

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 Chris 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. Senate
Washington, DC 20510

August 17, 2021

Re: FY 2022 Department of Homeland Security (DHS) Appropriations Bill

Dear Members of Congress:

As the Fiscal Year 2022 appropriations cycle commenced in March, the Defund Hate campaign [sent a letter](#) from 245 national, state, and local organizations urging Congress to begin repairing the harms of this country’s enforcement-centered approach to immigration by adopting a set of transformative appropriations bills. This included the demand for a Department of Homeland Security (DHS) appropriations bill that dramatically reduced funding for the Immigration and Customs Enforcement (ICE) Custody Operations account. Today, as the end of FY2021 approaches, we write to reiterate the critical need for Congress to take bold action in FY2022 to reduce the United States' reliance on incarceration for immigration processing by significantly decreasing funding for ICE detention.

Immigration detention is inhumane, immoral and wholly unnecessary. Its abusive history is long and well-documented, yet a look at this past year alone reveals the cruelty of this system to which Congress continues to dedicate billions in funding. When Winter Storm Uri overwhelmed resources in Texas this February, [immigrants detained](#) in the state’s detention facilities were left without sufficient drinking water and working showers or toilets for days. Some individuals reported resorting to melting snow for their water needs. Meanwhile, as COVID-19 cases continued to spike across detention facilities, we also witnessed an uptick in hunger strikes among immigrants in detention across the country from [Tacoma, WA](#), to [Etowah, AL](#), to [Bergen County, NJ](#), protesting the dangers of detention to their health and safety. A [recent report](#) from Physicians for Human Rights and the American Civil Liberties Union exposed ICE’s retaliatory and coercive treatment of the people in custody who participate in these strikes—ranging from unethical or even illegal medical practices to threats of prosecution and family separation.

Just this month, Elba Maria Centeno Briones, [a 37-year-old woman](#) from Nicaragua, died in ICE custody after testing positive for COVID-19, a tragic outcome of what [The New York Times determined](#) to be a “pattern of neglect and secrecy that helped fuel outbreaks both inside and outside ICE detention

facilities.” As we mourn her death, along with the others who have tragically died in ICE custody this fiscal year, the incoherency of Congress continuing to fund ICE’s deadly detention operations is appalling.

In July, the House Committee on Appropriations passed a [draft appropriations bill](#) for DHS that proposed funding for ICE to detain an average daily population (ADP) of 28,500 people—more than the [25,292 people](#) detained as of August 13th, and much higher than the approximately 15,000 people who were in detention when President Biden took office. The proposal shows us that members of Congress are failing to recognize their critical role in protecting immigrants, refugees, and asylum seekers from a punitive system that strips people of their dignity and basic human rights, and separates them from loved ones.

This issue remains urgent as ever. Despite campaign promises to curb the use of immigration detention, the number of people in detention grew by about 80 percent after the Biden Administration took office.¹ ICE has also been able to grow the detention population at this rate because Congress failed to use its power to rein in the agency’s cruel operations last year—instead funding FY2021 detention levels at an ADP of 34,000, which was [more than double](#) the amount of people that were in detention at the time. However, this rate of expansion is not novel for ICE. In just two years under the Trump administration, ICE was able to expand its daily detention population by more than 20,000 people by manipulating and overspending its Congressional appropriation.² Congress cannot make the same mistake and allow ICE detention to continue regressing to its previous magnitude. It must take this opportunity to decidedly end ICE’s pattern of expansion and abuse.

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 FY2022 Homeland Security Appropriations bill, we, the undersigned organizations, strongly urge you to recognize the critical role of Congress to protect immigrant communities from the dangers of ICE’s deadly and unnecessary detention system. For the new fiscal year, we urge you to work towards a final negotiated bill that significantly reduces funding for ICE detention.

Sincerely,

National Organizations

African American Ministers In Action
Alianza Americas
Alianza Nacional de Campesinas
Ameinu
American Civil Liberties Union
ACLU National Political Advocacy Department
American Friends Service Committee

¹ According to <https://www.ice.gov/coronavirus#citations>, as recorded on July 2, 2021, there were 27,008 people in ICE detention, compared to 14,715 reported to be in custody on January 15, 2021.

² According to [ice.gov/detain/detention-management](https://www.ice.gov/detain/detention-management), as recorded on August 30, 2019, there were 55,220 people in ICE custody.

Asian Americans Advancing Justice | AAJC
Asian Pacific Institute on Gender-Based Violence
Asylum Seeker Advocacy Project (ASAP)
Autistic Self Advocacy Network
Bend the Arc: Jewish Action
Bridges Faith Initiative
CASA
Center for Gender & Refugee Studies
Center for Popular Democracy
Center for Victims of Torture
Church World Service
Civil Rights Education and Enforcement Center
Coalition on Human Needs
Community Change Action
Community Justice Exchange
Detention Watch Network
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration Ministries
Doctors for Camp Closure
Empowering Pacific Islander Communities
Fair Immigration Reform Movement (FIRM) Action
Faith in Action
Faith in Public Life
Familia: Trans Queer Liberation Movement
Freedom Network USA
Friends Committee on National Legislation
Haitian Bridge Alliance
Hispanic Federation
Human Rights First
Human Rights Watch
Immigrant Legal Resource Center
Immigration Equality
Immigration Hub
Indivisible
Innovation Law Lab
Japanese American Citizens League
Justice Strategies
Latin America Working Group (LAWG)
Main Street Alliance
National Asian Pacific American Women's Forum (NAPAWF)
National Council of Churches USA
National Council of Jewish Women
National Equality Action Team (NEAT)
National Immigrant Justice Center

