



**CHAUFFEUR AT THE BORDER, CONCIERGE IN THE INTERIOR:
HOW THE BIDEN ADMINISTRATION REWARDS ILLEGAL ALIENS
ON THE TAXPAYERS' DIME**

Interim Staff Report of the
Committee on the Judiciary
and
Subcommittee on Immigration Integrity, Security, and Enforcement

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EXECUTIVE SUMMARY

With President Biden’s open-borders policies fueling a spike in illegal immigration at the southwest border, the number of illegal aliens released into the United States has eclipsed 5.3 million,¹ with at least 1.9 million known “gotaways” escaping into the country.² Despite these historic numbers, the Biden Administration continues to incentivize mass illegal immigration into the United States. In fact, far from imposing consequences on illegal aliens and removing them from the country, the Biden Administration encourages illegal aliens to arrive at the border, chauffeurs them into the interior, and then rewards them with concierge services, all on the taxpayers’ dime and at the expense of public safety.

Since the beginning of the Biden Administration, U.S. Immigration and Customs Enforcement (ICE) has focused on expanding Alternatives to Detention (ATD) to purportedly monitor non-detained illegal aliens in the United States. Although ICE bills ATD as “exist[ing] to ensure compliance with release conditions and provid[ing] important case management services,” ATD, which can include technology like GPS devices,³ repeatedly fails to adequately monitor illegal aliens.⁴ Instead, ATD in the Biden Administration serves as a taxpayer-provided windfall for illegal aliens to receive social services once they are inside the United States.⁵

As just one example of the taxpayer-funded services provided to illegal aliens, the Biden Administration’s Young Adult Case Management Program (YACMP), an ATD subprogram, provides illegal aliens with legal orientation programs, legal service provider referrals, human trafficking screenings, and referrals to social service providers.⁶ The “service providers” to which illegal aliens are referred include Planned Parenthood and an open-borders immigration advocacy group that frequently sues the U.S. government to end immigration enforcement.⁷ Despite the program’s stated goal of promoting compliance with immigration court appearances

¹ See H. Comm. on the Judiciary, Rep. on The Biden Border Crisis: How the Biden Admin. Opened the Sw. Border and Abandoned Interior Immigr. Enf’t at App’x 1 (Oct. 9, 2023); U.S. Customs and Border Prot., *Custody and Transfer Statistics FY 2023*, U.S. DEP’T OF HOMELAND SEC. (last accessed Mar. 22, 2024); U.S. Customs and Border Prot., *Custody and Transfer Statistics FY 2024*, U.S. DEP’T OF HOMELAND SEC. (last accessed June 25, 2024); Camilo Montoya-Galvez, *Biden administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting*, CBS NEWS (Jan. 22, 2024), <https://www.cbsnews.com/news/immigration-parole-biden-administration-1-million-migrants/>; *Latest UC Data, Total Monthly Discharges to Individual Sponsors Only*, U.S. DEP’T OF HEALTH AND HUMAN SERVS. (last accessed Mar. 22, 2024); Off. of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, U.S. DEP’T OF HEALTH AND HUMAN SERVS. (last accessed June 25, 2024); U.S. Customs and Border Prot., *CBP Releases May 2024 Monthly Update*, U.S. DEP’T OF HOMELAND SEC. (June 20, 2024); Immigr. and Customs Enf’t, *Daily SWB Placemat*, U.S. DEP’T OF HOMELAND SEC. (Apr. 2023–June 2024) (on file with Comm.); Off. of Homeland Sec. Statistics, *Immigr. Enf’t and Legal Processes Monthly Tables – Feb. 2024*, U.S. DEP’T OF HOMELAND SEC. (last accessed June 25, 2024).

² Casey Harper, *Border crisis creates national security threat for U.S., observers say*, WASH. EXAMINER (Aug. 7, 2023); Bill Melugin (@BillMelugin_), X (June 20, 2024, 10:22 AM).

³ Alternatives to Detention, U.S. IMMIGR. AND CUSTOMS ENF’T, <https://www.ice.gov/features/atd> (last accessed June 26, 2024).

⁴ See discussion *infra* Chauffer at the Border: Sacrificing Immigration Enforcement to Expedite Illegal Alien Releases.

⁵ See discussion *infra* Concierge in the Interior: Illegal Aliens Rewarded with Taxpayer-Funded Social Services.

⁶ *Id.*

⁷ Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

and release conditions, as of February 2024, almost 650 of the program’s 6,505 participants were non-compliant with the program—meaning, for instance, that the program had lost contact with the illegal alien.⁸ Yet there have been no consequences for noncompliance, with ICE admitting that “[n]o arrests have been made on any of the noncompliant cases.”⁹ Instead, ICE celebrates this taxpayer-funded program, with then-Acting Director Tae Johnson boasting it is a means to “help ICE address the needs of young adults as they navigate the immigration process at a critical time in their lives.”¹⁰

Another ATD subprogram, the Case Management Pilot Program (CMPP), awards funds to nonprofit organizations to provide “mental health services; trafficking screening; legal orientation programs; cultural orientation programs; connections to social services; and departure planning and reintegration services for individuals returning to their home countries.”¹¹ Congress provided an initial \$5 million to create the program in fiscal year 2021, with an additional \$15 million of funding provided in 2022.¹² In March 2024, as a part of the omnibus appropriations bill, Congress approved and President Biden signed into law an additional \$15 million for CMPP through September 30, 2025.¹³ CMPP is led by a DHS bureaucrat who previously called for limiting immigration detention, minimized the seriousness of illegal aliens’ criminal activity,¹⁴ and is connected with both a university think tank and one academic who have been described as anti-Israel.¹⁵ Together, these programs, YACMP and CMPP, amount to personal concierges for thousands of illegal aliens—all on the taxpayers’ dime.

The Biden Administration’s emphasis on ATD and social programs for illegal aliens only serves to fuel the border crisis and reward illegal aliens for crossing the southwest border. To date, the Committee’s and Subcommittee’s oversight has revealed:

- As ICE’s Enforcement and Removal Operations (ERO), which oversees the “identification, arrest, detention[,] and removal of [aliens] who are subject to removal or are unlawfully present in the U.S.,”¹⁶ struggled with a lack of resources because of the

⁸ U.S. Immigr. and Customs Enf’t briefing on YACMP with Comm. staff (Feb. 16, 2024); Enrollee Summary by Type as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

⁹ Response to Get-Backs provided to Comm. staff (Feb. 2024) (on file with Comm.).

¹⁰ U.S. Immigr. and Customs Enf’t, *ICE releases RFP for case management program geared toward young adults*, U.S. DEP’T OF HOMELAND SEC. (Feb. 2, 2022), <https://www.ice.gov/news/releases/ice-releases-rfp-case-management-program-geared-toward-young-adults>.

¹¹ DHS Case Management Pilot Program, U.S. DEP’T OF HOMELAND SEC., <https://www.dhs.gov/dhs-cmpp> (last accessed June 10, 2024).

¹² CMPP: Trauma Informed Case Management, CMPP, <https://cmpp.org/> (last accessed June 10, 2024).

