

## Immigration Detention Bed Quota Timeline

March 2016

### What is the immigration detention bed quota?

U.S. Immigration and Customs Enforcement (ICE), the interior enforcement agency of the **Department of Homeland Security (DHS)**, **detains an average of 34,000 individuals daily—nearly half a million people annually**—in a network of over 250 county jails, privately-run contract facilities, and federal facilities. This costs taxpayers more than [\\$2 billion](#) each year.<sup>1</sup> Since 2009, congressional appropriations laws have included language on immigration detention beds that is known as the detention bed quota. No other law enforcement agency is subject to a real or perceived quota for its detainees.

The timeline below maps the origins of the bed quota and legislative develops influenced by the National Immigrant Justice Center (NIJC) and nationwide partners to eliminate it.

<b>March 2016</b>	Reps. Ted Deutch (D-FL) and Bill Foster (D-IL), along with 55 members of Congress, write a <a href="#">letter</a> to the House DHS Appropriations Subcommittee calling for elimination of the bed quota in fiscal year (FY) 2017 appropriations. <sup>2</sup>
<b>February 2016</b>	President Obama releases his <a href="#">FY 2017 budget request</a> , which reduces the bed quota to 30,913 detention beds: 29,953 adult beds at an average rate of \$126.46 per day and 960 family beds at an average rate of \$161.36 per day. <sup>3</sup> The <a href="#">DHS budget justification</a> states that “These detention bed levels ensure the most cost-effective use of Federal dollars by focusing the more costly detention capabilities on priority aliens and those who are subject to mandatory detention by law (mandatory aliens). This strategy allows ICE to place low-risk, non-mandatory aliens in [Alternative to Detention] ATD programs, such as electronic monitoring and intensive supervision.” <sup>4</sup>
<b>December 2015</b>	Congress passes the <a href="#">Consolidated Appropriations Act, 2016</a> to provide funding for the remainder of FY 2016. <sup>5</sup> The bill maintains the 34,000 detention bed quota.
<b>September 2015</b>	Senator Bernie Sanders (I-VT) introduces the <a href="#">Justice is Not for Sale Act of 2015</a> , <sup>6</sup> which seeks to end the bed quota among other criminal justice and immigration detention reforms. The bill is the first effort in the U.S. Senate to eliminate the bed quota. In addition, Reps. Raúl Grijalva (D-AZ), Keith Ellison (D-MN), and Bobby Rush (D-IL) introduce the <a href="#">bill</a> <sup>7</sup> in the U.S. House of Representatives.  Reps. <a href="#">Adam Smith (D-WA)</a> , <sup>8</sup> <a href="#">Deutch</a> , <sup>9</sup> Foster, Bonnie Watson Coleman (D-NJ), Joaquín Castro (D-TX), and Jared Polis (D-CO) offer an amendment to remove the detention bed quota from the short-term FY 2016 <a href="#">Continuing Resolution</a> . <sup>10</sup> The amendment is ultimately rejected.
<b>July 2015</b>	The House Committee on Appropriations passes the <a href="#">DHS Appropriations Act for 2016</a> . <sup>11</sup> The accompanying Committee <a href="#">report</a> <sup>12</sup> increases the bed quota to 34,040 average daily detention beds: 31,280 for adults at an estimated cost of \$123.54 per bed and 2,760 family detention beds at an estimated daily cost of \$342.73.
<b>June 2015</b>	The Senate Appropriations Committee passes the <a href="#">DHS Appropriations Bill for 2016</a> . In the accompanying <a href="#">report</a> , <sup>13</sup> the Committee recommends that funding provide the “resources

