the Road New York  
Mariposa Legal  
Maryland Against ICE Detention  
Massachusetts Law Reform Institute  
Memphis Methodist Immigrant Relief Fund Program  
Mijente  
Movement for Justice in El Barrio  
MPower Change  
Mujerxs Organizando Oportunidades Notables  
Muslim Advocates  
Muslim Voices Coalition

National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Center for Transgender Equality  
National Council of Churches USA  
National Immigrant Justice Center  
National Immigration Law Center  
National Immigration Project (NIPNLG)  
National Network for Immigrant & Refugee Rights  
National Priorities Project at the Institute for Policy Studies  
Network in Solidarity with the People of Guatemala  
New York Immigration Coalition  
Nikkei Progressives  
Northwest Immigrant Rights Project  
Oasis Legal Services  
Ohio Center for Strategic Immigration Litigation & Outreach  
Ohio Immigrant Alliance  
Oxfam America  
People's Action  
PG Change Makers  
Policing and Social Justice Project  
Prisoners' Legal Services of MA  
Project Blueprint  
Public Defenders Coalition for Immigrant Justice (PDCIJ)  
Quixote Center  
RAICES  
Restore The Fourth  
Rian Immigrant Center  
Robert F. Kennedy Human Rights  
San Diego Immigrant Rights Consortium  
Sanctuary DMV  
Service Employees International Union (SEIU)  
Services, Immigrant Rights and Education Network (SIREN)  
Showing Up for Racial Justice (SURJ)  
Sisters of Mercy of the Americas Justice Team  
Southeast Asia Resource Action Center (SEARAC)  
Southeast Immigrant Rights Network (SEIRN)  
Southern Border Communities Coalition  
SPAN Parent Advocacy Network (SPAN)  
SPLC Action Fund  
St. Francis in the Foothills  
Tahirih Justice Center  
Takoma Park Mobilization -- Equal Justice  
The Advocates for Human Rights  
The Bronx Defenders  
The Workers Circle  
Tuesdays with Tillis

UndcouBlack Network  
Unidad Latina en Acción CT  
Unitarian Universalist Service Committee  
United We Dream  
UnLocal  
Until Freedom  
Voces Unidas  
Washington Defender Association  
Wind of the Spirit Immigrant Resource Center  
Women's Refugee Commission