¹³ Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. C, title I (2024).

¹⁴ Jenni Taer, *Top Biden DHS Official Previously Advocated Against Deporting Convicted Felons*, DAILY CALLER (July 10, 2023, 8:31 AM), <https://dailycaller.com/2023/07/10/top-biden-dhs-official-advocated-deporting-convicted-felons/>.

¹⁵ Chuck Ross, *DHS Official Worked With Anti-Israel Group Tied to Embattled Biden Judicial Nominee*, FREE BEACON (Mar. 29, 2024), <https://freebeacon.com/biden-administration/dhs-official-worked-with-anti-israel-group-tied-to-embattled-biden-judicial-nominee/>.

¹⁶ Enf’t and Removal Operations, U.S. IMMIGR. AND CUSTOMS ENF’T, <https://www.ice.gov/about-ice/ero> (last accessed June 10, 2024).

border crisis, the Biden Administration funneled ERO funds to a new office focused on ATD for illegal aliens who are released into the United States.¹⁷

- As part of one taxpayer-funded program, ICE contractors referred illegal aliens to receive services from groups like Planned Parenthood,¹⁸ an organization that promotes “kink” events and advocates for transgender surgeries for children,¹⁹ and a group that has compared Republican governors to Russian President Vladimir Putin.²⁰
- Another DHS program has been allocated \$55 million to provide “trauma-informed” services to illegal aliens, including legal orientation programs and “departure planning and reintegration” services for illegal aliens who are ordered removed from the United States.²¹ That program is led by a board comprised of open-borders non-governmental organizations that financially benefit from the border crisis, including one organization that has called for abolishing ICE.²²
- Claire Trickler-McNulty, the former head of ICE’s Office of Immigration Program Evaluation (OIPE), which helped develop ATD programs, admitted that ICE lacks sufficient data to accurately judge the overall effectiveness of ATD, particularly because data about aliens who abscond from ATD is “a little hard to fully understand.”²³
- In March 2024, the Committee increased its scrutiny of OIPE. On March 25, 2024, Chairman Jim Jordan and Immigration Integrity, Security, and Enforcement Subcommittee Chairman Tom McClintock requested Trickler-McNulty to appear at a transcribed interview to discuss her office’s role in the nation’s historic immigration crisis.²⁴ Just weeks after the Committee’s oversight of her office, Trickler-McNulty left

¹⁷ See Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 10-11 (May 22, 2024) (on file with Comm.).

¹⁸ See Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

¹⁹ Press Release, Los Angeles LGBT Center Unites California Kink Community for Inaugural Leather Day of Advocacy in Sacramento, Los Angeles LGBT Center (Apr. 17, 2023), <https://lalgbtcenter.org/vanguard/press-releases/los-angeles-lgbt-center-unites-california-kink-community-for-inaugural-leather-day-of-advocacy-in-sacramento/>; Press Release, Los Angeles LGBT Center On Email Leak Exposing National Religious-Right Attacks on Trans Rights, Los Angeles LGBT Center (Mar. 8, 2023), <https://lalgbtcenter.org/vanguard/press-releases/los-angeles-lgbt-center-on-email-leak-exposing-national-religious-right-attacks-on-trans-rights/>.

²⁰ *Team Putin: Desantis, Abbot Follow in Footsteps of Russia's Dictator with Their Anti-LGBTQIA agenda*, RUSA LGBTQ+, <https://www.rusalgbtq.org/updates/team-putin%3A-desantis%2C-abbot-follow-in-footsteps-of-russia's-dictator-with-their-anti-lgbtqia-agenda>.

²¹ CMPP Briefing to Comm. staff (Feb. 22, 2024); Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. C, title I (2024). CMPP was created by Congress in the Consolidated Appropriations Act, 2021. See Consolidated Appropriations Act, 2021, Pub. L. 116-260, div. F, title I, 134 Stat. 1182, 1449 (2020).

²² See CMPP Briefing to Comm. staff (Feb. 22, 2024); CMPP: Trauma Informed Case Management, CMPP, <https://cmpp.org/> (last accessed June 10, 2024); Adam Shaw, *Nonprofit that backs defunding ICE to oversee DHS pilot program aiding illegal immigrants*, FOX NEWS (Oct. 20, 2022, 2:56 PM), <https://www.foxnews.com/politics/nonprofit-backs-defunding-ice-oversee-dhs-pilot-program-aiding-illegal-immigrants>.

²³ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 30, 41 (May 22, 2024) (on file with Comm.).

²⁴ Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Claire Trickler-McNulty, Off. of Immigr. Program Evaluation (Mar. 25, 2024), available at <https://judiciary.house.gov/sites/evo-subsites/republicans->

OIPE for a six-month detail as senior counselor to the Director of U.S. Citizenship and Immigration Services beginning on April 15, 2024.²⁵ OIPE no longer exists, and there are no plans to reconstitute the office after Trickler-McNulty's detail ends in late 2024.²⁶ Upon her return to ICE, Trickler-McNulty plans to serve as senior counselor to the ICE Director.²⁷

- Because of these programs, in June 2024, Chairman Jordan requested that the Appropriations Committee prohibit funding for YACMP, CMPP, and other social services programs for illegal aliens.²⁸ In response, the DHS appropriations bill that passed the U.S. House of Representatives on June 28, 2024, included no funding for YACMP, CMPP, or other illegal alien services.²⁹

This interim staff report highlights how the Biden Administration has funneled millions of American taxpayer dollars to supporting illegal aliens, oftentimes through left-wing nonprofit organizations, at the expense of border security and immigration integrity. The Committee and Subcommittee will continue our oversight of the border crisis to inform the U.S. House of Representatives on legislative reforms to secure the border, end funding of these destructive programs, reform immigration law, and stop the Biden Administration's policy incentives that fuel the border crisis.

judiciary.house.gov/files/evo-media-document/2024-03-25%20JDJ%20TM%20to%20ICE%20ERO%20re%20Claire%20Trickler-McNulty%20TI%20request.pdf.

²⁵ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 15 (May 22, 2024) (on file with Comm.).

²⁶ *Id.* at 15-16.

²⁷ *Id.* at 63.

²⁸ Letter from Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Tom Cole, Chairman, H. Comm. on Appropriations (June 3, 2024), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-06-03%20JDJ%20to%20Cole%20re%20Appropriations%20Riders%20List.pdf>.

²⁹ H.R. 8752, Department of Homeland Security Appropriations Act, 2025, 118th Cong. (2024); *see* Mychael Schnell, *House approves trio of funding bills as spending fight looms*, THE HILL (June 28, 2024, 11:08 AM), <https://thehill.com/homenews/house/4745725-house-approves-government-funding-bills/>.

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**CHAUFFEUR AT THE BORDER: SACRIFICING IMMIGRATION ENFORCEMENT TO EXPEDITE
ILLEGAL ALIEN RELEASES**

From the beginning of his term, President Biden has sought to reimagine immigration detention, which is mandated by the Immigration and Nationality Act, in favor of releasing illegal alien and relying on so-called Alternatives to Detention (ATD) programs. In transcribed interviews before the Committee, senior Immigration and Customs Enforcement (ICE) officials admitted how DHS has diverted resources from immigration enforcement to not only manage President Biden’s open borders but also create new policies to support illegal aliens who are released into the United States.