	<p>necessary to maintain 34,000 detention beds” and states its expectation for “ICE to vigorously enforce all immigration laws under its purview.”</p> <p>Rep. Deutch introduces the <a href="#">Protecting Taxpayers and Communities from Local Detention Quotas Act</a> (H.R. 2808). The bill seeks to end the practice of including guaranteed bed minimums in immigration detention contracts. Reps. Foster, Lloyd Doggett (D-TX), Grijalva, Jan Schakowsky (D-IL), Adam Smith, and Watson Coleman co-sponsor the bill.</p>
<b>May 2015</b>	<p>Democratic presidential candidate Hillary Clinton <a href="#">criticizes</a> the bed quota stating that “People go out and round up people in order to get paid on a per-bed basis. That just makes no sense at all to me. That’s not the way we should be running any detention facility.”<sup>14</sup></p> <p>Rep. Adam Smith reintroduces the <a href="#">Accountability in Immigration Detention Act</a>. Originally introduced in 2014, the bill seeks to end the bed quota in addition to other immigration detention reforms. Reps. Suzan DelBene (D-WA), Deutch, Foster, Grijalva, Rick Larsen (D-WA), Jim McDermott (D-WA), Beto O’Rourke (D-TX), and Mike Quigley (D-IL) co-sponsor the bill.<sup>15</sup></p>
<b>April 2015</b>	<p>Rep. John Culberson (R-TX) insists that U.S. Immigration and Customs Enforcement (ICE) must enforce the immigration detention bed quota during a House Appropriations Homeland Security Subcommittee <a href="#">hearing</a><sup>16</sup> on <a href="#">ICE’s 2016 budget request</a>.<sup>17</sup> In her testimony, Sarah R. Saldana, ICE Director, reiterated DHS’s position that the bed quota requires DHS to maintain 34,000 beds, not detain 34,000 people per day.</p>
<b>March 2015</b>	<p>The Congressional Progressive Caucus releases their FY 2016 budget alternative called <a href="#">The People’s Budget: A Raise for America</a>.<sup>18</sup> The budget blueprint includes elimination of the bed quota.</p> <p>Reps. Deutch and Foster, along with 60 members of Congress, write a <a href="#">letter</a> to the House Appropriations Committee calling for elimination of the bed quota in FY 2016 appropriations.<sup>19</sup></p>
<b>February 2015</b>	<p>President Obama releases his <a href="#">FY 2016 budget request</a>, which increases the detention bed quota to 34,040: 31,280 adult beds at an average rate of \$123.54 per day and 2,760 family beds at an average rate of \$342.73 per day.<sup>20</sup></p>
<b>January 2015</b>	<p>Reps. Deutch and Foster introduce an <a href="#">amendment</a><sup>21</sup> to eliminate the bed quota from the <a href="#">DHS Appropriations Act of 2015</a> (HR 240).<sup>22</sup> Reps. Adam Smith, Castro, O’Rourke, and Polis also co-sponsor the amendment, which ultimately is rejected.</p> <p>The House of Representatives pass the <a href="#">DHS Appropriations Act of 2015</a> (HR 240).<sup>23</sup> The bill increases Custody Operations funding by <a href="#">\$385 million</a> to maintain the 34,000 bed quota.<sup>24</sup></p>
<b>December 2014</b>	<p>Reps. Deutch and Foster <a href="#">introduce</a><sup>25</sup> an <a href="#">amendment</a><sup>26</sup> to eliminate the bed quota from the <a href="#">FY 15 Omnibus Appropriations Bill</a>.<sup>27</sup> Since the bill was considered under a closed rule with no amendments allowed, the amendment did not receive a vote. Although the omnibus funds the federal government through September 30, 2015, DHS is funded on a short-term continuing resolution that expires February 27, 2015. Consequently, Congress will debate DHS funding again early next year.</p>
<b>August 2014</b>	<p>The DHS Office of the Inspector General (OIG) releases a revised <a href="#">report</a> on the February 2013 release of Immigration and Customs Enforcement (ICE) immigration detainees due to sequestration.<sup>28</sup> In the report, the OIG acknowledges that “The [average daily population (ADP)] congressional mandate requires [Enforcement and Removal Operations (ERO)] to make release decisions based on bed space availability, not whether detention is necessary for public safety or to effect removals.”<sup>29</sup> The OIG recommends that ICE needs the authority to determine when individuals should be detained. Without this authority, OIG states that “ICE will</p>

