

September 16, 2020

Dear Speaker Pelosi, Leader McCarthy, Chairwoman Lowey, Ranking Member Granger, Chairwoman Roybal-Allard, and Ranking Member Fleischmann; Leader McConnell, Minority Leader Schumer, Chairman Shelby, Vice Chairman Leahy, Chairwoman Capito, and Ranking Member Tester:

The undersigned organizations write to urge you to oppose any anomalies or any other funding mechanism that would increase funding for U.S. Customs and Border Protection (CBP) or Immigration and Customs Enforcement (ICE) in a Fiscal Year 2021 Continuing Resolution, including the anomaly requested for CBP by the Office of Management and Budget. The consequence of a Continuing Resolution - which continues Fiscal Year 2020's astronomical funding levels for CBP and ICE - will be harmful and deadly for countless immigrants, the millions who call the border region home, and people across the country now confronting armed CBP officials at political protests. Filling these agencies' coffers *even higher* through an anomaly or surreptitious transfer of funds would be reckless.

CBP and ICE's budgets are historically overfunded and bloated. Since the inception of the Department of Homeland Security, ICE's budget has more than doubled and CBP's has tripled. The agencies are notoriously careless with the funds Congress appropriates them. Just months ago, the Government Accountability Office found that CBP violated the Purpose Clause of the Anti-Deficiency Act by spending money appropriated by Congress for humanitarian aid as part of the 2019 Emergency Supplemental and using it for all-terrain vehicles, dirt bikes, and building equipment.¹ Neither CBP nor ICE needs more money, and it would be irresponsible to give more funds to agencies that repeatedly disregard Congress and fail to use their current money as required by law.

Nor should Congress reward CBP with extra funding for staffing at a time when it is using its personnel to suppress and surveil political dissent² and militarize cities without the permission or cooperation of local elected officials³ using "undisciplined, unnecessary and excessive force."⁴ Using a strained reading

¹ Government Accountability Office, Matter of: U.S. Customs and Border Protection—Obligations of Amounts Appropriated in the 2019 Emergency Supplemental, File: B-331888, June 11, 2020, <https://www.gao.gov/assets/710/707500.pdf>.

² See, e.g., Carol D. Leonnig and Nick Miroff, Washington Post, "Secret service sought tactical aircraft to protect White House amid Floyd demonstrations," Aug. 13, 2020, https://www.washingtonpost.com/politics/secret-service-sought-tactical-aircraft-to-protect-white-house-amid-floyd-demonstrations/2020/08/13/3ceea32a-d5ae-11ea-930e-d88518c57dcc_story.html; Jonathan Levison et al., NPR, "Federal Officers Use Unmarked Vehicles To Grab People In Portland, DHS Confirms," July 17, 2020, <https://www.npr.org/2020/07/17/892277592/federal-officers-use-unmarked-vehicles-to-grab-protesters-in-portland>.

³ See, e.g., Reuters, "U.S., Oregon agree to phase out federal agents from Portland," July 29, 2020, <https://www.reuters.com/article/us-global-race-protests/oregon-says-federal-agents-to-pull-back-from-portland-after-clashes-idUSKCN24U2GW>.

⁴ Rebecca Ellis, "ACLU Adds Federal Agencies to Lawsuit Against Portland Police," OPB, July 17, 2020, <https://www.opb.org/news/article/oregon-aclu-federal-law-enforcement-portland-police-lawsuit/>; Mark Hosenball, "U.S. Homeland Security confirms three units sent paramilitary officers to Portland," Reuters, July 21, 2020, <https://www.reuters.com/article/us-global-race-protests-agents/u-s-homeland-security-confirms-three-units-sent-paramilitary-officers-to-portland-idUSKCN24M2RL>;

of the law that a federal judge recently referred to as “poppycock,” the Department of Homeland Security has been deploying border patrol agents to interview arriving asylum seekers, a policy that requires recently traumatized asylum seekers to recount their past persecution to armed officers in order to even get a shot at an asylum hearing.⁵ Recently, CBP has even been caught using funds to create a dramatized depiction of imaginary political pulp violence intended to stir up fear and nativism.⁶

CBP and ICE must urgently be reined in, which requires fewer taxpayer dollars and more guardrails and restrictions on the use of funding. Now is the time to hold these agencies accountable to their appropriated budgets by rejecting any anomalies or other mechanisms that would increase their funding and instead investing taxpayer dollars to increase community well-being and rebuild from the pandemic’s catastrophic effects.