National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Network for Immigrant & Refugee Rights
National Organization for Women
National Priorities Project at the Institute for Policy Studies
NETWORK Lobby for Catholic Social Justice
OCA - Asian Pacific American Advocates
Poder Latinx
Public Counsel
Rainbow Beginnings
Revolutionary Love Project
Robert F. Kennedy Human Rights
Sisters of Mercy of the Americas Justice Team
South Asian Americans Leading Together (SAALT)
Southeast Asia Resource Action Center (SEARAC)
Southern Border Communities Coalition
T'ruah: The Rabbinic Call for Human Rights
Tahirih Justice Center
The Public Defenders Coalition for Immigrant Justice
Transgender Law Center
Unitarian Universalists for Social Justice
United We Dream
Witness at the Border

Regional and State Organizations

ACLU of Louisiana
Al Otro Lado
Asian American Advocacy Fund
Asian Americans Advancing Justice | Chicago
Asian Americans Advancing Justice | Atlanta
Asian Counseling and Referral Service
Bend the Arc: Jewish Action - Greater Ann Arbor
Bend the Arc: Jewish Action - Southeastern Pennsylvania
Bend the Arc: Jewish Action - Maryland
Benedictine Sisters
Brooklyn Community Bail Fund
California Collaborative for Immigrant Justice (CCIJ)
California Immigrant Policy Center
California Pan-Ethnic Health Network
Capital Area Immigrants' Rights Coalition
Carolina Jews for Justice
Coalition of Asian American Leaders
Colorado Immigrant Rights Coalition

Colorado Jobs with Justice
Desert Support for Asylum Seekers
Faith in New Jersey
First Friends of NY & NJ
Florence Immigrant & Refugee Rights Project
Free Migration Project
Grassroots Leadership
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Action Alliance
Immigrant Legal Advocacy Project
Immigration Refugee Asylum Task Team of the Southern NE Conference, UCC
Interfaith Community for Detained Immigrants
ISLA: Immigration Services and Legal Advocacy
Jewish Activists for Immigration Justice of Western Massachusetts
Jewish Alliance for Law and Social Action
Jewish Community Action (MN)
La Resistencia
Legal Aid Justice Center
Louisiana Advocates for Immigrants in Detention
Make the Road New Jersey
Make the Road New York
Maryland Against ICE Detention (MDAID)
New York Immigration Coalition
NM Dream Team
NorCal Resist
Northern Illinois Justice for Our Neighbors
Northwest Immigrant Rights Project
OPAWL-Building AAPI Feminist Leadership in Ohio
Orange County Equality Coalition
Pax Christi New Jersey
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Rising Voices
Shut Down Berks Coalition
SIREN (Services, Immigrant Rights and Education Network)
Southeast Immigrant Rights Network (SEIRN)
SPLC Action Fund
The Advocates for Human Rights
Together Colorado
Unitarian Universalist Action New Hampshire
Washington Defender Association
Wayne Action for Racial Equality
Wind of the Spirit Immigrant Resource Center

Local Organizations

Adelante Alabama Worker Center
Advocate Visitors with Immigrants in Detention
Asian American Federation of Florida - South
Asian American Organizing Project (AAOP)
Asian Caribbean Exchange
Asian Pacific Community in Action
Asian-American Community Service Council
Bend the Arc: Jewish Action - Champaign Urbana
Bend the Arc: Jewish Action - Cincinnati
Cabrini Immigrant Services of NYC, Inc.
Casa San Jose
Central American Resource Center of Northern CA - CARECEN SF
Centro de Trabajadores Unidos
Chicago Religious Leadership Network on Latin America
Comunidades Unidas en una Voz
El Refugio
Faith in New York
Florida Asian Services
Florida Asian Women Alliance
Greater New York Labor-Religion Coalition
Guadalupe Presbyterian (USA) Church detention ministry, AZ
Guadalupe Presbyterian Church (USA) detention ministry, AZ
HANA Center
Howard County Coalition for Immigrant Justice (Maryland)
ICE Out of Marin
Immigrant Rights Action
Indivisible - Connecticut Shoreline
Indivisible - Howard County Maryland
Infinite Creative Literary Ltd. Co.
Jewish Youth for Community Action
Jews for Racial & Economic Justice
Juntos
Karen Organization of San Diego
La Union del Pueblo Entero (LUPE)
Las Americas Immigrant Advocacy Center
Long Beach Immigrant Rights Coalition
Mariposa Legal
Miami Valley Immigration Coalition
Motivation Motivates
Movement for Justice in El Barrio
Muslim Justice League
OCA – Fairfield County, CT
OCA - South Florida Chapter
OCA - Greater Houston

Organized Communities Against Deportations
Peace and Justice Network, Grand Canyon Presbytery
Rising Voices of Asian American Families
Sanctuary DMV
Seattle Immigrant Rights Action Group
Shut Down Etowah
Sojourners Detention Visitation
Takoma Park Mobilization - Equal Justice
The Bronx Defenders
Transformations CDC
Upaya Zen Center
VAYLA New Orleans
Vermont Guatemala Accompaniment Project – New Hampshire
Wilco Justice Alliance