

YOUR GUIDE TO THE IMMIGRATION DETENTION BED QUOTA

Join the movement to #EndTheQuota

The United States has the largest immigrant detention infrastructure in the world and today, it locks up and deports more immigrants than ever before.ⁱ The expansion of the system is in part **due to the immigration detention bed quota**, a policy passed by Congress whereby **34,000 immigrants are held in ICE detention** at any given time. This policy is unprecedented; **no other law enforcement agency operates on a quota system**. As politicians discuss immigration reform, any meaningful reforms to the immigration system will be impossible with the quota in place.

WHAT IS THE IMMIGRATION DETENTION BED QUOTA?

- **Enacted by Congress:** Congressional appropriations language in ICE's budget states "[t]hat funding made available under this heading shall maintain a level of not less than 34,000 detention beds."ⁱⁱ
- **Implemented as a quota:** ICE interprets this language as a *quota requiring the agency to lock-up an average of 34,000 people in immigration detention at any given time.*ⁱⁱⁱ

WHAT IS THE QUOTA'S IMPACT?

- **Immigrants are held in facilities in which innumerable human rights abuses and dozens of deaths have occurred.** With a guaranteed need for detention beds, the quota forces the use of dangerous facilities with poor track records. Immigrants are held with no access to outdoor space, served rotten food, and subjected to wholly inadequate medical and mental health care. And most immigrants are held in facilities hundreds of miles from their families and without access to counsel.^{iv}
- **The quota feeds into a larger system wrought with mass deportation and lack of due process.** It incentivizes targeting immigrants for deportation in order to fill jail cells.
- **It puts a price tag on immigrant lives.** The policy leads Congress and ICE to treat immigrants as numbers to fill a quota and as products to be bought and sold, not as real people with children and loved ones depending on them.

HISTORY OF THE QUOTA

- **Created by a former KKK leader:** The quota was inserted into the 2010 appropriations bill, with no vetting or public comment, by Sen. Robert Byrd, a Democrat from West Virginia. He got his political start with the Ku Klux Klan and was one of its most productive recruiters.^v

THE NUMBERS

ICE details:

- 🔪 34,000 immigrants per day
- 🔪 478,000 immigrants in FY 2012
- 🔪 In over 200 jails nationwide

It costs:

- 🔪 \$2.2 billion each year
- 🔪 Over \$6 million each day
- 🔪 \$159 per detention bed each day

The human cost:

- 🔪 142 deaths in detention since 2003
- 🔪 The families and communities of nearly half a million people torn apart every year

**TELL CONGRESS IT'S TIME TO
#ENDTHEQUOTA**

IT IS FISCALLY IRRESPONSIBLE AND WASTEFUL, BUT LINES THE POCKETS OF CORPORATIONS:

- **It costs ICE over \$2 billion every year.** In 2012, ICE detained an estimated **478,000 immigrants**.^{vi} The most recent budget request for ICE's Custody Operations is just over \$2 billion.^{vii} During a time of fiscal crisis, it is unacceptable to be spending billions of taxpayer dollars to needlessly detain immigrants.
- **Money appropriated for the bed quota helps line the pockets of for-profit prison corporations that run 62% of all immigration jail beds.**^{viii} The two top private prison companies, Corrections Corporation of America (CCA) and the GEO Group, have a combined annual revenue of over \$3 billion.^{ix}
- **Corporations lobby hard to keep the quota and protect their bottom line.** By trying to force ICE to detain a minimum number of immigrants, the bed quota protects CCA's and GEO's profits. In 2013, GEO Group spent over \$2 million lobbying Congress to act in the corporation's best interests.^x

HOW DO WE END THE QUOTA?

Immigration detention is unjust, inhumane, and costly. As communities in defense of justice and dignity for all immigrants, **we have the power to demand that Congress and President Obama eliminate the quota and stop the senseless targeting and incarceration of immigrants.**

- Call and/or meet with [your member of Congress](#) and ask them to vote to eliminate the bed quota during the budget amendment process. If your member of Congress is on the Appropriations Committee in either the [House](#) or [Senate](#), ask them to take action to eliminate it from the original text.
- Call on President Obama to publicly oppose the quota.
- Take the lead in organizing actions, mobilizing your community and engaging your community in public education about immigration detention and the #EndTheQuota campaign.

ⁱ FY 2013 ICE Immigration Removals. (n.d.). Immigration and Customs Enforcement. Available at <https://www.ice.gov/removal-statistics/>

ⁱⁱ Department of Homeland Security Appropriations Act of 2015 (March 4, 2015). Government Printing Office. Available at <https://www.congress.gov/114/plaws/publ4/PLAW-114publ4.pdf>

ⁱⁱⁱ Department of Homeland Security, Office of Inspector General, *ICE's Release of Immigration Detainees*, pg. 10 (August 2014). Available at https://www.oig.dhs.gov/assets/Mgmt/2014/OIG_14-116_Aug14.pdf

^{iv} Expose & Close: Executive Summary. (n.d.). Detention Watch Network.

<http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/ExposeClose/Expose-Executive11-15.pdf>

^v The quota was first introduced in 2009 by then Senator and Chairman of Appropriations Subcommittee on Homeland Security Robert Byrd (D-WV). See National Immigrant Justice Center, *Detention bed quota timeline* (March 20, 2014). Available at <http://www.immigrantjustice.org/eliminate-detention-bed-quota#.VVurufViko>

^{vi} Department of Homeland Security Annual Report, *Immigration Enforcement Actions: 2012* (December 2013). Available at https://www.dhs.gov/sites/default/files/publications/ois_enforcement_ar_2012_1.pdf

^{vii} Department of Homeland Security FY 2015 Budget in Brief. Available at <http://www.dhs.gov/sites/default/files/publications/FY15-BIB.pdf>

^{viii} Carson, Bethany, and Eleana Diaz. Grassroots Leadership. *Payoff: How Congress Ensures Private Prison Profit with an Immigrant Detention Quota*, pg. 3 (April 2015). Available at http://grassrootsleadership.org/sites/default/files/reports/quota_report_final_digital.pdf

^{ix} The math of immigrant detention: The runaway costs for immigration detention do not add up to sensible policies. (n.d.). National Immigration Forum. <http://www.immigrationforum.org/images/uploads/mathofimmigrationdetention.pdf>

^x See note 8.