With a historic number of southwest border encounters, DHS has shifted from mandatory detention of illegal aliens to releasing aliens and placing them on ATD. Claire Trickler-McNulty, former Assistant Director of ICE’s Office of Immigration Program Evaluation (OIPE), joined the Biden Administration in January 2021 as part of an existing ICE component known as the Office of Detention Policy and Planning.³⁰ The new Biden Administration quickly rebranded the office as OIPE, complete with a shift in focus away from detention.³¹ In a transcribed interview before the Committee in May 2024, Trickler-McNulty described the “primary focus” of the former Office of Detention Policy and Planning as “detention reform”: “to move the immigration detention network to a more civil framework, so it more resembled civil immigration detention.”³² The newly-named office, OIPE, in contrast, focused on developing “standards for the overall non-detained program.”³³

For decisions related to immigration detention, the Biden Administration gave OIPE more influence than Enforcement and Removal Operations (ERO), whose mission is to detain and remove illegal aliens unlawfully in the United States. According to Corey Price, the former Executive Associate Director of ICE ERO, in a memo after OIPE’s creation, ICE Acting Director Tae Johnson laid out “the routing hierarchy on decisions when it came to . . . detention, alternatives to detention,” explaining “it would come through [ERO].”³⁴ Decisions related to detention and ATD then “would go for review by [Trickler-McNulty’s] office on [Acting Director Johnson’s] behalf to review before he would make any final decisions at the [A]cting [D]irector level.”³⁵ Price testified that OIPE “took the lead” on “putting some policy around . . . alternatives to detention” and anything related to “detention, alternative[s] [to] detention, and really anything immigration-related within the immigration portfolio[.]”³⁶ OIPE also reviewed detention and ATD contracts after ERO “had decided they wanted to move forward.”³⁷

³⁰ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 9 (May 22, 2024) (on file with Comm.).

³¹ *Id.* at 9-11.

³² *Id.* at 14.

³³ *Id.* at 33.

³⁴ Transcribed Interview of San Antonio Field Office Director Corey Price, Immigr. and Customs. Enf’t, at 94 (May 3, 2024) (on file with Comm.).

³⁵ *Id.* at 94-95.

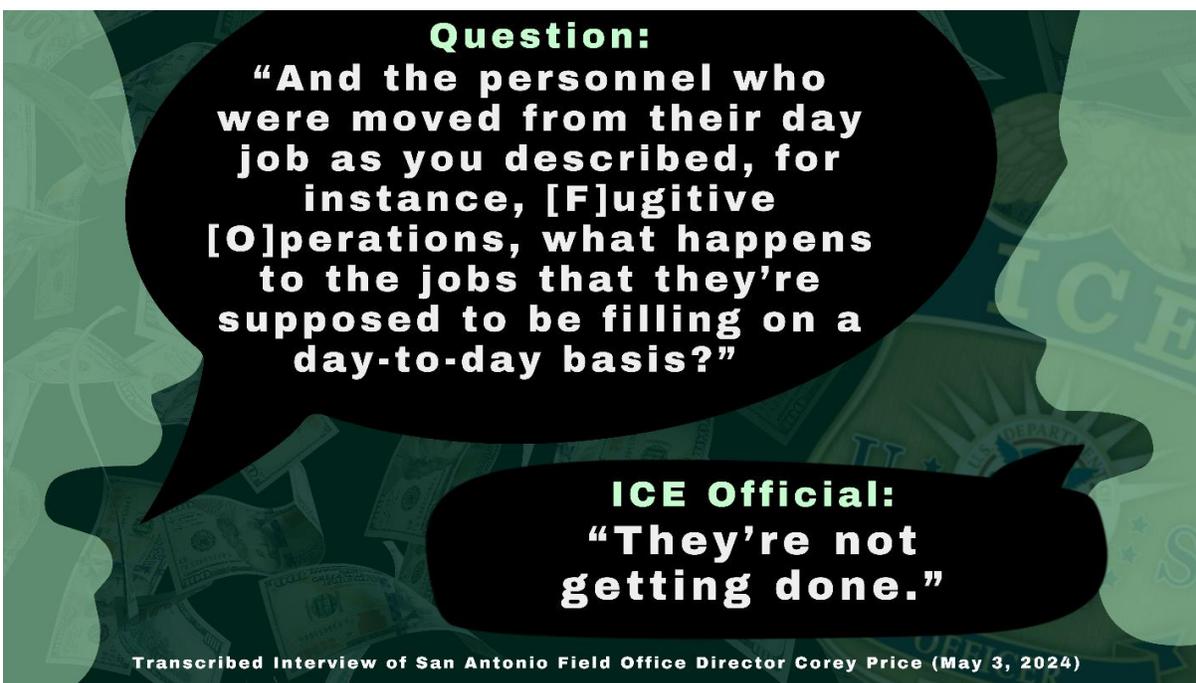
³⁶ *Id.* at 97.

³⁷ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 52-53 (May 22, 2024) (on file with Comm.).

As ICE Acting Director Johnson focused on ATD, ICE field offices floundered under the weight of the Biden border crisis. Price admitted that, under the Biden Administration, ERO has been forced to divert resources from interior enforcement to assist with the chaos at the southwest border.³⁸ That diversion has made it more challenging to remove aliens from the United States, has resulted in fewer removals of criminal aliens, and has contributed to fewer arrests of criminal aliens.³⁹ For example, ERO has sent personnel from its Fugitive Operations teams, which “focus enforcement efforts on those who represent a threat to national security or public safety,”⁴⁰ “to the border to help with Alternatives to Detention, to put people on ankle bracelets, to help with facilitating the movement of an individual, whether it be to [ERO] custody or to another Border Patrol station for processing.”⁴¹ As a result, the important daily duties of those employees in tracking down fugitive illegal aliens were neglected. Price testified:

Q: And the personnel who were moved from their day job as you described, for instance, [F]ugitive [O]perations, what happens to the jobs that they’re supposed to be filling on a day-to-day basis?

A: They’re not getting done.⁴²



³⁸ Transcribed Interview of San Antonio Field Office Director Corey Price, Immigr. and Customs. Enf’t, at 40-41, 43-44, 84-85 (May 3, 2024) (on file with Comm.).

³⁹ *Id.*

⁴⁰ Fugitive Operations, U.S. IMMIGR. AND CUSTOMS ENF’T, <https://www.ice.gov/identify-and-arrest/fugitive-operations> (last accessed June 26, 2024).