Sincerely,

National Organizations

ADL (Anti-Defamation League)
Advancement Project, National Office
Advancing Justice - Asian Law Caucus
Advocate Visitors with Immigrants in Detention
African Public Affairs Committee Action Fund
Alianza Americas
Alianza Nacional de Campesinas
America’s Voice
American Friends Service Committee
American Immigration Lawyers Association
Amnesty International USA
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice | AAJC
Asian Pacific Institute on Gender-Based Violence

Maxine Bernstein, The Oregonian, “Former U.S. Customs and Border Protection chief calls federal officers’ actions in Portland: ‘undisciplined, unnecessary and excessive force,’” Aug. 16, 2020, <https://www.oregonlive.com/crime/2020/08/former-us-customs-and-border-protection-chief-calls-federal-officers-actions-in-portland-undisciplined-unnecessary-and-excessive-force.html>;

Temporary Restraining Order Enjoining Federal Agents, *Index Newspapers et al. v. City of Portland et al.*, No. 3:20-cv-1035-SI (Dist. Ct. Or.).

⁵ Vanessa Romo, NPR, “Poppycock: Federal Judge Bars CBP Employees from Screening Asylum Seekers,” Sept. 1, 2020, <https://www.npr.org/2020/09/01/908159565/poppycock-federal-judge-bars-cbp-employees-from-screening-asylum-seekers>.

⁶ Nick Miroff, Washington Post, “The border patrol made this dramatized video showing migrant killing innocent victim in a dark alley,” Sept. 4, 2020, https://www.washingtonpost.com/national/the-border-patrol-made-this-dramatized-video-showing-migrant-murdering-innocent-victim-in-a-dark-alley/2020/09/04/11ad3620-ee9c-11ea-a21a-0fbbe90cfd8c_story.html.

Asociación Pop No'j
Asylum Seeker Advocacy Project (ASAP)
Autistic Self Advocacy Network
Bend the Arc: Jewish Action
Benedictine Sisters of Baltimore
Black Alliance for Just Immigration
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
Center for Biological Diversity
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
Community Change Action
Community Justice Exchange
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Cooperative Baptist Fellowship
Defending Rights & Dissent
Demand Progress
Deported Veterans Support House AC.
Detention Watch Network
Disciples Refugee & Immigration Ministries
Drug Policy Alliance
Earthjustice
Empowering Pacific Islander Communities (EPIC)
Equality Labs
Familia: Trans Queer Liberation Movement
Families Belong Together
Family Equality
FIRM Action
Franciscan Action Network
Freedom for Immigrants
Freedom Network USA
Friends Committee on National Legislation
Haitian Bridge Alliance
Hispanic Federation
Human Impact Partners (HIP)
Human Rights Watch
Immigrant Defense Project
Immigrant Justice Network
Immigrant Legal Resource Center (ILRC)
Immigration Hub

Indian American Muslim Council
Indivisible
International Refugee Assistance Project
Jobs With Justice
Justice Strategies
LA RED, Faith in Action
Latin America Working Group (LAWG)
League of Women Voters of the United States
Lights for Liberty
Local Progress
Matthew Shepard Foundation
Mijente
MoveOn
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Asian Pacific American Women's Forum (NAPAWF)
National Center for Transgender Equality
National Coalition Against Domestic Violence
National Council of Asian Pacific Americans (NCAPA)
National Council of Churches
National Council of Jewish Women
National Council on Independent Living
National Equality Action Team (NEAT)
National Immigrant Justice Center
National Immigration Law Center
National Immigration Litigation Alliance
National Immigration Project of the National Lawyers Guild
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant and Refugee Rights
National Organization for Women
Network in Solidarity with the People of Guatemala (NISGUA)
NETWORK Lobby for Catholic Social Justice
OCA-Asian Pacific American Advocates
Oxfam America
Poder Latinx
Poligon Education Fund
Quixote Center
RAICES
Restore The Fourth
Service Employees International Union (SEIU)
Services, Immigrant Rights & Education Network (SIREN)
Sierra Club
Sisters of Mercy of the Americas Justice Team

