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**U.S. Immigration and Customs Enforcement (ICE)  
Enforcement and Removal Operations (ERO)**  
December 2024

**Background:** Rep. Collins (R-GA/10) staff submitted questions regarding the potential impact of H.R. 7511, the Laken Riley Act (as introduced during the 118<sup>th</sup> Congress), and specific resources ICE would need to enforce the bill.

<https://www.congress.gov/bill/118th-congress/house-bill/7511>  
<https://www.govtrack.us/congress/bills/118/hr7511/summary>

**1. How many additional agents?**

**Response:** When the House of Representatives first introduced H.R. 7511, the Laken Riley Act, ERO conducted a statistical analysis to assess the potential impact should Congress enact H.R. 7511, The Laken Riley Act. In this analysis, ERO identified a population of more than 60,000 noncitizens on ICE’s detained and non-detained dockets that would meet the parameters outlined in H.R. 7511, including burglary, theft, larceny, and shoplifting). Should this Act become law, ERO would require additional officers to conduct at-large arrests of noncitizens that meet the Act’s parameters. However, over the past decade, ERO’s workforce has remained relatively static, even as docket and officer caseloads continue to grow. By increasing the ERO workforce, ERO would be better positioned to effectively manage the demand placed by the growing number of noncitizens coming into the United States and any increase in ERO’s arrest and removal efforts caused by the enactment of the Laken Riley Act.

As a result, ERO seeks funding for 61 additional personnel, including 50 law enforcement officers, ten non-law enforcement officers, one law enforcement officer located at ERO Headquarters, and associated tactical equipment, to establish an increase in ten Mobile Criminal Apprehension Teams (MCATs). ERO seeks to place six MCATs in the Boston, Chicago, Denver, New York, Seattle, and Salt Lake City field offices, and four MCATs in the Los Angeles and San Francisco field offices. Currently, ERO has 129 MCATs that conduct at-large arrests. In Fiscal Year (FY) 2024, ERO officers conducted 33,242 at-large arrests, for an average of 257.7 at-large arrests per MCAT.

Additionally, ERO would need additional officers and administrative support staff, including Enforcement and Removal Assistants and Mission Support Specialists, to manage an increase of noncitizens on the non-detained docket. Once ERO identified the noncitizens that met the parameters of the Laken Riley Act, ERO would then be required by law to detain those noncitizens. As a result, ERO would need to re-evaluate other cases of noncitizens in detention for possible release. Upon release, those noncitizens would then be on ICE’s non-detained docket.



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## 2. How many additional detention beds?

**Response:** The Laken Riley Act would require ERO to take immediate custody of noncitizens who are accused or convicted of having committed crimes against property – burglary, theft, larceny, or shoplifting — if not already in the custody of another federal, state, or local law enforcement agency. ICE would require additional funding to accommodate the arrest and immediate detention of noncitizens who are accused or convicted of crimes against property, in addition to the noncitizens ICE is statutorily required to detain, and who may be national security, public safety, and flight risks. However, should Congress enact the Laken Riley Act, ERO would require additional bedspace. As previously mentioned, ERO anticipates that the number of noncitizens on its national docket that would meet the Act’s parameters would be over 60,000. Since the Laken Riley Act requires ERO to immediately detain those noncitizens, ERO would then require, at minimum, 64,000 additional detention beds; however this does not account for other immigration enforcement mandates that may place a need for increased detention capacity.

Additionally, ICE is currently funded for 41,500 detention beds. As of December 8, 2024, out of the 39,062 noncitizens in ICE custody, 15,535 have criminal histories. Similarly, of the 39,062 noncitizens in ICE custody, 24,247 of those are required to be detained according to U.S. immigration laws. ERO would need a significant increase in its detention inventory to accommodate the additional 60,000 noncitizens as well as the national security and public safety cases that ERO will inevitably encounter.

## 3. How much additional funding?

**Response:** Should Congress enact the Laken Riley Act, ERO would require additional FY 2025 funding in the amount of \$14,799,526 for personnel and associated tactical equipment—specifically for this proposed legislative requirement. This amount allows ERO to implement ten new MCAT teams (61 positions) across eight field offices within the United States and one HQ law enforcement officer. Furthermore, increasing detention capacity by more than 60,000 beds will require a funding increase of approximately \$3.2 billion in the Custody Operations PPA. This amount assumes a five percent inflationary increase above the FY 2024 enacted bed cost appropriation.

## 4. Any additional authorities ICE would need?

**Response:** ERO relies on its longstanding Title 8 authority to enforce border security and our nation’s immigration law. ERO currently possess the authority to fulfil the requirements placed by the enactment of the Laken Riley Act.



## 5. Biggest challenges ICE sees to implementing this bill?

**Response:** ICE is currently reviewing the full impact of the Laken Riley Act on Enforcement and Removal Operations (ERO) operations should the law be enacted:

- *Detention Beds:* The Laken Riley Act would require ICE to take immediate custody of noncitizens who are accused or convicted of having committed crimes against property – namely, burglary, theft, larceny, or shoplifting – if not already in the custody of another federal, state, or local law enforcement agency. ICE would require additional funding to accommodate the arrest and immediate detention of noncitizens who are accused or convicted of crimes against property, in addition to the noncitizens ICE is statutorily required to detain, and who may be national security, public safety, and flight risks. ERO notes, however, if supplemental funding is not received and ICE remains at its current bed capacity, the agency would not have the detention capacity to accommodate the immediate arrest and detention of noncitizens convicted or charged with property crimes. ERO anticipates that tens of thousands of noncitizens would need to be released by the end of the fiscal year, resulting in the potential release of public safety threats. Additionally, ERO would be required to shutter or significantly curtail operations at its detention facilities, which would significantly impact ERO detention operations.
- *Sufficient ERO Officers:* Should ICE be required to take immediate custody of noncitizens who are accused or convicted of having committed crimes against property if not already in the custody of another federal, state, or local law enforcement agency, as required by H.R. 7511, ERO would require additional officers. Over the past decade, ERO’s workforce has remained relatively static, even as docket and officer caseloads continue to grow. Without the additional funding, however, ERO’s interior enforcement efforts would be significantly reduced.
- *Uncooperative Jurisdictions:* Should Congress pass the Laken Riley Act, the bill would require that the “Secretary of Homeland Security shall issue a detainer for an alien...and, if the alien is not otherwise detained by Federal, State, or local officials, shall effectively and expeditiously take custody of the alien.” A complicating factor is a lack of cooperation from ICE’s state and local law enforcement partners. With the enactment of the Laken Riley Act, ERO would be compelled to allocate these limited resources to “expeditiously” identifying and arresting those noncitizens accused of, or convicted of, crimes against property, negating the prioritization of more egregious offenders.