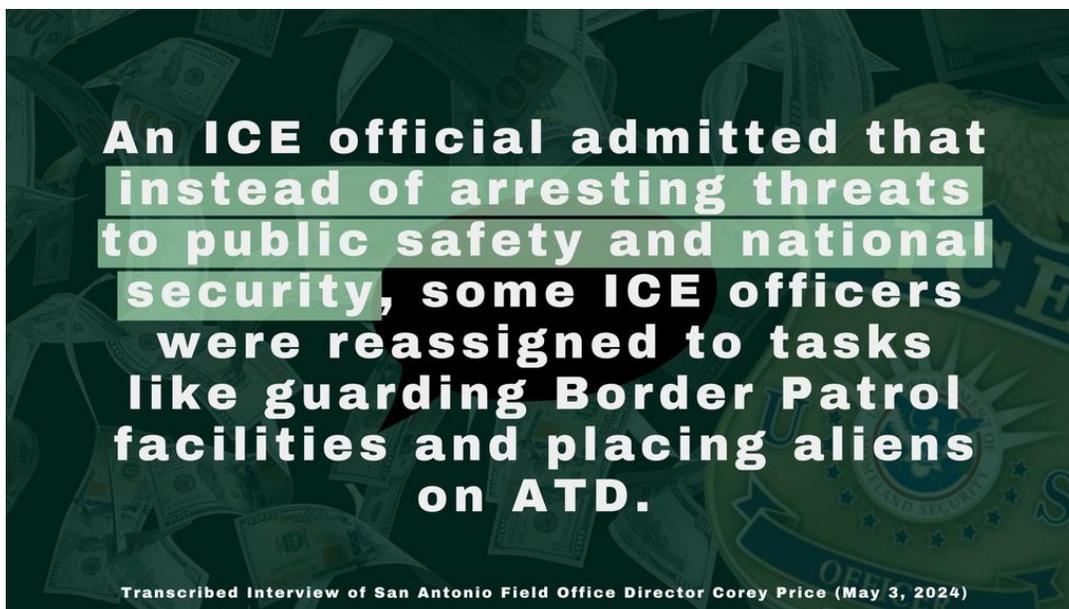
⁴¹ Transcribed Interview of San Antonio Field Office Director Corey Price, Immigr. and Customs. Enf’t, at 41 (May 3, 2024) (on file with Comm.).

⁴² *Id.*

For ICE officers on Fugitive Operations teams, instead of working to find national security threats and public safety cases, they were required to perform border-related administrative duties such as guarding a Border Patrol facility or “performing ATD functions to place people on Alternatives to Detention.”⁴³ Price summarized the practical effects of these reassignments, testifying:

Q: So then, to summarize, instead of arresting national security threats and public safety threats, these personnel are doing things like guarding facilities and placing aliens on Alternatives to Detention?

A: Yes. And, if they’re there on [temporary duty travel], which the majority of them do come from the interior offices, we’d also have the added expense of paying for their [temporary duty travel] to the border. If they’re from Chicago, we send them to Del Rio, Texas – you know, I can’t remember the average, but it’s, I think, between \$8,000 and \$10,000 a month, you know, to provide lodging and meals when they’re there, per officer.⁴⁴



According to Price, because of an ICE policy to issue Notices to Report to aliens who recently crossed the border, ERO has had to divert resources to facilitate the increased workload.⁴⁵ In some cases, far from simply reassigning officers to the border, ERO offices have had to “shut down some of [their] [F]ugitive [O]perations teams to help with [Notices to Report].”⁴⁶ When he arrived in San Antonio to serve as field office director, for example, Price

⁴³ *Id.* at 41-42.

⁴⁴ *Id.* at 42.

⁴⁵ *Id.* at 49-50.

⁴⁶ *Id.* at 50.

discovered that one of the office’s three Fugitive Operations teams had been deactivated.⁴⁷ He reinstated the team because “national security and public safety risks had to be prioritized.”⁴⁸ When he served as Executive Associate Director within ERO, Price was also aware that other Fugitive Operations teams had been deactivated nationwide and expressed concerns to then-Acting Director Johnson.⁴⁹

At the same time that ERO faced resource-driven hurdles that resulted in fewer officers being assigned to arrest criminal illegal aliens, ERO diverted funds from immigration enforcement to fund Trickler-McNulty’s OIPE. Trickler-McNulty explained that OIPE had a memorandum of understanding with ERO that detailed how “ERO would fund some of the positions because the primary work of the office was on ERO-related projects.”⁵⁰ In total, ERO funded OIPE’s eight positions.⁵¹ That funding allowed OIPE to focus on “non-detained docket standards,” “temporary housing standards” for illegal aliens, the expansion of “legal orientation support and resources for [illegal aliens] in removal proceedings,”⁵² “ending racial discrimination,” and transgender care standards in ICE contracts.⁵³ Meanwhile, money also flowed to ATD programs that referred illegal aliens to a buffet of social services.

On March 25, 2024, Chairman Jordan and Subcommittee Chairman McClintock requested that Trickler-McNulty appear before the Committee at a transcribed interview to answer questions related to her role in the nation’s immigration crisis.⁵⁴ Within weeks of this letter and oversight of OIPE, Trickler-McNulty departed ICE and the office shuttered. In April 2024, Trickler-McNulty departed OIPE for a six-month detail as senior counselor to the Director of U.S. Citizenship and Immigration Services.⁵⁵ She testified that OIPE no longer exists as it has been absorbed into ERO, and there are no plans to reconstitute the office after her detail ends in late 2024.⁵⁶ Trickler-McNulty attributed OIPE’s closure to the conclusion of larger projects and stated that it made sense to “move . . . the subject matter expertise within the office back into ERO to kind of help within the structure of ERO doing similar work.”⁵⁷ Upon her return to ICE, Trickler-McNulty plans to serve as senior counselor to the ICE Director.⁵⁸

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.* at 51.

⁵⁰ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 10 (May 22, 2024) (on file with Comm.).

⁵¹ *Id.* at 10-11.

⁵² U.S. Immigr. and Customs Enf’t, *ICE Annual Report, Fiscal Year 2023*, U.S. DEP’T OF HOMELAND SEC. at 79-81 (Dec. 29, 2023), <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2023.pdf>.

⁵³ U.S. Immigr. and Customs Enf’t, *ICE Annual Report, Fiscal Year 2022*, U.S. DEP’T OF HOMELAND SEC. at 58-59 (Dec. 30, 2022), <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf> [hereinafter 2022 ICE Annual Rep.].

⁵⁴ Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Claire Trickler-McNulty, Off. of Immigr. Program Evaluation (Mar. 25, 2024), available at <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-03-25%20JDJ%20TM%20to%20ICE%20ERO%20re%20Claire%20Trickler-McNulty%20TI%20request.pdf>.

⁵⁵ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 15 (May 22, 2024) (on file with Comm.).

⁵⁶ *Id.* at 15-16.

⁵⁷ *Id.* at 15.

⁵⁸ *Id.* at 63.

