The Honorable Mitch McConnell Majority Leader

The Honorable Charles Schumer Democratic Leader

The Honorable Richard Shelby Chairman, Committee on Appropriations

The Honorable Patrick Leahy Ranking Member, Committee on Appropriations

The Honorable Shelley Moore Capito Chairwoman, Committee on Appropriations, Subcommittee on Homeland Security

The Honorable Jon Tester Ranking Member, Committee on Appropriations, Subcommittee on Homeland Security

U.S. Senate Washington, D.C. 20510 The Honorable Nancy Pelosi Speaker of the House of Representatives

The Honorable Kevin McCarthy Minority Leader 2468 Rayburn House Office Building Washington, D.C. 20515

The Honorable Nita Lowey
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

U.S. House of Representatives Washington, D.C. 20515

March 16, 2020

Re: FY 2021 Department of Homeland Security (DHS) Appropriations Bills

Dear Majority Leader McConnell, Leader Schumer, Speaker Pelosi, and Leader McCarthy:

As Congress considers the FY2021 Department of Homeland Security (DHS) Appropriations Bill, we the undersigned national, state, and local organizations call on Congress to dramatically cut the budgets of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), to include measures that prevent the administration from exceeding the amounts appropriated by Congress, and preclude the use of funds for programs that unlawfully put asylum seekers fleeing violence and persecution in harm's way.

Taxpayers' dollars should be spent on increasing the welfare and wellbeing of all our communities; instead we have seen the administration utilize its appropriated dollars to do the

complete opposite, year after year. As such, we respectfully request ask that you prioritize the following asks in the FY2021 spending bills:

- 1. Dramatic cuts in funding for ICE and CBP, including specifically: no funding for the border wall; cuts in funding for ICE and CBP agents; and significant reductions in funding for detention.
- 2. Accountability measures across spending bills to ensure that the administration is held to appropriated funding levels with regard to detention and enforcement spending and wall and physical barrier construction.
- 3. Prohibitions on the use of funds for the abusive programs being used by the administration to effectively close the southern border to asylum seekers, including: the Migrant Protection Protocols; the regulatory bans on asylum eligibility; the so-called Asylum Cooperative Agreements; and the newly implemented expedited processing programs known as PACR and HARP.

For seventeen years, Congress has approved funding increases for a cruel, enforcement-only immigration system, more than doubling ICE's budget and more than tripling CBP's budget. For three years, the administration has flagrantly disregarded good governance and appropriations law by overspending the already excessive amounts congressionally appropriated for ICE and CBP and compensating with funding transfers from other DHS accounts *and* other agencies, including the Treasury and the Pentagon. This abuse of power has further entrenched us in a punitive detention and deportation apparatus and advanced the militarization of our southern border. For the safety of our communities and for the moral fabric of our nation, we look to you for leadership on this critical issue.

In recent months, the administration's ongoing attack on immigrant communities has become increasingly retaliatory and politically driven. The administration announced plans to send officers and agents from an elite SWAT-style unit within CBP known as the Border Patrol Tactical Unit (BORTAC) to engage in immigration enforcement. Likewise, it announced a new effort called Operation Palladium to "flood" these cities with ICE special agents normally assigned to risky border operations. The deployment of these units to targeted sanctuary cities will result in increasingly militarized interior immigration enforcement, leaving families in a state of heightened fear and mistrust, afraid to utilize basic services, obtain medical care, or send their children to school. Militarized enforcement actions threaten all our safety by paralyzing communities and driving people further into the shadows.

These aggressive enforcement tactics feed into an abusive detention system that cages nearly 40,000 people every day throughout the United States, making it the largest immigration

¹ Caitlin Dickerson and Zolan Kanno-Youngs, New York Times, "Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities." Feb. 14, 2020, https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html.