	continue to make detention decisions based on available funding rather than the most efficient use of detention bed space." <sup>30</sup>
<b>June 2014</b>	Rep. Quigley introduces an amendment to eliminate the bed quota during the House Appropriations Committee hearing on June 11 <sup>th</sup> . Reps. Mike Honda (D-CA), José Serrano (D-NY), and David Valadao (R-CA) all <a href="#">spoke in favor of the amendment</a> . <sup>31</sup> Rep. Valadao's comments marked the first time a Republican directly spoke out in opposition to the bed quota. Ultimately, Rep. Quigley withdrew the amendment; however, no one spoke out in opposition to the amendment.
<b>May 2014</b>	Rep. Adam Smith introduces the <a href="#">Accountability in Immigration Detention Act</a> of 2014, which aims to improve standards and living conditions in detention centers across the country. The legislation eliminates the bed quota, stating that "the number of detention beds maintained shall be determined by the Secretary of Homeland Security and shall be based solely on detention needs." <sup>32</sup>  The <i>Los Angeles Times</i> publishes an editorial entitled, " <a href="#">Dump the Immigrant Detainee Quota</a> ." <sup>33</sup>  At the May 30 <sup>th</sup> <a href="#">House Judiciary DHS Oversight hearing</a> , DHS Secretary Jeh Johnson clarifies again that he does not interpret the bed quota to mean that 34,000 beds must be filled, but rather maintained. Rep. Raúl Labrador (R-ID) agrees with Sec. Johnson's interpretation. <sup>34</sup>
<b>April 2014</b>	The OMB <a href="#">states in writing</a> that the FY 2015 budget request does not include appropriations language requiring ICE to maintain a specified number of beds per day, and instead urges the number of beds utilized to "be based on actual demand, to include those for whom detention is required by law (i.e., mandatory detainees) and higher-priority, non-mandatory individuals. Lower-priority individuals should be placed in alternatives to detention programs." <sup>35</sup>
<b>March 2014</b>	The president's <a href="#">2015 proposed budget</a> advocates for the increased use of ATDs and restricting detention to "mandatory and priority individuals, including violent criminals and those who pose a threat to national security." <sup>36</sup> Although the proposed budget deletes language from the FY 2014 budget that required DHS to maintain at least 34,000 detention beds, the <a href="#">DHS Budget-In-Brief</a> explains that its request for \$1.3 billion is to fund 30,539 detention beds. <sup>37</sup> The <a href="#">DHS Congressional Budget Justification</a> <sup>38</sup> explains that the administration seeks removal of the reference to maintenance of 34,000 beds because "[t]he number of beds maintained should be based on actual need." <a href="#">DHS Secretary Johnson explained</a> to House appropriators that he views the quota as a requirement to "maintain the capability for 34,000 detainees" and not that DHS "must maintain 34,000 detainees at any one time." <sup>39</sup>
<b>February 2014</b>	Reps. Deutch and Foster, along with 26 other members of Congress, deliver a <a href="#">letter</a> to the Office of Management and Budget (OMB) requesting an end to the bed quota in order to "use detention beds based on actual need and the potential risk posed by individual detainees." <sup>40</sup>  People detained at the Northwest Detention Center in Tacoma, Washington begin a hunger strike, citing poor detention conditions and capture the attention of Rep. Adam Smith, who reaches out to DHS Secretary Johnson about his <a href="#">concerns</a> . <sup>41</sup>
<b>January 2014</b>	Advocates organize "Eliminate the Quota" sign-on letters to <a href="#">Congress</a> <sup>42</sup> (Members of the Senate and House Appropriations Committees) and the <a href="#">White House</a> <sup>43</sup> signed by 136 non-governmental organizations (NGOs).  Reps. Bill Foster (D-IL) and Ted Deutch (D-FL) introduce an <a href="#">amendment</a> to eliminate the bed quota in the FY 2014 omnibus appropriations bill. <sup>44</sup> Since the bill is voted on in a closed rule, votes on amendments are not permitted. <sup>45</sup> The final <a href="#">Consolidated Appropriations Act of 2014</a>