CONCIERGE IN THE INTERIOR: ILLEGAL ALIENS REWARDED WITH TAXPAYER-FUNDED SOCIAL SERVICES

With more than 7.4 million cases on ICE’s non-detained docket,⁵⁹ DHS uses ATD to supervise just a fraction of illegal aliens in the United States. According to DHS, “ATD is not a form of custody; rather, it is a program that provides for supervision over some [aliens] on the non-detained docket using case management services and, as appropriate, monitoring technologies.”⁶⁰ DHS describes the “goal” of ATD programs as “to reduce friction with the immigration process and provide and/or facilitate referrals and access to services in the community so that participants remain compliant and engage with the immigration system and process.”⁶¹

As part of ATD, some illegal aliens participate in ICE’s Extended Case Management Service (ECMS), which offers them “additional referral services or assistance (e.g., food, housing, healthcare).”⁶² ICE also facilitates Wraparound Stabilization Services (WSS), a program that goes beyond ECMS to offer illegal aliens “further targeted behavioral and psychological services” from non-profit organizations.⁶³ During the Biden Administration, ICE expanded the eligibility pool for WSS and began repatriation services for aliens ordered to be removed from the United States.⁶⁴ Trickler-McNulty described the services as “providing individuals who have removal orders with information on what to expect on return to reduce fear and apprehension of being removed, so maybe what services are available in country once they return.”⁶⁵ Trickler-McNulty supported the expansion, testifying in her transcribed interview:

[M]y perspective is that we would want to provide folks with services where we can and where it’s possible to ensure that they comply with the program, comply with immigration court proceedings, and where helping them stabilize can then help them continue through the process. To me, that, you know, makes sense.⁶⁶

As a result, illegal aliens can receive assistance not only from their first days in the United States but also even after they have been ordered removed from the country.

Although ATD’s purported goal is to ensure illegal aliens’ compliance with immigration court proceedings, Trickler-McNulty admitted that ICE cannot accurately determine the effectiveness of ATD programs. Although ICE tracks the number of aliens who abscond from

⁵⁹ Michael Lee, *ICE non-detained docket explodes to 7.4M cases*, FOX NEWS (June 17, 2024, 10:34 AM), <https://www.foxnews.com/politics/fox-exclusive-migrants-freed-under-ice-program-exploded-over-7-4-million>.

⁶⁰ U.S. Dep’t of Homeland Security, *Privacy Impact Assessment for the Alternatives to Detention (ATD) Program*, 3 (Mar. 17, 2023), https://www.dhs.gov/sites/default/files/2023-03/privacy-pia-ice062-atd-march2023_1.pdf [hereinafter ATD Privacy Impact Assessment].

⁶¹ *Id.*

⁶² *Id.* at 12.

⁶³ *Id.*

⁶⁴ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 44 (May 22, 2024) (on file with Comm.).

⁶⁵ *Id.* at 71 (May 22, 2024).

⁶⁶ *Id.* at 44-45.

ATD, Trickler-McNulty acknowledged that “the data is a little hard to fully understand,” particularly as “the data is held in the . . . contractor’s own data system” and is “not within the ICE system of record.”⁶⁷ As a result, “the access and ability to do some of the analysis off [of] ICE records has been more complicated.”⁶⁸ Trickler-McNulty admitted that ICE could better evaluate the effectiveness of ATD with better data.⁶⁹ In fact, because ATD is often “only a portion of somebody’s lifecycle through the immigration process,” such a structure means it tends to be “hard to make . . . a real assessment of the effectiveness of the program.”⁷⁰ Trickler-McNulty agreed that ICE lacks sufficient data to truly judge the overall effectiveness of ATD.⁷¹ That assessment matches the concerns outlined in a draft report reportedly produced years ago during the Trump Administration, which concluded that ATD “has ‘little value,’ is of ‘significant expense[,]’ and saw the vast majority of illegal immigrants enrolled in the program for their entire immigration proceedings eventually abscond.”⁷²

Three high-profile cases from 2024 alone have also exposed ATD’s failures. In April 2024, a news report revealed that “an Afghan national on the FBI terrorist watchlist was arrested . . . after having spent nearly a year in the U.S.”⁷³ According to the report, the man, Mohammad Kharwin, was arrested in March 2023 after illegally crossing the border but was then released,



referred to ICE, and enrolled in ATD on March 12, 2023.⁷⁴ For unknown reasons, Kharwin was removed from the program just two weeks later and remained free in the United States for months.⁷⁵ When questioned about Kharwin, Trickler-McNulty would not agree that an alien with potential terrorist ties should be

detained, instead stating that she “would defer to law enforcement officials to make that decision.”⁷⁶ In another case, Diego Ibarra, the brother of Laken Riley’s alleged murderer, Jose

⁶⁷ *Id.* at 30-31.

⁶⁸ *Id.* at 31.

⁶⁹ *Id.*

⁷⁰ *Id.* at 32.

⁷¹ *Id.* at 41.

⁷² Adam Shaw, *Leaked ICE doc shows 'Alternatives to Detention' program has 'little value' but 'significant expense'*, FOX NEWS (Apr. 27, 2022, 11:55 AM), <https://www.foxnews.com/politics/alternatives-detention-program-enrolled-illegal-immigrants-abscond>.

⁷³ Julia Ainsley, *Man on terrorist watchlist was dropped from program that monitors migrants*, NBC NEWS (Apr. 17, 2024, 11:44 PM), <https://www.nbcnews.com/news/investigations/man-terrorist-watchlist-was-dropped-program-monitors-migrants-rcna148205>.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 50 (May 22, 2024) (on file with Comm.).

Ibarra, was enrolled in ATD even after he allegedly “assault[ed] and attempt[ed] to bite a [Border Patrol] agent who tried to arrest him.”⁷⁷ Ibarra, who allegedly has gang ties, removed his ATD ankle monitor in Colorado.⁷⁸ Finally, last month, authorities arrested two Venezuelan nationals for allegedly murdering a 12-year-old Houston girl.⁷⁹ The illegal aliens entered the United States in March 2024 and May 2024, respectively,⁸⁰ with one of the illegal aliens wearing an ICE ATD ankle monitor when he allegedly committed the murder.⁸¹

Despite these known failures, under the Biden Administration, DHS has continued to introduce new forms of ATD, even those that require no electronic monitoring, including the Young Adult Case Management Program (YACMP) and the Case Management Pilot Program (CMPP), both of which ensure illegal aliens receive social services once they are released into the United States.

Young Adult Case Management Program

In fiscal year 2022, OIPE developed the Young Adult Case Management Program (YACMP), which DHS describes as “provid[ing] a transition period for 18- and 19-year-old [aliens], including formerly unaccompanied children, who are entering adult immigration proceedings.”⁸² The program does not “include GPS or other monitoring technology.”⁸³ According to ICE, the YACMP population “may not know when they are to appear in court, their legal rights and obligations, and may not be aware of possible community services that are available to them.”⁸⁴ The program aims to “reduce friction with the immigration process and provide and/or facilitate referrals and access to services in the community so that participants remain compliant and engage with the immigration system and process.”⁸⁵ DHS has awarded Acuity International \$27.2 million to manage YACMP.⁸⁶ Acuity has 131 full-time staff for the program, including 86 case managers.⁸⁷

⁷⁷ Luke Barr, *Diego Ibarra, brother of University of Georgia murder suspect, to remain in federal custody*, ABC NEWS (Mar. 7, 2024, 3:32 PM), <https://abcnews.go.com/US/brother-university-georgia-murder-suspect-remain-federal-custody/story?id=107890018>.

