

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

The Honorable Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Ranking Member Johnson:

Thank you for your October 19, 2021 letter to the Department of Homeland Security (DHS). I apologize for the delay in responding.

DHS is committed to ensuring a safe, orderly, and humane immigration system. The Department continues to prioritize and allocate critical, limited resources toward the Southwest Border to process noncitizens consistent with applicable legal authorities, including our immigration authorities and public health requirements. This work includes guaranteeing that the rights of all individuals, including noncitizens, are protected while safeguarding the national and border security of the United States and the safety of American communities.

DHS is fundamentally a department of partnerships. In order to meet the challenges of migration, we collaborate with other nations, international organizations, and nonprofit service providers. To succeed, DHS must work with the many communities it serves and is committed to supporting our state and local law enforcement partners. We also continue to work closely with local and regional non-governmental organizations. It is important that we continue working together during these unprecedented times as we strive to keep the country safe and secure.

Thank you again for your letter. Enclosed, please find answers to the specific questions you posed. Should you wish to discuss this matter further, please do not hesitate to contact me, or have your staff contact the DHS Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in blue ink that reads "Alejandro N. Mayorkas".

Alejandro N. Mayorkas
Secretary

Enclosure

**The Department of Homeland Security's Response to
Ranking Member Johnson's October 19, 2021 Letter**

- 1. How many aliens have been transported by either DHS or contractors to a final destination by plane, train, and bus throughout the country since January 1, 2021? Please provide the final destination for each mode of travel.**

Please refer to the below charts for information on transportation. U.S. Immigration and Customs Enforcement (ICE) notes that the agency transports adult noncitizens for a variety of purposes, including transfer to or between detention facilities, transport for medical purposes, staging for removal from the country, or transport to a point of release near the detention facility.¹ ICE does not designate a destination for those who are released, nor does it resettle noncitizens.

Noncitizens Moved by Bus in Fiscal Year (FY) 2021			
Area of Responsibility (AOR) Endpoint	Inbound to Detention Facilities	Removal Transport (Transport to Airport, POEs)	Transport to Release Point
ATLANTA	2,212	1,905	-
BUFFALO	297	718	-
CHICAGO	181	328	131
DALLAS	2,801	3,388	476
DENVER	108	1,811	-
EL PASO	187	3,635	3,330
HOUSTON	1,068	712	18
LOS ANGELES	-	146	-
MIAMI	2,342	465	344
NEW ORLEANS	9,121	1,543	41
PHOENIX	9,226	7,361	15,779
SEATTLE	166	-	-
SAN FRANCISCO	32	14	-
SAN ANTONIO	7,580	9,079	15,645
SAN DIEGO	2,235	811	1,344
WASHINGTON	13	536	-
Grand Total	37,569	32,452	37,108

¹ ICE detention standards specify that if there is not a bus stop within one mile of the detention facility, then the facility will transport released noncitizens to the closest public transportation.

ICE Air Operations², Air Charter Operations, Domestic Transfers FY 2021	
Noncitizens Transferred	51,750

ICE Air Operations, Air Charter Operations, ICE/U.S. Customs and Border Protection (CBP) Interagency Agreement Transfers³ FY 2021	
Noncitizens Transferred	32,511

- 2. According to recent data, CBP has “processed” 273,396 aliens using 8 U.S. Code Title 8 from January 1, 2021 through August 31, 2021. This total includes aliens that were dispersed into the United States with Notices to Appear (NTA), Notices to Report (NTR), and via parole. Based on those 273,396 processed aliens, please provide a breakdown of how many were given an NTR and how many were paroled.**
- a. For the aliens released with an NTR:**
- i. provide the number of aliens that have reported to an ICE field office within the required 60 days;**
 - ii. provide the number of aliens that have not reported to an ICE field office within 60 days;**
 - iii. provide the number of aliens issued NTRs that are within the 60-day reporting window; and**
 - iv. for aliens that have reported to an ICE field office after receipt of an NTR, provide a breakdown, by location, of which ICE field offices issued charging documents to the aliens that received NTRs.**

Between March 21, 2021 (the start of the NTR program) and August 31, 2021, there were 104,171 noncitizens released with an NTR. Of these noncitizens:

- 49,859 checked-in with ICE (37,161 checked-in within 60 days, and 12,698 checked-in after 60 days).
- 47,705 did not check-in with ICE and it was greater than 60 days.
- 6,607 did not check-in with ICE and were still within 60 days.