² Caitlin Dickerson, Zolan Kanno-Youngs, Annie Correal, New York Times, "'Flood the Streets': ICE Targets Sanctuary Cities with Increased Surveillance," Mar. 5, 2020,

https://www.nytimes.com/2020/03/05/us/ICE-BORTAC-sanctuary-cities.html?action=click&module=News&pgtype=Homepage

detention system in the world.³ Those jailed in ICE's network of more than 200 jails and prisons endure persistent and well documented human rights violations on a daily basis, including the extensive use of solitary confinement, rampant sexual abuse, and detention so prolonged and punitive as to have resulted in widespread hunger strikes and suicide attempts.⁴ Only halfway through this fiscal year, seven lives have been lost in ICE custody in FY 2020-- already almost equalling the eight people immigrants' loved ones were forced to mourn last year.⁵

CBP's track record of rampant abuse, excessive use of force and horrific detention conditions have contributed to more than 100 deaths since 2010, including the deaths of at least seven children detained by federal enforcement agents at the border and tens of shooting fatalities, including multiple cross-border shootings of children.⁶ Paired with this administration's obsession with fulfilling a xenophobic and costly campaign promise for a border wall, the borderlands are being devastated. Wall construction is blasting away sacred burial sites, bulldozing precious natural resources and wildlife, and tearing land away from private landowners and ranchers. While candidate Trump promised that Mexico would bear the brunt of costs, this administration has instead circumvented Congress and unlawfully raided other agencies to access billions in authorized funds to build this vanity wall, all bankrolled by the American taxpayer.⁷

This administration has also utilized congressionally appropriated funds to unleash an inter-connecting web of vicious policies at the southern border that are effectively ending asylum as we know it in the United States. These policies include the so-called "Migrant Protection Protocols" or "MPP," an illegal program that has turned tens of thousands of asylum seekers back from the border to wait for hearings in Mexico in horribly dangerous conditions, resulting in more than 800 documented cases of murder, rape, torture, kidnapping and other violent assaults in Mexico.⁸ Yet MPP is only one of a menu of anti-asylum programs the administration has developed to ensure that Central American asylum seekers are shut out from receiving the safety they seek, including: the so-called "safe third country" or Asylum Cooperative Agreement

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³ Emily Kassie, The Marshall Project, "Detained: How the United States created the largest immigrant detention system in the world," Sept. 24, 2019, https://www.themarshallproject.org/2019/09/24/detained

⁴ Monsy Alvarado, et al., USA Today, "Deaths in custody. Sexual violence. Hunger strikes. What we uncovered inside ICE facilities across the US," Dec. 19, 2019,

 $https://www.usatoday.com/in-depth/news/nation/2019/12/19/ice-asylum-under-trump-exclusive-look-us-immigration-detention/4\,381404002/.$

⁵ Hamed Aleaziz, Buzzfeed News, "A Mexican Man Has Become The Seventh Immigrant To Die In ICE Custody Since October," 21 Feb. 2020, www.buzzfeednews.com/article/hamedaleaziz/mexican-immigrant- dies-ice-custody-ohio.

⁶ Southern Border Communities Coalition, Deaths by Border Patrol Since 2010,

https://www.southernborder.org/deaths by border patrol

⁷ Paul Sonne and Nick Miroff, Washington Post, "Pentagon to divert \$3.8 billion from its budget to build more of Trump's border barrier," Feb. 13. 2020,

 $https://www.washingtonpost.com/national-security/pentagon-to-divert-38-billion-from-its-budget-to-build-more-of-trumps-borde\\ r-barrier/2020/02/13/1f937000-4e93-11ea-9b5c-eac5b16dafaa story.html$

⁸ Human rights researchers are maintaining an online database of those publicly reported cases of violence against individuals in MPP, online at https://deliveredtodanger.org/.

⁹ and new expedited processing programs that shuttle asylum seekers through rushed deportations while in the notoriously inhumane short-term CBP processing. ¹⁰ Congress can no longer stand idly by while the White House and the Department of Homeland Security unilaterally--and unlawfully--close the United States' borders to those most in need.

Congress must work to restrict funding for the unaccountable forces that target immigrants, people of color, and other vulnerable populations in our communities and on the border. The undersigned organizations stand united in fighting against the policies that exploit and dehumanize immigrants, as well as the funding streams that allow them. We call on you and all Members of Congress to demand a substantial decrease in funding for enforcement, border militarization, detention, and deportations carried out by ICE and CBP.