	states that DHS “shall maintain a level of not less than 34,000 detention beds.” <sup>46</sup>
<b>Sept. - Nov. 2013</b>	Flurry of <a href="#">media coverage</a> over the bed quota, including 10 prominent media stories in <a href="#">Bloomberg</a> , <a href="#">Washington Post</a> , <a href="#">Univision</a> , <a href="#">Marketplace</a> , <a href="#">The Hill</a> , <a href="#">MSNBC</a> , <a href="#">NPR</a> , and the <a href="#">Houston Chronicle</a> . <sup>47</sup>  <a href="#">Bloomberg</a> runs an editorial entitled “ <a href="#">The Madness of U.S. Immigration Policy</a> .” <sup>48</sup>
<b>September 2013</b>	65 House Democrats send a <a href="#">letter</a> to President Obama urging elimination of the bed quota from future budget requests. <sup>49</sup>
<b>June 2013</b>	The House <a href="#">votes</a> on the first-ever <a href="#">amendment</a> (HR 2217) <sup>50</sup> to eliminate the bed quota from the <a href="#">FY 14 DHS appropriations bill</a> . <sup>51</sup> The amendment is sponsored by Reps. Foster and Deutch and receives the support of 190 Members, including eight Republicans. <sup>52</sup>  NGOs deliver a <a href="#">letter</a> signed by 65 organizations to House Speaker John Boehner (R-OH) and House Minority Leader Nancy Pelosi (D-CA) asking them to support the amendment to eliminate the quota. <sup>53</sup>
<b>April 2013</b>	The president releases his proposed <a href="#">FY 2014 Budget</a> , promoting the expansion of alternatives to detention programs in order to “ensure the most cost-effective use of federal dollars.” <sup>54</sup> The <a href="#">proposed budget</a> also prioritizes detention resources for priority and mandatory detainees calling for a 6.5 percent reduction in bed space to 31,800. <sup>55</sup>  In <a href="#">testimony</a> before the House Appropriations Subcommittee on Homeland Security’s hearing on the president’s FY 2014 budget, DHS Secretary Janet Napolitano calls the bed quota “artificial” and states that “We ought to be managing the actual detention population to risk, not an arbitrary number.” <sup>56</sup>
<b>March 2013</b>	Congress passes a <a href="#">second continuing resolution</a> for the remainder of FY 2013 that increases the bed quota, stating that DHS “shall maintain a level of not less than 34,000 detention beds.” <sup>57</sup>  The House Judiciary Committee calls a hearing asking ICE to explain the February releases of detainees, providing an unprecedented discussion by both Republicans and Democrats about the <a href="#">overuse of immigration detention</a> and the bed quota itself. <sup>58</sup> During the hearing, Rep. Spencer Bachus (R-AL) <a href="#">questions</a> ICE’s use of detention, stating “It looks to me maybe there’s an overuse of detention by this administration.” <sup>59</sup>
<b>February 2013</b>	ICE <a href="#">releases</a> approximately 2,000 detainees over a two-week period to plan for the possibility of sequestration and budget constraints as a result of the six-month continuing resolutions. <sup>60</sup>
<b>September 2012</b>	Congress fails to pass the appropriations bills for FY 2013 and instead passes a <a href="#">six-month continuing resolution</a> that maintains FY 2012 funding levels for detention. <sup>61</sup>
<b>February 2012</b>	The president’s proposed <a href="#">FY 2013 budget</a> <sup>62</sup> slightly reduces requested detention spending to 32,800 beds. The <a href="#">DHS appropriations bill</a> passed by the House maintains 34,000 beds, <sup>63</sup> while the <a href="#">DHS appropriations bill</a> introduced but not passed by the Senate includes 33,400 beds. <sup>64</sup>
<b>2011</b>	The president requests to maintain a level of 33,400 detention beds in the <a href="#">FY 2012 budget</a> . <sup>65</sup>  Congress does not pass the DHS appropriations bill for FY 2012, and instead passes the <a href="#">Consolidated Appropriations Act of 2012</a> , raising the level up to 34,000. <sup>66</sup>
<b>2010</b>	President Obama’s <a href="#">proposed budget</a> for FY 2011 matches the same level of funding for 33,400 detention beds as FY 2010 congressional appropriations. <sup>67</sup>  The <a href="#">DHS Appropriations Act of 2011</a> <sup>68</sup> includes the same language as the <a href="#">DHS Appropriations Act of 2010</a> , <sup>69</sup> providing a mandate for 33,400 detention beds. However, Congress does not