⁷⁸ *Id.*

⁷⁹ Jennie Taer, *Migrant charged with murder of 12-year-old Jocelyn Nungaray was released into US just weeks ago*, N.Y. POST (June 20, 2024, 10:11 PM), <https://nypost.com/2024/06/20/us-news/2-migrants-charged-with-abducting-strangling-texas-girl-12-and-dumping-her-body-in-bayou/>.

⁸⁰ *Id.*

⁸¹ Michael Lee, *Illegal immigrant accused of raping, murdering girl, 12, wore ICE ankle monitor when crime occurred*, FOX NEWS (June 24, 2024, 3:27 PM), <https://www.foxnews.com/politics/illegal-immigrant-accused-rape-murdering-girl-12-wore-ice-ankle-monitor-when-crime-occurred>.

⁸² 2022 ICE Annual Rep., *supra* note 53, at 59.

⁸³ Young Adult Case Management Program, Request for Proposal, at 3 (Jan. 28, 2022), available at <https://sam.gov/opp/8cfc382debc7414ca1cf60299d72ea51/view>.

⁸⁴ Young Adult Case Management Program, Performance Work Statement, Attach. 1, at 1 (Jan. 28, 2022), available at <https://sam.gov/opp/8cfc382debc7414ca1cf60299d72ea51/view>.

⁸⁵ *Id.*

⁸⁶ Award Profile, Contract Summary, U.S. DEP’T OF HOMELAND SEC., https://www.usaspending.gov/award/CONT_AWD_70CDCR22C00000003_7012_-NONE_-NONE- (last accessed June 10, 2024).

⁸⁷ Response to Get-Backs provided to Comm. staff (Feb. 2024) (on file with Comm.).

As of February 22, 2024, there were 6,505 YACMP enrollees,⁸⁸ with ICE expanding the program beyond young adults in 2023.⁸⁹ Roughly one-third of the program’s participants were young adults, with 2,102 young adult enrollees, including 364 in Los Angeles, 254 in Miami, 221 in Phoenix, 162 in Houston, 155 in Chicago, and 148 in San Antonio.⁹⁰ The other enrollees, according to data provided to the Committee and Subcommittee, included 1,536 heads of household, 2,273 minors, and 594 parents who were not heads of household.⁹¹

ICE has praised the program’s effectiveness. The agency claims that 96 percent of YACMP enrollees attend their immigration court hearings as of February 16, 2024, and boasts of 36,665 total check-ins and an overall program non-compliance rate of 10 percent.⁹² However, the raw data do not reflect a successful program. As of February 2024, nearly 2,000 of the program’s enrollees did not even have a scheduled court hearing, with 5,000 enrollees having a *future* hearing scheduled.⁹³ Some enrollees had not even had their case initiated in immigration court.⁹⁴

Meanwhile, as of February 2024, only four of YACMP’s illegal alien enrollees had been removed from the United States.⁹⁵ An additional 14 illegal alien enrollees had voluntarily



departed the United States.⁹⁶ More alarming, there are zero consequences for failing to comply with the conditions of YACMP. In fact, ICE acknowledged that “there were approximately 648 non-compliant YACMP cases,” but “[n]o arrests have been made on any of the noncompliant cases.”⁹⁷ ICE claimed that “[e]nforcement actions and arrests are determined by priorities,”⁹⁸

but YACMP does not even use electronic monitoring technology to track participants.⁹⁹

Through YACMP, illegal alien enrollees have been referred to 2,318 total organizations in at least 26 states and the District of Columbia, including Virginia, Tennessee, Rhode Island, Pennsylvania, Texas, Utah, Washington, Oregon, Ohio, New York, New Mexico, New Jersey,

⁸⁸ Enrollee Summary by Type as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

⁸⁹ YACMP Briefing to Comm. staff (Feb. 16, 2024).

⁹⁰ Enrollee Summary by Type as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

⁹¹ *Id.*

⁹² YACMP Briefing to Comm. staff (Feb. 16, 2024).

⁹³ Response to Get-Backs provided to Comm. staff (Feb. 2024) (on file with Comm.).

⁹⁴ YACMP Briefing to Comm. staff (Feb. 16, 2024).

⁹⁵ Response to Get-Backs provided to Comm. staff (Feb. 2024) (on file with Comm.).

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.*

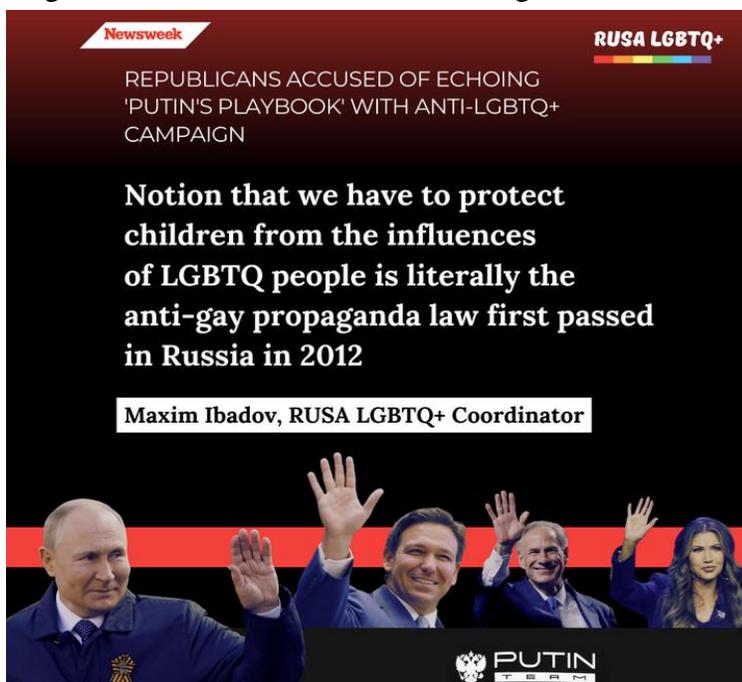
⁹⁹ See ATD Privacy Impact Assessment, *supra* note 60, at 4.

Missouri, Minnesota, Michigan, Massachusetts, Maryland, Kentucky, Indiana, Illinois, Georgia, Florida, Delaware, Colorado, California, and Arizona.¹⁰⁰

The service providers to which illegal aliens were referred reflect organizations with far-left ideologies. These providers include Planned Parenthood and Al Otro Lado, an open-borders immigration advocacy group that frequently sues the U.S. government to end immigration enforcement.¹⁰¹ Another

referral organization was the Los Angeles LGBT Center,¹⁰² which has boasted about “unit[ing] California’s kink community” for an inaugural leather event¹⁰³ and has advocated for transgender surgeries for children.¹⁰⁴ One referral organization, Rusa LGBTQ+ in Brooklyn, New York,

promoted a news article that baselessly compared Florida Governor Ron DeSantis and Texas Governor Greg Abbott to Russian President Vladimir Putin.¹⁰⁵



Above: A YACMP service provider promoted an “inaugural leather day” for California’s “kink community.”

Left: A graphic from Rusa LGBTQ+, an organization to which ICE contractors have referred illegal aliens. The organization compared Republicans to Vladimir Putin.

