Expansion of Deadly Immigration Detention Facilities through the Bipartisan American Affordability and Jobs Act

Dear Members of Congress,

We, the undersigned 48 immigrant and human rights organizations, write to express our deep concern about the Bipartisan American Affordability and Jobs Act (BAAJA). As the Trump administration moves full steam ahead on its anti-immigrant, mass detention and deportation agenda, this bill would pave that path by making immigration detention facilities easier to build and much harder to stop. It would undermine years of work by organizations across the country to protect communities and resist detention expansion, weakening the tools we use to hold immigration agencies accountable.

The United States already operates the largest immigration detention system in the world, bolstered by an unprecedented $45 billion to expand immigration detention from H.R.1 last year. Immigration and Customs Enforcement (ICE) runs a growing network of more than 200 long-term detention centers, alongside hundreds of short-term facilities across the country. Every day, ICE holds tens of thousands of people in this system with an extensive, well-documented history of abuse and neglect. Since 2003, more than 300 people have died in ICE custody, including 60 people during the current Trump administration. As conditions worsen, ICE's footprint continues to grow dramatically.

The National Environmental Policy Act (NEPA) is the most important legal tool that communities have to hold agencies accountable for informing the public of proposed actions and accurately analyzing the impacts those projects will have. In state after state earlier this year, ICE repeatedly violated NEPA when it failed to conduct any environmental review as it rushed to turn warehouses into detention centers. States, local governments, and community organizations sued, and a Maryland district court judge issued a preliminary injunction prohibiting ICE from moving forward on a project near Williamsport without conducting the required environmental review. Because of that successful NEPA litigation, and facing pending court hearings on preliminary injunctions in states including New Jersey, Michigan, and Arizona, ICE began pausing its proposals in other states and even sold off some of the warehouses it had acquired.

BAAJA would make it easier for the immigration detention system to expand by limiting the tools available to local communities and the government to intervene. The bill would:

- Fundamentally undermine the ability of local governments and impacted communities to meaningfully weigh in on projects through the NEPA process by

narrowing the categories of government actions that would even require NEPA review
- Eliminate courts' authority to block a proposed detention center for its failure to notify the public, assess potential impacts, and provide meaningful public input, as is required under NEPA.
- Prevent the federal government, including future administrations, from rescinding or changing permit approvals for private detention centers once given

These provisions would have catastrophic consequences for communities fighting back against detention expansion as they are the very tools that dozens of communities across the country have used to block the expansion of detention facilities in Arizona, Maryland Michigan, New Jersey, and Texas.

If this bill goes into effect, it will help solidify the expansion of harmful infrastructure made possible by more than $240 billion in reconciliation funding for the Trump administration's detention and deportation agenda. At a time when people are struggling to afford groceries, housing, and other necessities, BAAJA would make it easier to build detention facilities and continue pouring public dollars into a system that has already wasted billions. If passed as written, BAAJA would make detention expansion easier and accountability harder. We call on all Members of Congress to oppose this bill.

Sincerely,

Asian Americans Advancing Justice | AAJC
Asian Prisoner Support Committee
Bend the Arc: Jewish Action
California Coalition for Women Prisoners
California Immigrant Youth Justice Alliance
Casa de Paz
Columbia Legal Services
Detention Watch Network
Dream Project
El Refugio
Episcopal Diocese of Chicago Sanctuary Committee
Families for Freedom
First Friends of New Jersey & New York
Free Migration Project
Frontera Federation

Immigrant Legal Resource Center (ILRC)
Indivisible
Institute for Policy Studies Climate Policy Program
Interfaith Movement for Human Integrity
Jewish Activists for Immigration Justice
LatinoJustice PRLDEF
Lighthouse Equality Advocacy Project
Louisiana Advocates for Immigrants in Detention
Miami Valley Immigration Coalition
Migrant Support Collective
Mukwa
National Education Association
National Immigration Project
National Korean American Service and Education Consortium
No Detention Centers in Michigan
NorCal Resist
Northwest Immigrant Rights Project
Northwest Michigan DSA
Oasis Legal Services
OPAWL - Building AAPI Feminist Leadership
Orange County Equality Coalition
Project Unidad
Refugee Advocacy Lab
Robert & Ethel Kennedy Human Rights Center
Services, Immigrant Rights and Education Network (SIREN)
Shut Down GEO Aurora
Southeast Asia Resource Action Center (SEARAC)
The Mami Chelo Foundation
The Workers Circle
Transformations CDC
Union for Reform Judaism
USCPR Action
Voto Latino