	pass the bill and instead passes a series of continuing resolutions that maintain FY 2010 funding levels.
<b>2009</b>	Senator Robert Byrd (D-WV), chair of the Senate Appropriations Committee, introduces the bed quota into the <a href="#">DHS Appropriations Act of 2010</a> , where language mandating that DHS “maintain a level of not less than 33,400 detention beds” is first included. <sup>70</sup>
<b>2007</b>	The House Committee on Appropriations passes the <a href="#">DHS Appropriations Act for 2008</a> . <sup>71</sup> In the accompanying <a href="#">report</a> <sup>72</sup> , the Committee provides funding for 28,450 average daily detention beds and states its expectation that “this increase in bed space is sufficient to maintain the ICE practice of repatriating all illegal crossers apprehended at the borders.”
<b>2006</b>	During the <a href="#">signing</a> <sup>73</sup> of the <a href="#">DHS Appropriations Act for 2007</a> , <sup>74</sup> President Bush notes that the act “will allow us to add at least 6,700 new beds in detention centers,” providing for a total of 27,500 beds. <sup>75</sup>
<b>2004</b>	The <a href="#">Intelligence Reform and Terrorism Prevention Act of 2004</a> directs DHS to increase the immigration detention capacity by at least 8,000 beds each year from fiscal years (FY) 2006 to 2010. <sup>76</sup>

## Endnotes

<sup>1</sup> National Immigration Forum, *The Math of Immigration Detention: Runaway Costs of Immigration Detention Do Not Add Up to Sensible Policies* (Aug. 2013), <http://immigrationforum.org/wp-content/uploads/2014/10/Math-of-Immigration-Detention-August-2013-FINAL.pdf>.

<sup>2</sup> Available at [http://www.immigrantjustice.org/sites/immigrantjustice.org/files/FY17AppropsHouseQuotaLetter2016\\_03\\_15.pdf](http://www.immigrantjustice.org/sites/immigrantjustice.org/files/FY17AppropsHouseQuotaLetter2016_03_15.pdf).

<sup>3</sup> DHS, *Budget-in-Brief Fiscal Year 2017* at p. 38, [https://www.dhs.gov/sites/default/files/publications/FY2017\\_BIB-MASTER.pdf](https://www.dhs.gov/sites/default/files/publications/FY2017_BIB-MASTER.pdf).

<sup>4</sup> DHS, *Congressional Budget Justification FY 2017 – Vol. 2* at p. 44,

<https://www.dhs.gov/sites/default/files/publications/FY2017CongressionalBudgetJustification-Volume2.pdf>.

<sup>5</sup> Consolidated Appropriations Act, 2016, H.R. 2029, P.L. 114-113, 114<sup>th</sup> Cong. at p. 257 (Dec. 18, 2015),

<https://www.congress.gov/114/bills/hr2029/BILLS-114hr2029enr.pdf>.

<sup>6</sup> Justice Is Not for Sale Act, 114<sup>th</sup> Cong., <http://www.sanders.senate.gov/download/justice-is-not-for-sale-act?inline=file>.

<sup>7</sup> Justice Is Not for Sale Act, H.R. 3543, 114<sup>th</sup> Cong. (Sept. 17, 2015), <https://www.congress.gov/114/bills/hr3543/BILLS-114hr3543ih.pdf>.

<sup>8</sup> Press Release, Office of Adam Smith, Congressman Smith Statement on Amendment to End Detention Bed Mandate (Oct. 2, 2015) <https://adamsmith.house.gov/media-center/press-releases/congressman-smith-statement-on-amendment-to-end-detention-bed-mandate>.

<sup>9</sup> Press Release, Office of Ted Deutch,

Rules Committee Rejects Deutch-Foster Amendment to End Detention Bed Mandate (Sept. 30, 2015),

<http://teddeutch.house.gov/news/documentsingle.aspx?DocumentID=398498>.

<sup>10</sup> Continuing Appropriations Act, 2016, H.R. 719, P.L. 114-53, 114<sup>th</sup> Cong. (Jan. 6, 2015),

<https://www.congress.gov/114/bills/hr719/BILLS-114hr719enr.pdf>.

<sup>11</sup> Department of Homeland Security Appropriations Act, 2016, H.R. 3128, 114<sup>th</sup> Cong. (July 21, 2015),

<https://www.congress.gov/114/bills/hr3128/BILLS-114hr3128rh.pdf>.

<sup>12</sup> H.R. Rep. No. 114-215 (July 21, 2015), <https://www.congress.gov/114/crpt/hrpt215/CRPT-114hrpt215.pdf>.

<sup>13</sup> S. Rep. No. 114-68 (June 18, 2015), <https://www.congress.gov/114/crpt/srpt68/CRPT-114srpt68.pdf>.

