

Congress of the United States

Washington, DC 20510

October 9, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528

The Honorable Todd Blanche
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Sirce E. Owen
Acting Director
Executive Office for Immigration Review
5107 Leesburg Pike
Falls Church, VA 22041

Dear Secretary Mullin, Attorney General Blanche, and Acting Director Owen,

We write to express our serious concern regarding the increasing number of immigration bond denials, as well as the increase in bond amounts, since January 2025.

Immigration bond is a financial guarantee to the U.S. government that an individual will appear for their immigration court hearings, enabling an eligible individual to be released from custody while their case proceeds. Bond amounts may be established by an immigration judge through the Executive Office for Immigration Review (EOIR) or by the Department of Homeland Security (DHS), depending on the circumstances. As recognized in *Maldonado Bautista*, access to a meaningful bond process is a significant component of ensuring fairness and due process within the immigration system. Immigration bond is a vital function of our nation's immigration system, but under your leadership, access to bond has been greatly weakened and undermined.

Your Administration's drastic surge in immigration enforcement has corresponded with a surge in the total volume of immigration court cases and a sharp increase in individuals requesting bond. Specifically, immigration bond requests more than doubled from 34,845 requests in 2024 to 80,130 requests in 2025, approximately a 130% increase over the course of one year. This increase has also corresponded with a sharp rise in immigration bond denials. EOIR data shows that in 2024, immigration judges denied bond requests at a rate of approximately 36%. In 2025, the denial rate increased to 43% and rose further to 55% in just the first three months of 2026, representing an almost 20% increase since 2024.

Not only have immigration bond denials drastically increased since January 2025, but bond amounts have also risen dramatically. From January 2024 to November 2025, median immigration bond amount was \$6,000. However, after November 10, 2025, the median jumped to \$7,500 and the average bond amount reached \$9,211.¹

To illustrate this real-world impact: in one case, that has become emblematic, a man who has lived in the United States for 25 years, with steady employment, a family, and no criminal

¹ <https://laist.com/brief/news/adelanto-immigration-bond-denials-2026>

record, was given a \$50,000 bond. According to experienced immigration practitioners, bond amounts of this scale were traditionally limited to exceptional cases, including those involving Interpol Red Notices. Their increasing use in cases involving individuals with longstanding community ties and no criminal history raises serious concerns about whether bond is continuing to serve its intended purpose. In immigration court, people have to pay the full bond, not 10% like in criminal court.²

While denial rates and bond amounts have surged nationwide, they have increased at disproportionately high rates at the Adelanto Immigrations and Customs Enforcement (ICE) Processing Center in San Bernardino County, California. Much like other detention facilities across the country, the Adelanto ICE Processing Center has a well-documented history of medical neglect, abuse, and preventable deaths. Between January 1, 2024, and November 10, 2025, immigration judges denied 39% of bond requests for individuals held at Adelanto. However, since November 2025, the bond denial rate for individuals held at Adelanto has jumped to 57%, higher than the national average. Further, while national median immigration bond amount increased to \$7,500 after November 10, 2025, the median increased to \$10,000 for individuals held at Adelanto since that date.³

While immigration bond denials and amounts have increased consistently since January 2025, data from EOIR show that these increases have surged dramatically since November 10, 2025. In December 2025, immigration advocates filed a Freedom of Information Act (FOIA) request after receiving reports that immigration judges, including those overseeing cases involving individuals detained at Adelanto, had been instructed to provide written justification to their supervisors when granting bond. In response to the FOIA request, EOIR provided materials that were almost completely redacted, leaving significant questions unanswered about what guidance immigration judges received and whether bond grants are subject to heightened supervisory scrutiny.

Taken together, these developments paint a disturbing picture. The sharp increase in bond denials and bond amounts, coupled with unresolved questions regarding potential directives and supervisory practices governing immigration judges, raises serious concerns about whether immigration judges retain sufficient independence to make individualized bond determinations based on the facts and applicable law.

Accordingly, we respectfully request written responses to the following questions no later than October 23, 2026.