Sincerely,

National Organizations

Advancement Project, National Office

Alianza Americas

All Above All Action Fund

America's Voice

American Civil Liberties Union

American Friends Service Committee

American Immigration Lawyers Association

American-Arab Anti-Discrimination Committee (ADC)

Amnesty International USA

Asian American Legal Defense and Education Fund (AALDEF)

Asian Americans Advancing Justice | AAJC

Asian Americans Advancing Justice, Asian Law Caucus

Asian Pacific American Labor Alliance, AFL-CIO

Asian Pacific Institute on Gender-Based Violence

⁹ Stephanie Schwartz, Slate, "The End of Asylum," Oct. 17, 2019,

https://slate.com/news-and-politics/2019/10/refugees-trump-third-country-refoulement.html.

¹⁰ Quinn Owen, ABC News, "Trump admin to expand fast track returns of asylum seekers at southern border," Jan. 24, 2020, https://abcnews.go.com/US/trump-admin-expand-fast-track-returns-asylum-seekers/story?id=68517675.

Asylum Seeker Advocacy Project (ASAP)

Autistic Self Advocacy Network

Bellevue Program for Survivors of Torture

Bend the Arc: Jewish Action

Black and Pink

Center for Biological Diversity

Center for Constitutional Rights

Center for Gender & Refugee Studies

Center for Law and Social Policy (CLASP)

Center for Popular Democracy

Center for Victims of Torture

Church World Service

Columban Center for Advocacy and Outreach

Columbia Law School Immigrants' Rights Clinic

Congregation of Our Lady of the Good Shepherd, U.S. Provinces

Defending Rights & Dissent

Demand Progress

Detention Watch Network

Disciples Refugee and Immigration Ministries

Drikung Namgyal Ling

Equality Labs

Faith in Action

Familia TQLM

Families Belong Together (FBT)

Franciscan Action Network

Freedom for Immigrants

Freedom Network USA

Friends Committee on National Legislation **Generation Progress** Grassroots Leadership GreenLatinos Greenpeace USA Hispanic Federation Human Impact Partners (HIP) Human Rights Defense Center Human Rights First Immigrant Defense Project Immigrant Legal Resource Center Immigration Equality Action Fund Immigration Hub Indivisible Japanese American Citizens League Jesuits West JUST NATURE Justice in Motion Justice Strategies Latin America Working Group (LAWG) Leadership Conference of Women Religious Lights for Liberty Maryknoll Office for Global Concerns MediaJustice Mijente MomsRising MoveOn

National Advocacy Center of the Sisters of the Good Shepherd

National Asian Pacific American Women's Forum (NAPAWF)

National Association of Social Workers (NASW)

National Bail Fund Network

National Center for Lesbian Rights

National Center for Transgender Equality

National Council of Jewish Women

National Equality Action Team

National Immigrant Justice Center

National Immigration Law Center

National Immigration Project of the National Lawyers Guild

National Iranian American Council Action

National Korean American Service & Education Consortium (NAKASEC)

National Latina Institute for Reproductive Health

National LGBTQ Task Force Action Fund

National Network for Immigrant & Refugee Rights

NETWORK Lobby for Catholic Social Justice

OCA - Asian Pacific American Advocates

Poder Latinx

Presbyterian Church (U.S.A.)

Quixote Center

RAICES

Revolutionary Love Project

Service Employees International Union (SEIU)

Sin Huellas Artist Collective

Sisters of Mercy of the Americas - Institute Leadership Team

South Asian Americans Leading Together (SAALT)

Southeast Asia Resource Action Center

Southern Border Communities Coalition

SPLC Action Fund

T'ruah: The Rabbinic Call for Human Rights

The Advocates for Human Rights

The Leadership Conference on Civil and Human Rights

UNAVSA

UndocuBlack Network

UnidosUS

Union for Reform Judaism

Unitarian Universalist Service Committee

United We Dream

US Campaign for Palestinian Rights

UUSC Clergy Representative

Voices from the Border

Washington Office on Latin America

We Are All America

Witness at the Border

Women's Refugee Commission

Regional and State Organizations

ACCESS of WNY

AFSC Colorado

Al Otro Lado

California Immigrant Policy Center

Capuchin Franciscan Province of St. Mary (New York and New England)

Centro de Trabajadores Unidos

Coalition for Humane Immigrant Rights (CHIRLA)

Colorado Immigrant Rights Coalition (CIRC)