South Asian Americans Leading Together (SAALT)
Southeast Asia Resource Action Center
T'ruah: The Rabbinic Call for Human Rights
The Advocates for Human Rights
The Leadership Conference on Civil and Human Rights
Transgender Law Center
UndocuBlack Network
UnidosUS
Union for Reform Judaism
Unitarian Universalists for Social Justice
UNITED SIKHS
United We Dream
Vera Institute of Justice
Voice for Refuge Action Fund
Washington Office on Latin America
Win Without War
Witness at the Border
Witness for Peace Solidarity Collective
Young Center for Immigrant Children's Rights

Local/State/Regional Organizations

Al Otro Lado
Alliance San Diego
American Friends Service Committee, Colorado
Arab Resource & Organizing Center (AROC)
Asian American Advocacy Fund
Asian Americans Advancing Justice - Los Angeles
Asian Americans Advancing Justice-Atlanta
AsylumWorks
Baton Rouge Immigrants' Rights Coalition
Bay Area Asylum Support Coalition (BAASC)
Bilbao Law LLC
Borderlands Restoration Network
California Immigrant Youth Justice Alliance
CASA
Center for Health Progress
CENTRAL AMERICAN RESOURCE CENTER - CARECEN - OF CALIFORNIA
Chispa
Chula Vista Partners in Courage
Church of Our Saviour/La Iglesia de Nuestro Salvador
Cleveland Jobs with Justice
Coalition for Humane Immigrant Rights (CHIRLA)

Colorado People's Alliance (COPA)
Connecticut Bail Fund
CUFFH
Desert Support for Asylum Seekers
Doctors 4 camp closure Florida
El Refugio
Emmanuel Monastery
Espacio Migrante
Faith in New Jersey
Fellowship Southwest
First Friends of NJ & NY
Florence Immigrant & Refugee Rights Project
Gian-Grasso, Tomczak, & Hufe, PC
Hands Across the River
Hope Border Institute
Houston Immigration Legal Services Collaborative
Human Rights Initiative of North Texas
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Action Alliance (formerly Friends of Miami-Dade Detainees)
Immigrant Allies of Marshalltown
Immigrant Defenders Law Center
Immigrant Legal Advocacy Project
Immigration Center of San Bernadino, Inc.
Indivisible Front Range Resistance
Indivisible Puyallup
Inland Coalition for Immigrant Justice
Inter faith Coalition on Immigration
Juntos Philadelphia
Kehilla Community Synagogue
Kentucky Coalition for Immigrant and Refugee Rights
Kino Border Initiative
La Resistencia
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
Los Angeles Center for Law and Justice
Louisiana Advocates for Immigrants in Detention
Madrean Archipelago Wildlife Center
Make the Road Nevada
Make the Road New Jersey
Make the Road Pennsylvania
Mano Amiga
Maryland Against ICE Detention
Maryland Legislative Coalition
Mass communities action network

Massachusetts Law Reform Institute
Migrant and Immigrant Community Action Project
Motivation Motivates
Mountain Dreamers
Multicultural Efforts to end Sexual Assault (MESA)
Never Again Action NH
Nikkei Progressives
NM CAFE
NorCal Resist
North County Immigration Task Force
Northern Illinois Justice for Our Neighbors
Northwest Immigrant Rights Project
Ohio Immigrant Alliance
Operation Restoration
Organización en California de Lideres Campesinas, Inc.
Partnership for the Advancement of New Americans
Peace Action Group of Plymouth Church Seattle, UCC
Prisoners' Legal Services of MA
Public Counsel
QDEP
RGV Equal Voice Network
Rian Immigrant Center
Rocky Mountain Immigrant Advocacy Network (RMIAN)
Rural Organizing Project
San Bernardino Community Service Center
San Diego Organizing Project
Sanctuary DMV
Santa Fe Dreamers Project
Seattle Immigrant Rights Action Group
SIREN (SERVICES, IMMIGRANT RIGHTS AND EDUCATION NETWORK)
Sisters of Mercy NE NH
Sisters of St. Joseph of Orange
South Bay People Power
Southern Border Communities Coalition (SBCC)
SPLC Action Fund
St. Louis Inter-Faith Committee on Latin America
Sueños Sin Fronteras de Tejas
Takoma Park Mobilization - Equal Justice Committee
Temple Beth Am Immigrant Justice Action Team
The Nuestra Tierra Conservation Project
Together Colorado
Together Colorado - Our Lady Mother of the Church
Transformations CDC

University of Maryland Carey Immigration Clinic
UWRA
Wallingford Indivisible
Washington Immigrant Solidarity Network
Wind of the Spirit Immigrant Resource Center