

**DECLARATION OF Linda A Brandmiller
Regarding Office of Refugee Resettlement (ORR)**

I, Linda A. Brandmiller make the following declaration under penalty of perjury:

1. My name is Linda A. Brandmiller. I am over 18 years old and I have personal knowledge of the facts contained herein.

2. I have nearly 20 years of experience working with unaccompanied children and other immigrant groups, starting as the Director of Immigration Services at Catholic Charities, San Antonio, TX in 2007.

3. During my five years at Catholic Charities we were the recipient of funding from ORR to serve immigrant children residing in local shelters. It was during that time that we discovered physical, emotional and sexual abuse at three of the local shelters (Nixon, Abraxis and Baptist Children's). Two other colleagues and I called for an independent audit from the Women's Commission who at the time confirmed several outcries of abuse. After that investigation, ORR pulled the grant from Catholic Charities (in the middle of a three year contract period with stellar performance) and "gifted" it to RAICES another local non-profit without so much as a call for proposals (clearly against government funding rules). It became clear to me that the government had no real interest in helping immigrant children.

4. After I was fired from Catholic Charities in 2012, I have continued to work with immigrant children in myriad capacities—screening them for possible legal remedies, providing representation in court, and completing immigration applications on their behalf, many on a *pro bono* or "*low bono*" basis.

5. In 2014 I experienced first hand the emergency "influx" shelters that popped up in downtown San Antonio at the YMCA and at Lackland airforce base as a result of the "surge". I immediately recognized this as being a violation of the Flores Settlement Agreement and contacted Carlos Holguin at the Center for Human Rights and Constitutional Law in California who had spearheaded the Flores v. Reno class action case in the 90's which ultimately determined how immigrant children should be treated in detention. He flew to San Antonio and deputized me and a colleague to do a site visit at Lackland. At that time, I was representing a child housed at the Baptist Children's Shelter (which ALSO received significant funding to run the "emergency shelters" that had popped up). I caught the shelter staff MOVING about a dozen boys from the established shelter to the emergency shelter—double dipping fees, charging more for emergency bed space, double counting numbers AND confirming that there was CAPACITY at established shelters but ORR could receive far more money from the emergency shelters. Hence my education on the bilking of the American Taxpayer through the ORR "emergency surge" system.

6. Over the years, several other emergency shelters popped up but not in San Antonio. They were placed in geographically isolated areas, on military installations—**DELIBERATELY** in places that were difficult to get to, nearly impossible to monitor and far away from advocates who could assist these children.

7. Then in 2021, two “emergency influx shelters” popped up in San Antonio and an independent contractor was recruiting for case managers so I applied. I was accepted to work at the Freeman Coliseum site. It was **PAINFULLY** clear on the first day that this was a comedy of errors. **NO ONE** knew what they were doing and although children were already there sleeping on cots in a large coliseum, no infrastructure had been set up to screen and address their needs. We had no computers, no phones, people were tripping over each other with each shift getting different instructions. One day we got to the site and the files were sorted alphabetically and the next day we arrived and they were sorted by category of release. I was so frustrated because I knew the huge need for screening these children and no one seemed to care. A friend and I volunteered for the phone bank since that seemed like a practical way to connect with both sponsors and children. And that is where I discovered **MORE** than one case of suspected human trafficking.

8. More than one sponsor in Florida (one having a construction company and one with a landscaping company) were sponsoring unrelated boys with sequential A numbers- meaning the boys arrived at the border at the **SAME** time but they did not know each other either. The sponsor put slightly different information on each of the applications so that they were not flagged in the system and the **ONLY** way I discovered it was by checking files. One of the boys explained that he had to work for the sponsor to pay for his travel to the U.S. so I began to suspect a trafficking scheme. Knowing that even in **ESTABLISHED** shelters that have ample time to vet sponsors, ORR had a history of releasing children to abusers and traffickers- I had **NO** doubt that the lack of oversight at the emergency facility would be an **INVITATION** to make those same mistakes. So, I referred these children to **KIND** (Kinds in Need of Defense) the onsite contractor for Freeman to provide legal services. When I spoke to Enrique several days later, he said “yeah, I’m not seeing the “T””. Then he proceeded to tell me that the sponsor was holding the **DEED** to the family home until the child paid off the debt to which I recall **YELLING** at him that he was making my case for me!