Colorado People's Alliance

Congregation Action Network

Diversidad Sin Fronteras TX

Faith in New Jersey

First Friends of NJ & NY

Franciscans for Justice

Haitian Bridge Alliance

Hana Center

ICOM, MN

Illinois Coalition for Immigrant and Refugee Rights

Immigrant Legal Advocacy Project

Immigration Services and Legal Advocacy (ISLA)

Interfaith Movement for Human Integrity

InterReligious Task Force On Central America & Colombia - IRTF Cleveland

Jesuits of the US Central and Southern Province

Jewish Alliance for Law and Social Action

Legal Aid Justice Center

Make the Road Connecticut

Make the Road Nevada

Make the Road New Jersey

Make the Road New York

Make the Road Pennsylvania

Maryland Province of the Society of Jesus

Missouri Faith Voices

NAKASEC Virginia

New Jersey Alliance for Immigrant Justice

New Mexico Immigrant Law Center

New Sanctuary Coalition

New York Immigration Coalition

NHCUCC Immigrant and Refugee Support Group

NM CAFe

NM Dream Team

Northwest Immigrant Rights Project

Ohio Immigrant Alliance

OneAmerica

Pennsylvania Immigration and Citizenship Coalition

PICO California

Project South

Public Counsel

Sanctuary DMV

SC Appleseed Legal Justice Center

Sisters of Charity of New York

Sisters of Mercy in NH

Still Waters Anti-trafficking Program

Texas Civil Rights Project

The Rian Immigrant Center

Together Colorado

USA Northeast Province of the Society of Jesus

Virginia Organizing

Washington Defender Association

Washington Immigrant Solidarity Network

Local Organizations

Adelante Alabama Worker Center

Advocate Visitors with Immigrants in Detention

Alliance San Diego

API Equality-LA

Asian Americans Advancing Justice - Atlanta

Asian Americans United

Bend the Arc: Jewish Action - Pittsburgh

Bend the Arc: Jewish Action - Champaign-Urbana

Bend the Arc: Jewish Action - Southern California

Bend the Arc: Jewish Action - South Florida

Benedictine University

Borderlands Restoration Network

Brooklyn Defender Services

Cabrini Immigrant Services of NYC

Centro de Trabajadores Unidos

Church of Our Saviour/La Iglesia de Nuestro Salvador

Clergy and Laity United for Economic Justice (CLUE)

Cleveland Jobs with Justice

Coachella Valley Immigration Support

Coalición de Derechos Humanos

Desis Rising Up and Moving (DRUM)

Don't Separate Families

El Refugio

Esperanza Community Housing Corporation

Essex County Community Organization

Faith in New York

Franciscan Peace Center

Friends of Broward Detainees

Friends of Broward Detainees

Friends of Miami-Dade Detainees

Granite State Organizing Project

Hollywood Church of God

Houston Immigration Legal Services Collaborative

Human Rights Initiative of North Texas

ICE Fuera de Austin/ICE Out of Austin

Immigrant Rights Action

Indivisible East Bay

Indivisible Northern Nevada

Inland Coalition for Immigrant Justice

Interfaith Welcome Coalition

Kino Border Initiative

Korean Resource Center

La Resistencia

LA Voice

Legal Services for Children

Leo Baeck Temple

Long Beach Immigrant Rights Coalition

Lorraine H.Mastin, JD

Madrean Archipelago Wildlife Center

Mano Amiga

Mariposa Legal

MEKONG NYC

Migrant Rights Collective

MinKwon Center for Community Action

Montgomery County Civil Rights Coalition (Maryland)

New Sanctuary Movement of Philadelphia

NorCal Resist

Northwest Philadelphia Immigrant Action and Mobilization

Open Immigration Legal Services

Orange County Congregation Community Organization

Orange County Equality Coalition

Pangea Legal Services

Queer Detainee Empowerment Project

Refugee Support Network

Seattle Indivisible

Services, Immigrant Rights & Education Network (SIREN)

South Bay People Power

St. Mark's Presbyterian Church

The Bronx Defenders

The Florence Immigrant & Refugee Rights Project

Tri-State Franciscan Solidarity Table

United for a New Economy

Voces Unidas: Louisiana Immigrant's Rights' Coalition

Wayne Action for Racial Equality

Wellspring United Church of Christ

Whidbey Indivisible Refugee and Immigrant Network

Wilco Justice Alliance (Williamson County, TX)

Yemeni American Merchants Association (YAMA)