<sup>14</sup> Elise Foley, *Hillary Clinton Goes Big On Immigration*, Huffington Post (May 6, 2015),

[http://www.huffingtonpost.com/2015/05/05/hillary-clinton-immigration-reform\\_n\\_7217768.html](http://www.huffingtonpost.com/2015/05/05/hillary-clinton-immigration-reform_n_7217768.html).

<sup>15</sup> Accountability in Immigration Detention Act, H.R. 4620, 113<sup>th</sup> Cong. (May 8, 2014),

<https://www.congress.gov/113/bills/hr4620/BILLS-113hr4620ih.pdf>.

<sup>16</sup> Recording of the House Committee on Appropriations Subcommittee on Homeland Security holds a budget hearing on Immigration and Customs Enforcement (Apr. 15, 2015), <https://www.youtube.com/watch?v=PE-wgd0r6Pw>.

<sup>17</sup> DHS, *Budget-in-Brief Fiscal Year 2016*, [http://www.dhs.gov/sites/default/files/publications/FY\\_2016\\_DHS\\_Budget\\_in\\_Brief.pdf](http://www.dhs.gov/sites/default/files/publications/FY_2016_DHS_Budget_in_Brief.pdf).

<sup>18</sup> Congressional Progressive Caucus, *The People's Budget: A Raise for America* (Mar. 2015), [http://immigrantjustice.org/sites/immigrantjustice.org/files/CPC\\_FY16\\_PeoplesBudget.pdf](http://immigrantjustice.org/sites/immigrantjustice.org/files/CPC_FY16_PeoplesBudget.pdf).

<sup>19</sup> Available at

[http://www.immigrantjustice.org/sites/immigrantjustice.org/files/FY16\\_MOCLetterDHSAppropriationsBedQuota\\_2015\\_03\\_26.pdf](http://www.immigrantjustice.org/sites/immigrantjustice.org/files/FY16_MOCLetterDHSAppropriationsBedQuota_2015_03_26.pdf).

<sup>20</sup> DHS, *Budget-in-Brief Fiscal Year 2016* at p. 54.

<sup>21</sup> Amendment to Department of Homeland Security Appropriations Act of 2015, H.R. 240, 114<sup>th</sup> Cong. (Jan. 9, 2015), [http://immigrantjustice.org/sites/immigrantjustice.org/files/2015\\_01\\_DeutchFoster\\_BedQuotaAmdt\\_HR240.pdf](http://immigrantjustice.org/sites/immigrantjustice.org/files/2015_01_DeutchFoster_BedQuotaAmdt_HR240.pdf).

<sup>22</sup> Department of Homeland Security Appropriations Act, 2015, H.R. 240, 114<sup>th</sup> Cong. (Jan. 14, 2015), <https://www.congress.gov/114/bills/hr240/BILLS-114hr240eh.pdf>.

<sup>23</sup> Department of Homeland Security Appropriations Act, 2015, H.R. 240, 114<sup>th</sup> Cong. (Jan. 14, 2015), <https://www.congress.gov/114/bills/hr240/BILLS-114hr240eh.pdf>.

<sup>24</sup> Explanatory Statement Submitted by Mr. Rogers of Kentucky, Chairman of the House Committee on Appropriations, Regarding H.R. 240 at 26, <http://docs.house.gov/billsthisweek/20150112/114-HR240-ES.pdf>.

<sup>25</sup> Press Release, Office of Congressman Bill Foster, Foster, Deutch Continue Efforts to End Immigrant Detention Bed Mandate (Dec. 11, 2014), <http://foster.house.gov/media-center/press-releases/foster-deutch-continue-efforts-to-end-immigrant-detention-bed-mandate>.

<sup>26</sup> Amendment to Rules Committee Print 113-59, Offered by Congressman Ted Deutch,

[http://www.immigrantjustice.org/sites/immigrantjustice.org/files/2014\\_12\\_DeutchFoster\\_CRamdt.pdf](http://www.immigrantjustice.org/sites/immigrantjustice.org/files/2014_12_DeutchFoster_CRamdt.pdf).

<sup>27</sup> Consolidated and Further Continuing Appropriations Act, 2015, H.R. 83, P.L. 113-235, 113<sup>th</sup> Cong. (Dec. 16, 2014), <https://www.congress.gov/113/plaws/publ235/PLAW-113publ235.pdf>.