¹⁰⁰ Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

¹⁰¹ *See id.*

¹⁰² *Id.*

¹⁰³ Press Release, Los Angeles LGBT Center Unites California Kink Community for Inaugural Leather Day of Advocacy in Sacramento, Los Angeles LGBT Center (April 17, 2023), <https://lalgbtcenter.org/vanguard/press-releases/los-angeles-lgbt-center-unites-california-kink-community-for-inaugural-leather-day-of-advocacy-in-sacramento/>.

¹⁰⁴ Press Release, Los Angeles LGBT Center On Email Leak Exposing National Religious-Right Attacks on Trans Rights, Los Angeles LGBT Center (Mar. 8, 2023), <https://lalgbtcenter.org/vanguard/press-releases/los-angeles-lgbt-center-on-email-leak-exposing-national-religious-right-attacks-on-trans-rights/>.

¹⁰⁵ *Team Putin: Desantis, Abbot Follow in Footsteps of Russia's Dictator with Their Anti-LGBTQIA agenda*, RUSA LGBTQ+ (July 1, 2023), <https://www.rusalgbtq.org/updates/team-putin%3A-desantis%2C-abbot-follow-in-footsteps-of-russia-s-dictator-with-their-anti-lgbtqia-agenda>.

Other referral organizations connect illegal aliens with taxpayer-funded programs. These referral organizations included GetCalFresh,¹⁰⁶ a nonprofit that promises that users can “[a]pply for food stamps in 10 minutes,”¹⁰⁷ Medicaid and the Children’s Health Insurance Program in Houston, Texas, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in San Antonio, Phoenix, Los Angeles, Houston, and Trenton.¹⁰⁸ Another ICE-endorsed referral organization’s mission is “to serve LGBTQ youth and young adults ages 11-24”¹⁰⁹ with events such as “wrestling and drag night.”¹¹⁰ In addition, at least two illegal aliens in YACMP were referred to alcohol and substance abuse programs.¹¹¹

Despite OIPE’s involvement in establishing YACMP,¹¹² Trickler-McNulty did not know whether ICE screened or vetted YACMP referral organizations.¹¹³ When confronted with Rusa LGBTQ+’s anti-Republican rhetoric, Trickler-McNulty asserted that she did not “know anything” about the organization and hoped “that the provider is queuing to the requirements in the [contract] and the types of referrals that they are providing.”¹¹⁴ When asked whether she found it concerning that aliens are referred to such an organization, she stated, “I would hope that there is vetting happening in the organizations that are being referred to through an ICE program, and that there are programs that are problematic that action is being taken by the contractor . . .”¹¹⁵ However, based on the Committee’s and Subcommittee’s oversight to date, it is not clear this vetting is occurring.

Case Management Pilot Program

Touted by DHS as a “[n]ew [p]aradigm” in ATD case management that offers “trauma informed” services from a “coalition of community-based service providers,” the Case Management Pilot Program (CMPP) was appropriated \$5 million in fiscal year 2021, \$15 million in 2022, \$20 million in 2023, and an additional \$15 million through 2025.¹¹⁶ DHS’s Officer for Civil Rights and Civil Liberties Shoba Sivaprasad Wadhia chairs the group’s national board, which “award[s] funds to eligible local governments and nonprofit



¹⁰⁶ Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

¹⁰⁷ GetCalFresh.org, <https://www.getcalfresh.org/> (last accessed June 10, 2024).

¹⁰⁸ Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

¹⁰⁹ One-N-Ten, About Us, <https://oneten.org/about-us/> (last accessed June 10, 2024).

¹¹⁰ One-N-Ten, Programs Calendar, <https://oneten.org/programs-calendar/> (last accessed June 10, 2024).

¹¹¹ Referral Organizations as of Feb. 22, 2024, provided to Comm. staff (on file with Comm.).

¹¹² Transcribed Interview of Former Assistant Director Claire Trickler-McNulty, Off. of Immigr. Program Evaluation, at 72-73 (May 22, 2024) (on file with Comm.).

¹¹³ *Id.* at 74.

¹¹⁴ *Id.* at 76.

¹¹⁵ *Id.* at 77.

¹¹⁶ CMPP Briefing to Comm. staff (Feb. 22, 2024); Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. C, title I (2024). CMPP was created by Congress in the Consolidated Appropriations Act, 2021. *See* Consolidated Appropriations Act, 2021, Pub. L. 116-260, div. F, title I, 134 Stat. 1182, 1449 (2020).

organizations to provide CMPP services.”¹¹⁷ Wadhia also administers the program, with FEMA “[a]dminister[ing] and safeguard[ing] CMPP funds.”¹¹⁸ Before joining DHS, Wadhia championed decreased immigration detention and “advocated against the use of the term ‘illegal immigrant,’ ‘illegal immigration,’ and ‘illegal alien.’”¹¹⁹ She also has minimized the seriousness of illegal aliens’ criminal activity, noting that she was not sure whether even a felony should make an illegal alien an ICE enforcement priority.¹²⁰ More recently, Wadhia has come under increased scrutiny for her ties to Rutgers Law School’s Center for Security, Race, and Rights, which, mere “[m]onths before Wadhia joined the center . . . hosted an event, marking the 20th anniversary of the September 11 attacks, that featured Sami al-Arian, who was convicted of providing material support to the Palestinian Islamic Jihad, a terrorist group.”¹²¹ Other CMPP board positions are held by representatives from the Center for Migration Studies of New York, Catholic Charities USA, and Church World Service.¹²² Erol Kekic, a representative for Church World Service, has been critical of even the smallest amounts of immigration enforcement, describing one weak immigration bill as “undermin[ing] our beliefs and turn[ing] our back on moral and legal obligations to welcome the persecuted.”¹²³



¹¹⁷ CMPP Briefing to Comm. staff (Feb. 22, 2024); CMPP National Board Meeting Minutes provided to Comm. staff (June 5, 2024) (on file with Comm.); CMPP National Board Terms of Reference provided to Comm. staff (one file with Comm.); About CMPP, CMPP, <https://cmpp.org/> (last accessed June 26, 2024).

¹¹⁸ CMPP Briefing to Comm. staff (Feb. 22, 2024); CMPP National Board Meeting Minutes provided to Comm. staff (June 5, 2024) (on file with Comm.); CMPP National Board Terms of Reference provided to Comm. staff (on file with Comm.).

¹¹⁹ Taer, *supra* note 14.

¹²⁰ *Id.*

¹²¹ Ross, *supra* note 15.

¹²² CMPP Briefing to Comm. staff (Feb. 22, 2024); see ATD Privacy Impact Assessment, *supra* note 60, at 37.

¹²³ Press Release, Border Bill would Pit the Persecuted Against the Persecuted—Benefiting Some, at the Expense of Moral Leadership, Church World Serv. (Feb. 5, 2024), <https://cwsglobal.org/press-releases/border-bill-would-pit-the-persecuted-against-the-persecuted-benefiting-some-at-the-expense-of-moral-leadership/>.