The below chart provides a breakdown of NTAs issued for noncitizens released between March 21, 2021 and August 31, 2021.

² ICE Air Operations (IAO) is a component of the Removal Division under ICE ERO. Air Charter Operations and Commercial Air Operations are components of IAO. The aircrafts utilized for charter flights are operated by contractors.

³ On March 7, 2021, an Interagency Agreement (IAA) between CBP and ICE (Servicing Agency) was signed with the purpose of establishing urgent air transportation support services for the movement of detained noncitizens apprehended by CBP using ICE Air Operations’ charter contracts. CBP’s use of ICE assets achieved efficiencies for both parties and reduced the actual costs to the government through economies of resource sharing.

NTAs Issued by AOR, Releases Between March 21, 2021 and August 31, 2021

AOR	NTAs Issued
ATLANTA	707
BALTIMORE	68
BOSTON	1,127
BUFFALO	63
CHICAGO	1,164
DALLAS	950
DENVER	379
DETROIT	203
EL PASO	20
HARLINGEN	7
HOUSTON	195
LOS ANGELES	986
MIAMI	460
NEW JERSEY	2,450
NEW ORLEANS	860
NEW YORK CITY	2,613
PHILADELPHIA	254
PHOENIX	59
SEATTLE	365
SAN FRANCISCO	447
SALT LAKE CITY	405
SAN ANTONIO	718
SAN DIEGO	113
ST. PAUL	477
WASHINGTON	1,203
Grand Total	16,293

- b. For the aliens released via parole, please explain which provision of the Immigration and Nationality Act these aliens were paroled under, whether these aliens are in removal proceedings, and their final destination.**

In general, a noncitizen who is paroled into the United States is not placed into removal proceedings until the parole is terminated. When considering whether to grant or terminate parole on a case-by-case basis, CBP follows the provisions for issuing parole under section 212(d)(5) of the Immigration and Nationality Act. Parole may be terminated when an immigration officer exercises his or her discretion to do so, by advising the noncitizen in writing, generally through issuance of an NTA. The Department of Homeland Security defers to the Executive Office for Immigration Review (EOIR) as to whether these noncitizens remain in removal proceedings and where such proceedings are to occur.

With regard to destinations for those who have been released from custody but may still be in removal proceedings, as noted above, ICE does not designate the ultimate destination of such individuals, nor does it resettle noncitizens. However, cases are typically handled by a given field office within an ICE AOR, a list of which is provided in response to Question 2a.

3. Please provide a breakdown of how many aliens were given an NTA, as well as a breakdown of which Executive Office for Immigration Review (EOIR) court location the aliens are instructed to report to.

ICE has provided detailed information on noncitizens who were issued an NTR by CBP and subsequently received an NTA from ICE in response to Question 2a. However, please refer to the below chart for additional information on court locations.⁴

Between March 21, 2021 and December 5, 2021,⁵ ICE issued 50,683 NTAs to noncitizens who were initially released by CBP with an NTR. The following is a breakdown of court locations for these 50,683 NTAs.

**Count of Court Locations for ICE NTAs Issued
(March 21, 2021 to December 5, 2021)**

Court Location for NTAs Issued	Count
ARLINGTON JUVENILE	1
ARLINGTON, VIRGINIA	527
ATLANTA NON-DETAINED JUVENILE	1
ATLANTA, GEORGIA	307
BALTIMORE, MARYLAND	246
BLOOMINGTON JUVENILE	1
BOISE, IDAHO	6
BOSTON - DEDICATED DOCKET DD	407
BOSTON DETAINED	1
BOSTON UNACCOMPANIED JUVENILE	1
BOSTON, MASSACHUSETTS	34
BUFFALO, NEW YORK	32
CHARLOTTE	514

⁴ ICE notes the following with regard to this data: 1) ICE cannot reliably report details for cases where it has not subsequently processed a case and issued an NTA, so these include only cases where CBP issued an NTR and then ICE subsequently issued an NTA; and 2) ICE is providing data on court locations based on information that is contained in its system of record, but notes that EOIR should be contacted for official data related to immigration court cases.

