

**The Honorable John Carter**  
**Subcommittee on Homeland Security**  
**Committee on Appropriations**  
***Immigration Enforcement***  
**Thursday, March 14**  
**Opening Statement As Prepared**

---

This morning we will hear from witnesses from U.S. Immigration and Customs Enforcement (or ICE), about the facts surrounding the recent release of detainees from ICE custody. Everyone has a lot of questions about what happened and why, and I expect full disclosure.

More than two weeks ago, Director, you promised me full details regarding the releases. That same day, two weeks ago, your boss, Secretary Napolitano, expressed surprise and concern over the release and promised me the same. The Subcommittee still has not received a single answer to the legitimate, fact-based questions we asked.

As a result, we cannot shed any light on the conflicting reports released by the media, the Administration, and off-the-record sources within the agency. Before we can talk about why ICE took this drastic action, we need to obtain the facts.

How many people were released? The Secretary has repeatedly asserted that hundreds – not thousands – of detainees were released for supposed budget reasons. We have seen documents indicating more than 3,000 detainees were released for budget reasons starting on February 9, well before the President's sequester order.

What risk did these individuals pose to national security and public safety? The Secretary has insisted that none were criminal aliens. Yet internal sources note that a number of convicted criminals were released – mostly "level three" detainees in your parlance, but some arrested for serious crimes.

Were those risks mitigated in any way? The Secretary has stated that all of these individuals remain in removal proceedings and are being supervised. The implication is that all were placed in alternatives to detention – but we now understand that is not true.

And what is ICE's posture going forward? I have heard different stories about whether ICE will undertake further releases of detainees.

Along with demanding answers to the above, this Committee is appalled by public statements that ICE was not provided adequate resources under the current continuing resolution (or CR). For that reason, it is important to note that based upon the data ICE provided, the agency absolutely was funded at the level necessary to maintain 34,000 beds in fiscal year 2012 and under the current fiscal year 2013 CR.

While our current fiscal crisis dictates thoughtful decisions to put limited dollars against priorities, it is not a political opportunity to ignore the law. I am further disappointed by any effects this incident has on bipartisan discussions toward comprehensive immigration reform. Immigration enforcement matters to our national security, our public safety, and the integrity of our legal immigration system.

I would like to now recognize the Subcommittee's distinguished Ranking Member, Mr. Price, for his opening remarks.

#####