1. To your knowledge, are immigration bond decisions currently monitored by EOIR leadership?
 - a) If so, by whom?
 - b) How are they monitored?
 - c) What information is collected or reviewed?

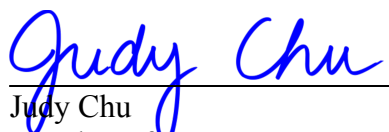
² <https://www.kpbs.org/news/border-immigration/2026/06/04/lawyers-accuse-immigration-courts-of-holding-sham-bond-hearings>

³ <https://laist.com/brief/news/adelanto-immigration-bond-denials-2026>

- d) If these decisions are being monitored, does this practice differ from practices prior to January 20, 2025?
 - e) Please identify any documents, memoranda, guidance, training materials, or other records concerning the monitoring of bond decisions, including any materials previously referenced regarding *Maldonado Bautista* or related guidance.
- 2. What new mechanisms, databases, reporting requirements, tools, or procedures, if any, have been introduced to monitor, collect, record, or analyze Immigration Judge bond decisions?
- 3. Have Immigration Judges received any additional instructions or guidance regarding the procedures they must follow when denying bond? If so, please describe that guidance.
 - a) How, if at all, does that guidance differ from instructions associated with granting bond?
- 4. Are outcomes of bond proceedings monitored and maintained only at the local immigration court level, or are they reported to EOIR headquarters or the Director of EOIR?
 - a) Are bond proceedings and/or outcomes reported to the Attorney General or to anyone in the White House?
- 5. If bond outcomes are reported centrally:
 - a) What specific information is reported?
 - b) Who receives the information?
 - c) How frequently is it reported?
 - d) For what purpose is the information used?
- 6. Historically, what types of communications have occurred between Immigration Judges and supervisory officials concerning bond decisions, including: the Chief Immigration Judge (CIJ), Regional Deputy Chief Immigration Judges (RDCIJs), Assistant Chief Immigration Judges (ACIJs), and court administrators?
- 7. Are the outcomes of bond proceedings conducted pursuant to a federal habeas corpus order monitored, tracked, or reported differently from bond proceedings not conducted pursuant to a habeas order? If so, please describe:
 - a) The differences in monitoring or reporting;
 - b) Who receives the information;
 - c) What information is collected; and
 - d) The reasons for any different treatment.
- 8. Has any Immigration Judge been fired, for their case completion goals, ever in the history of EOIR?
- 9. To what extent, if at all, have bond grant rates, bond denial rates, case completion statistics, productivity measures, or other numerical outcomes been considered in Immigration Judges' performance evaluations, reviews, counseling sessions, or supervisory discussions?
 - a) Have bond grants or denials ever been a factor used to determine if an Immigration Judge should be removed from the detained docket?
- 10. Have Immigration Judges been given the impression, either expressly or implicitly, that certain bond outcomes, case metrics, or adjudicatory trends were viewed favorably or unfavorably by EOIR leadership? If so, please describe the circumstances and communications.

11. Were Immigration Judges ever evaluated, monitored, encouraged, or questioned based on the numerical outcomes of their cases, including bond grants, bond denials, continuances, case completions, or other statistical measures?
 - a) If so, how did those metrics factor into performance assessments?
12. Were Immigration Judges afforded sufficient discretion in individual cases, even when doing so produced outcomes that differed from perceived agency preferences or statistical goals?
13. Have Immigration Judges who handle detained dockets received training and/or guidance regarding BIA case law and circuit-appropriate case law?
14. Has EOIR distributed or discussed guidance following recent Board of Immigration Appeals decisions, including *Matter of Shentu*, regarding the treatment of investigative materials, FBI memoranda, intelligence documents, or other government evidence? If so, please describe that guidance.
15. Have Immigration Judges received any direction regarding how to evaluate or weigh evidence submitted by DHS as compared to evidence submitted by respondents? If so, please describe the nature of that direction.
16. Have Immigration Judges been asked to provide additional justification for continuances, adjournments, scheduling decisions, or the use of particular adjournment codes? If so, please describe those requirements.
17. Have supervisory officials reviewed, monitored, questioned, or overridden Immigration Judges' decisions to continue or adjourn cases? If so, please describe the circumstances.
18. To your knowledge, have DHS attorneys or personnel been encouraged, invited, or permitted to report concerns about Immigration Judges' rulings, including decisions denying DHS motions or overruling DHS objections? If so, please describe how such concerns are communicated and addressed.
19. Have there been instances in which DHS personnel communicated complaints or concerns about an Immigration Judge's bond or merits decisions to EOIR leadership or court management? If so, please describe the process and any resulting action.
20. Have Immigration Judges overseeing cases of those detained at the Adelanto ICE Processing Center been provided additional guidance or directives on bond decisions and amounts?
21. What percentage of bonds are claimed by the obligor after a final order has been issued in the detained respondent's case?
22. What percentage of bonds remain unclaimed by the obligor after the conclusion of the detained respondent's case?
23. How are the funds of unclaimed bonds managed? And ultimately, where do those funds go?