⁵ When ICE receives data requests, it generally provides the most current data available *or* data for a period the requestor specifies. As a result, in response to Question 2, ICE has provided information for March 21, 2021 to August 31, 2021 (as specified in the question), while in response to Question 3, ICE has provided data from March 21, 2021 to December 5, 2021 (the most current data available). The total number of ICE-issued NTAs from March 21, 2021 to August 31, 2021 was 16,293, while the total number of ICE-issued NTAs from March 21, 2021 to December 5, 2021 was 50,683.

CHARLOTTE JUVENILES	5
CHICAGO NON-DETAINED JUVENILES	5
CHICAGO, ILLINOIS	666
CLEVELAND JUVENILE	1
CLEVELAND, OHIO	148
DALLAS, TEXAS	467
DENVER - Dedicated Docket DD	152
DENVER, COLORADO	10
DETROIT - Dedicated Docket DD	37
DETROIT, MICHIGAN	13
EL PASO - Dedicated Docket DD	37
EL PASO, TEXAS	9
FORT SNELLING	166
HARLINGEN, TEXAS	6
HARTFORD JUVENILE	1
HARTFORD, CONNECTICUT	212
HONOLULU, HAWAII	3
HOUSTON S. GESSNER	212
HOUSTON GREENSPPOINT PARK	215
HOUSTON, TEXAS	383
IAD HLOC - BAL, MARYLAND	13
IAD HLOC - BOS, MASSACHUSETTS	17
IAD HLOC - BUF, NEW YORK	7
IAD HLOC - DET, MICHIGAN	13
IAD HLOC - HAR, CONNECTICUT	160
IAD HLOC - HON, HAWAII	1
IAD HLOC - KAN, MISSOURI	9
IAD HLOC - LAD, CALIFORNIA	70
IAD HLOC - LOS, CALIFORNIA	37
IAD HLOC - NEW, NEW JERSEY	1
IAD HLOC - NOL, LOUISIANA	4
IAD HLOC - NYC, NEW YORK	1
IAD HLOC - PHI, PENNSYLVANIA	1
IAD HLOC - POO, OREGON	7
IAD HLOC - SMO, CALIFORNIA	4
IAD HLOC -VNS, VAN NUYS	13
IAD HLOC - ATD, ATLANTA	3
KANSAS CITY, MISSOURI	107
LAS VEGAS JUVENILE	1
LAS VEGAS, NEVADA	32
LASALLE DETENTION FACILITY	1
LELAND FEDERAL BUILDING	6
LOS ANGELES - Dedicated Docket DD	194
LOS ANGELES - NORTH LOS ANGELES STREET	10

LOS ANGELES, CALIFORNIA	10
LOUISVILLE, KENTUCKY	168
MEMPHIS JUVENILES	2
MEMPHIS, TENNESSEE	288
MIA DETAINED JUVENILES	2
MIAMI - Dedicated Docket DD	228
MIAMI, FLORIDA	154
NEW ORLEANS, LOUISIANA	321
NEW YORK - Dedicated Docket DD	387
NEW YORK BROADWAY	30
NEW YORK CITY, NEW YORK	98
NEW YORK VARICK	52
NEWARK - Dedicated Docket DD	404
NEWARK, NEW JERSEY	80
OMAHA JUVENILE	1
OMAHA, NEBRASKA	88
ORANGE COUNTY CORRECTIONAL FACILITY	1
ORLANDO, FLORIDA	823
PHILADELPHIA JUVENILES	5
PHILADELPHIA, PENNSYLVANIA	314
PHOENIX, ARIZONA	27
PITTSBURGH, PENNSYLVANIA	5
PORTLAND, OREGON	52
RENO, NEVADA	37
SACRAMENTO IMMIGRATION COURT	14
SALT LAKE CITY, UTAH	114
SAN ANTONIO NON-DETAINED JUVENILE	1
SAN ANTONIO, TEXAS	341
SAN DIEGO - Dedicated Docket DD	47
SAN DIEGO, CALIFORNIA	9
SAN FRANCISCO - Dedicated Docket DD	255
SAN FRANCISCO ANNEX	7
SAN FRANCISCO NON-DETAINED JUVENILE	1
SAN FRANCISCO, CALIFORNIA	158
SAN JUAN, PUERTO RICO	1
SANTA ANA IMMIGRATION COURT	118
SEATTLE - Dedicated Docket DD	70
SEATTLE, WASHINGTON	66
TUCSON, ARIZONA	5
VAN NUYS IMMIGRATION COURT	13
PENDING/UNKNOWN	40,348
Grand Total	50,683