CMPP offers illegal aliens trafficking screening, legal orientation, cultural orientation, departure planning and reintegration, mental health services, and other services that illegal aliens identify as a priority.¹²⁴ Illegal aliens are enrolled in CMPP through “phone vetting” by CMPP service providers, through in-person outreach by DHS’s Civil Rights and Civil Liberties staff at ICE field offices, and through walk-ins at CMPP service provider locations.¹²⁵ CMPP is active in five cities, with a lead provider in each location.¹²⁶ CMPP is located in Houston,

Texas, with nonprofit organization BakerRipley as the lead service provider; in New York, with the International Rescue Committee as the lead provider; in Los Angeles, with the Los Angeles County Office of Immigrant Affairs; in Washington, D.C., with Lutheran Social Services of the National Capital Area; and in Baltimore, with Global Refuge.¹²⁷ Although the program denies giving illegal aliens “direct cash assistance,” CMPP has admitted that its funds “can be used *flexibly* to meet individual clients’ self-identified needs such as for food or utilities.”¹²⁸

As of December 31, 2023, CMPP had 336 total participants, with 65 children and 271 adults;¹²⁹ however, DHS plans to expand the program to potentially thousands of participants.¹³⁰ Ninety-eight participants were single adults.¹³¹ The majority of participants were from Venezuela, with 79 Venezuelan nationals enrolled in CMPP, followed by 66 enrollees from Nicaragua, 44 from Cuba, 37 from Colombia, 28 from Ecuador, 27 from Honduras, 10 from Peru, eight from the Dominican Republic, seven from China, five from Mauritania, four from Russia, Senegal, and Guatemala, three from Ghana, two from Uzbekistan, and one from each of the following countries: Gambia, Mexico, El Salvador, Guinea, Turkey, Georgia, Congo, and Burkina Faso.¹³²

¹²⁴ CMPP Briefing to Comm. staff (Feb. 22, 2024).

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ Case Management Pilot Program Frequently Asked Questions, CMPP (Feb. 28, 2024), https://cmpp.org/wp-content/uploads/2024/02/CMPP-FAQs-FINAL_22824.pdf (emphasis added).

¹²⁹ CMPP Getback Responses provided to Comm. staff (Apr. 11, 2024) (on file with Comm.).

¹³⁰ CMPP Briefing to Comm. staff (Feb. 22, 2024).

¹³¹ CMPP Getback Responses provided to Comm. staff (Apr. 11, 2024) (on file with Comm.).

¹³² *Id.*

Instead of evaluating success solely by whether the participating illegal aliens make their immigration court appearances, DHS judges CMPP’s success by factors such as “[s]afety planning and connection to housing assistance,” “[p]ro se assistance with asylum applications and change of venue documentation with [the] immigration court,” and whether “[p]articipants express improved knowledge and confidence related to their immigration proceedings.”¹³³ It should not be surprising, then, that as of February 2024, zero CMPP participants had been removed from the United States.¹³⁴ DHS does not plan to evaluate CMPP’s effectiveness until September 2025 or 2026.¹³⁵

CONCLUSION

YACMP and CMPP should come as no surprise, as the Biden Administration and Democrats nationwide have prioritized the needs of illegal aliens over U.S. citizens and legal residents. In fact, YACMP, CMPP, and other ATD programs are but a small snapshot of the Democrats’ open-borders agenda that funnels money from American taxpayers to illegal aliens and allows them to live in the United States indefinitely. As one example, on October 16, 2023, the Department of Justice announced that the United States had reached a settlement in *Ms. L. v. U.S. Immigration and Customs Enforcement*, a class action lawsuit involving family units that illegally crossed the southwest border during the Trump Administration.¹³⁶ Under the settlement agreement, certain illegal aliens can receive a grab-bag of U.S. taxpayer-funded services, including behavioral health services, medical assistance, temporary housing support, legal services, and expedited processing—all because in 2018 the U.S. government prosecuted, under the existing criminal code enacted by Congress, illegal aliens for illegally entering the United States with their children.¹³⁷ In addition, each year American taxpayers are forced to pay for the attorneys’ fees of certain illegal aliens in their cases against the U.S. government.¹³⁸

Far from disincentivizing illegal immigration, the Biden Administration acts as a chauffeur at the border, allowing illegal aliens to be released into communities across the United States. Once illegal aliens are resettled in the interior of the country, ICE then ensures illegal aliens can access a bevy of social services, even when an alien has been ordered removed from the United States and is nearing deportation. In a June 2024 letter to the Committee on Appropriations, Judiciary Committee Chairman Jim Jordan requested that the Appropriations Committee prohibit funding for, among other items, YACMP, CMPP, and Wraparound

¹³³ CMPP Briefing to Comm. staff (Feb. 22, 2024).

¹³⁴ *Id.*

¹³⁵ *Id.*

¹³⁶ U.S. Government Reaches Settlement in Class Action Family Separation Case Seeking Injunctive Relief, U.S. DEP’T OF JUSTICE (Oct. 16, 2023), <https://www.justice.gov/opa/pr/us-government-reaches-settlement-class-action-family-separation-case-seeking-injunctive>.

¹³⁷ See Fact Sheet: Overview of Proposed Ms. L Settlement Agreement, U.S. DEP’T OF JUSTICE (Oct. 16, 2023), <https://www.justice.gov/media/1319521/dl?inline>; see *Ms. L. v. U.S. Immigration and Customs Enf’t*, No. 3:18-cv-00428-DMS-AHG (S.D. Cal.), Doc. 711-1, <https://www.justice.gov/media/1319516/dl?inline>.

¹³⁸ See, e.g., Equal Access to Justice Act Reporting, EAJA, <https://eaja.acus.gov/?action=list&entity=CaseRecord> (last accessed June 10, 2024). See generally American Immigr. Council, Requesting Attorney’s Fees Under the Equal Access to Justice Act (Aug. 15, 2020), https://www.americanimmigrationcouncil.org/sites/default/files/practice_advisory/requesting_attorneys_fees_under_the_equal_access_to_justice_act_6-7-14_fin.pdf.

Stabilization Services.¹³⁹ In response, the DHS appropriations bill that passed the U.S. House of Representatives on June 28, 2024, included no funding for YACMP, CMPP, or Wraparound Stabilization services.¹⁴⁰

In the nearly 14 months since the U.S. House of Representatives passed H.R. 2, the Secure the Border Act of 2023, the border crisis has only worsened and has spread into every state in the country. To regain control of America's borders, the Senate must pass, and President Biden must sign into law, H.R. 2. Congress must also act to defund wasteful, ineffective scams like YACMP, CMPP, and other ATD programs and prioritize American citizens over illegal aliens. In the meantime, the Committee and Subcommittee will continue to conduct oversight to inform legislative reforms to address President Biden's open-borders policies.

¹³⁹ Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Tom Cole, Chairman, H. Comm. on Appropriations (June 3, 2024), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-06-03%20JDJ%20to%20Cole%20re%20Appropriations%20Riders%20List.pdf>.

¹⁴⁰ H.R. 8752, Department of Homeland Security Appropriations Act, 2025, 118th Cong. (2024).