

United States Senate

WASHINGTON, DC 20510

June 22, 2017

The Honorable Thad Cochran
Chairman
Senate Committee on Appropriations

The Honorable Patrick Leahy
Ranking Member
Senate Committee on Appropriations

The Honorable John Boozman
Chairman
Senate Committee on Appropriations
Subcommittee on Homeland Security

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

Dear Chairman Cochran, Ranking Member Leahy, Chairman Boozman and Ranking Member Tester:

As your Committee considers the Department of Homeland Security's (DHS) Fiscal Year 2018 Appropriations bill, we respectfully seek a reduction in funding for President Trump's detention beds and deportation force, and ask that no funds be made available for a costly and unjustified border wall.

President Trump's budget makes massive cuts to domestic programs that support all Americans, including critical DHS grant dollars that help guard against terrorism and keep communities safe, while asking for \$2.8 billion in new discretionary spending to implement his immigration Executive Orders.¹ The budget includes a \$1.5 billion increase to detain and remove immigrants, \$362 million to hire and train additional Immigration and Customs Enforcement (ICE) and Border Patrol agents, and a \$1.6 billion down payment on an unnecessary border wall.

The budget also seeks to dramatically expand the power of the federal government to conscript state and local law enforcement into carrying out immigration enforcement activities. This harmful proposal would make communities less safe by diverting limited resources from addressing true public safety threats and erode trust between law enforcement and immigrant communities.

Additional resources requested by the President are not supported by current conditions. The U.S. Border Patrol is operating with a workforce smaller than its authorized statutory level. Given the Custom and Border Protection's (CBP) well-documented struggles with corruption and policing abuses, DHS must demonstrate that it can fill current positions with highly qualified and thoroughly screened candidates before Congress considers funding for any new Border Patrol agents.

¹ Exec. Order No. 13767, 82 C.F.R. 8793 (Jan. 30, 2017), <https://www.federalregister.gov/d/2017-02095/page-8793>; Exec. Order No. 13768, 82 C.F.R. 8799 (Jan. 30, 2017), <https://www.federalregister.gov/d/2017-02102/page-8799>.

Furthermore, we believe that existing funding levels should be reduced in order to limit President Trump's mass deportation apparatus. ICE arrests of individuals with no criminal conviction have jumped 156 percent and make up a larger share of overall arrests as compared to last year.² DHS should focus its resources on prioritizing actual threats, rather than targeting millions of unauthorized immigrants for removal.

President Trump and his appointees have largely eliminated prioritization and discretion from the immigration enforcement system. There is little room for the case-by-case review that would allow for the exercise of prosecutorial discretion with respect to individuals who have lived in the country for long periods of time, who are parents of U.S. citizen children, or otherwise have strong ties to their communities and pose no public safety threat. This has resulted in numerous families being separated and American children being traumatized. There are approximately 4.1 million U.S. citizen children and families that could be negatively impacted by these indiscriminate deportations.³

This indiscriminate approach to enforcement has sown fear and anxiety in communities across the nation. Several major cities have reported a drop in reporting by Latinos of certain crimes, and, in a recent survey of victim advocates, 78 percent of respondents reported that immigrant survivors of sexual assault and domestic violence have expressed concerns about contacting police.⁴

Additionally, we ask that the Committee decrease the number of detention beds in our nation's already overgrown, expensive, and inhumane immigration detention system. Numerous reports have found serious abuses within immigrant detention facilities, yet, DHS Secretary Kelly recently testified that he plans to lower detention standards.⁵ Additional capacity is unwarranted—CBP reported a 62 percent decline in apprehensions at the southwest border in April compared to the same time last year, continuing a longtime downward trend.⁶ With border apprehensions at a historic low, ICE is likely to increase apprehensions in the interior, further accelerating indiscriminate enforcement activities and putting immigrant communities at higher risk of detention and abuse.

² Alan Gomez, *Immigration Arrests Up 38% Nationwide Under Trump*, USA TODAY, May 17, 2017, available at <https://www.usatoday.com/story/news/world/2017/05/17/deportations-under-president-trump-undocumented-immigrants/101786264/>.

³ Randy Capps, Michael Fix & Jie Zong, *Fact Sheet: A Profile of U.S. Children with Unauthorized Immigrant Parents*, MIGRATION POLICY INSTITUTE, January 2016, available at <http://www.migrationpolicy.org/research/profile-us-children-unauthorized-immigrant-parents>.

⁴ *2017 Advocate and Legal Service Survey Regarding Immigrant Survivors*, ASIAN PACIFIC INSTITUTE ON GENDER-BASED VIOLENCE, May 25, 2017, available at <http://www.tahirih.org/wp-content/uploads/2017/05/2017-Advocate-and-Legal-Service-Survey-Key-Findings.pdf>.

⁵ *House Appropriations Subcommittee on Homeland Security Holds Hearing on the Homeland Security Department's Fiscal 2018 Budget*, CQ ROLL CALL, May 31, 2017, available at <http://www.cq.com/doc/congressionaltranscripts-5111413?0>.

⁶ Tal Kopan, *US-Mexico Border Apprehensions Hit 17-year Lows*, CNN, May 9, 2017, available at <http://www.cnn.com/2017/05/09/politics/border-crossings-apprehensions-down-trump/index.html>.

Finally, we urge the Committee to provide no funding for a border wall. Repeatedly on the campaign trail, then-candidate Trump promised to build a “great wall” along the entire southwest border. Estimates place the cost of the border wall at nearly \$70 billion.⁷ This figure does not include the inevitable and exorbitant costs of maintaining the wall over time. Building a wall along the southwest border would divert critical resources away from more effective measures to ensure border safety, such as investing in port-of-entry security and procuring new technologies that monitor movements of people who try to cross the border.

This Administration’s immigration policies have been devastating to families, and we as members of Congress have a responsibility to mitigate this harm by reducing the funding that goes toward further attacks on our country’s immigrants and their families. We urge you to oppose a costly mass deportation agenda that undermines our public safety, economic well-being, and values.

Thank you for your consideration of this request and for your considerable efforts on the FY2018 Appropriations bill.

Sincerely,

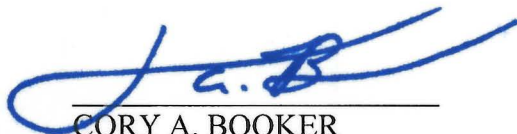

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⁷ *Southern Border Wall: Soaring Cost Estimates and Lack of Planning Raise Fundamental Questions About Administration’s Key Domestic Priority*, HSGAC, MINORITY STAFF REPORT 4, April 2017, available at <https://www.hsgac.senate.gov/border-wall-report>.



MICHAEL F. BENNET
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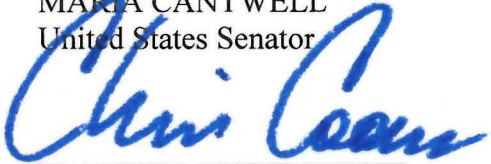
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