<sup>28</sup> DHS Office of Inspector General, ICE's Release of Immigration Detainees, OIG-14-116 (Revised) (Aug. 2014), [http://immigrantjustice.org/sites/immigrantjustice.org/files/OIG\\_Report\\_ICEdetaineeerelease\\_2014\\_08.pdf](http://immigrantjustice.org/sites/immigrantjustice.org/files/OIG_Report_ICEdetaineeerelease_2014_08.pdf).

<sup>29</sup> *Id.* at 18.

<sup>30</sup> *Id.*

<sup>31</sup> Detention Watch Network, Recording of the House Appropriations Committee discussion of the bed quota (Jun. 11, 2014), <https://www.youtube.com/watch?v=jBiPnXDSHg&feature=youtu.be>.

<sup>32</sup> Accountability in Immigration Detention Act of 2014 § 4(a), [http://adamsmith.house.gov/uploadedfiles/final\\_-\\_accountability\\_in\\_immigration\\_detention\\_act\\_of\\_2014.pdf](http://adamsmith.house.gov/uploadedfiles/final_-_accountability_in_immigration_detention_act_of_2014.pdf).

<sup>33</sup> Times Editorial Board, *Editorial: Dump the Immigrant Detainee Quota*, L.A. Times, May 8, 2014,

<http://www.latimes.com/opinion/editorials/la-ed-immigrant-detainee-quota-homeland-security-20140509-story.html>.

<sup>34</sup> *Department of Homeland Security Oversight hearing before the H. Committee on the Judiciary*, 113<sup>th</sup> Cong. (May 29, 2014), [www.c-span.org/video/?319614-1/homeland-security-department-oversight-hearing](http://www.c-span.org/video/?319614-1/homeland-security-department-oversight-hearing).

<sup>35</sup> Available at

<http://immigrantjustice.org/sites/immigrantjustice.org/files/OMB%20response%20to%20Detention%20Bed%20Letter%20in%20FY15%20budget%20041014.pdf>.

<sup>36</sup> U.S. Office of Management and Budget. *Fiscal Year 2015 Budget of the U.S. Government*, Washington: Government Printing Office, 2014, <http://www.gpo.gov/fdsys/pkg/BUDGET-2015-BUD/pdf/BUDGET-2015-BUD.pdf>.

<sup>37</sup> DHS, *Budget-in-Brief Fiscal Year 2014* at p. 13, <https://www.dhs.gov/sites/default/files/publications/FY-2015-BIB.pdf>.

<sup>38</sup> DHS, *FY 2015 Budget Overview*, <http://www.dhs.gov/sites/default/files/publications/DHS-Congressional-Budget-Justification-FY2015.pdf>.

<sup>39</sup> *Department of Homeland Security Appropriations for 2015: Hearing on FY 2015 DHS President's Budget Before the H. Subcomm. on Homeland Security*, 113<sup>th</sup> Cong. (Mar. 11, 2014), <http://appropriations.house.gov/calendar/eventsingle.aspx?EventID=371296>.

<sup>40</sup> Available at

[http://immigrantjustice.org/sites/immigrantjustice.org/files/2014\\_02\\_12%20OMB%20re%20Detention%20Bed%20Mandate%20FY15%20Budget%20SIGNED%20LETTER.pdf](http://immigrantjustice.org/sites/immigrantjustice.org/files/2014_02_12%20OMB%20re%20Detention%20Bed%20Mandate%20FY15%20Budget%20SIGNED%20LETTER.pdf).

<sup>41</sup> Press Release, Office of Congressman Adam Smith, Smith Expresses Concerns About Hunger Strike, Deportation Policy to DHS Secretary Jeh Johnson (Mar. 24, 2014), <http://adamsmith.house.gov/news/documentsingle.aspx?DocumentID=373759>.

<sup>42</sup> Available at [http://immigrantjustice.org/sites/immigrantjustice.org/files/FINAL%20ONGO%20sign-on%20bed%20mandate%20-%20Congress%201.24.14\\_1.pdf](http://immigrantjustice.org/sites/immigrantjustice.org/files/FINAL%20ONGO%20sign-on%20bed%20mandate%20-%20Congress%201.24.14_1.pdf).

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