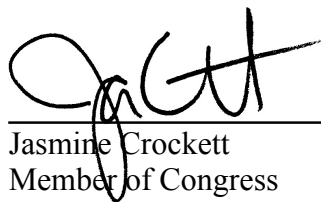
Sincerely,



Judy Chu
Member of Congress



Eleanor Holmes Norton
Member of Congress



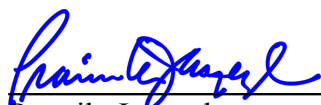
Jasmine Crockett
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Yvette D. Clarke
Member of Congress



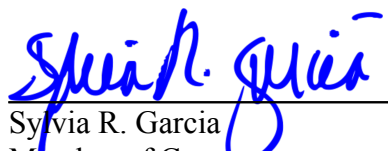
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Pramila Jayapal
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J. Luis Correa
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Sylvia R. Garcia
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Henry C. "Hank" Johnson, Jr.
Member of Congress



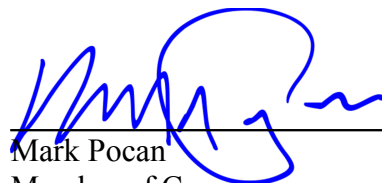
Rashida Tlaib
Member of Congress



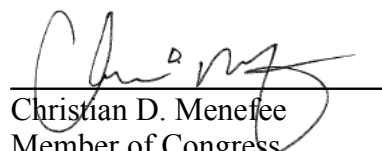
Raja Krishnamoorthi
Member of Congress



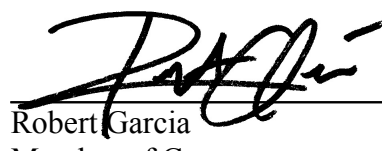
Shri Thanedar
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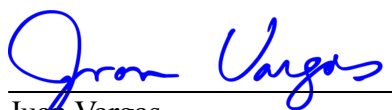
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Christian D. Menefee
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Robert Garcia
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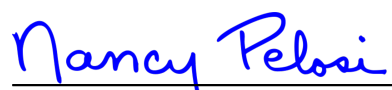

Juan Vargas
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Jared Huffman
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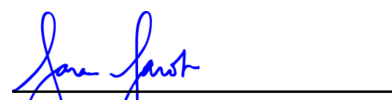

Maxine Waters
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Dan Goldman
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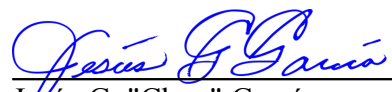

Mark DeSaulnier
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Nancy Pelosi
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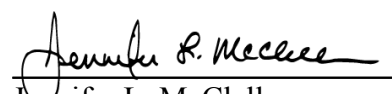

Lateefah Simon
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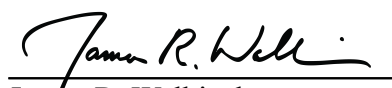

Sara Jacobs
Member of Congress

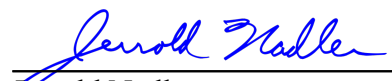

Yasamin Ansari
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