9. As a result, I was particularly **PERPLEXED** by Alejandro Mayorka’s testimony to Congress on May 13, 2021 when in response to Chairman Peters question of “Could you just elaborate for the committee on protections that remain in place to ensure that children are not being released into a dangerous situation?” Mayorkas said

Alejandro Mayorkas: (33:49)

“Mr. Chairman, we have brought expertise to bear on that part of the process as well. We have **dedicated very experienced asylum and refugee officers from US Citizenship and Immigration Services who are expert in verifying the identity of individuals, and we work in tandem with experts from the Department of Health and Human Services to ensure that the individuals in whose care the children will be placed are qualified to be caretakers for those children.** (emphasis added) There’s an extraordinarily important data point here. Approximately 40% of the children who come to the border unaccompanied have a parent or legal guardian here in the United States. Over 90% of them have relatives here in the United States, and that is very relevant to our verification responsibilities that we execute in the hands of expertise.”

I know Mr. Mayorkas and have had every respect for him however he was **WOEFULLY MISINFORMED** regarding his “experienced” officers “expert in verifying the identity of individuals”. I was **SCREAMING** from the rooftops about the schemes that I had identified at Freeman that I believe involved human trafficking. Not only was I **IGNORED**, I was fired. I had suspected that it was only a matter of time before my identity was discovered – though I never kept it a secret. DHS/ORR have known me for years and as my emails were going up the food chain I have not doubt that Jose Gonzalez who had been the onsite ORR supervisor for years, would see my name and scream to someone about who let me in.

10. I was then recruited to Lackland Airforce base to the other emergency influx shelter. I must say that the management at that shelter was vastly improved over Freeman. There was adequate infrastructure and they even had me do a training for staff before they started. DHS staff were still **NOT** involved and in fact overly complicated the system because they just poked their noses in enough to change up something and then went back to their trailer where they stayed. There were not at all **HANDS-ON** and in fact, did not seem interested **OR** equipped to handle this job. These were DHS employees who were recruited for these shelters from all different agencies (FEMA, Health Corp, and others)- **OUTSIDE** of immigration so they had no “experience or expertise”. I was only there two weeks before my badge was deactivated. The manager explained to me that their legal department made the decision because I am a lawyer and they feared I might be “recruiting” clients which is **FUNNY** since I don’t need to recruit clients, most children were being reunified outside of San Antonio **AND** though I offered to sign a non-compete contract, I was let go.

11. When Hannah Drier at the NY Times started investigating the exploitation of these children, I shared with her my experience and perceptions about how **VERY** broken this system is. Her expose on this system is stellar.

12. The funding for these shelters comes from the SAME pool that funds the contractors who provide legal services to the children so everyone is in bed together and there is NO incentive to be cost-efficient OR to actually provide services. On the CONTRARY, this system is DESIGNED for failure and abuse of resources because the more they spend the more they show need, the more funding they receive!- it is the equivalent of the golden hammer and the toilet seat scandals! The difference here is that childrens' LIVES hang in the balance and there is no room for error!

13. Now I hear that Judge Dolly Gee who has been overseeing the Flores Settlement agreement is allowing ORR to SELF POLICE?!? HUGE mistake! In Texas, at least we used to have some oversight of these shelters by the Department of Family and Protective Services (DFPS) but DFPS refuses to license these facilities (as required by Flores) so does anyone think it is a COINCIDENCE that most shelters are in Texas and Florida where these facilities are not licensed?

14. There needs to be some substantive change! One suggestion is to get local family courts involved. Each of these shelters receives SIGNIFICANT funding to provide legal services. Have them coordinate these cases with the local court to have a judge assess "best interests of the child" for release to specific sponsors or to identify other immigration relief. Of course this would require actual WORK on the part of these contractors and in my nearly 20 years of experience I have not seen that to be an integral part of this system. Good advocates either drink the Kool-aid and sell their souls for their paycheck or they leave because they cannot tolerate how fundamentally BROKEN this system is despite the fact that we throw BILLIONS of dollars at it every year.

15. If you care about children (and it does NOT matter that they are "immigrant" children) I trust that you will do the right thing and the fiscally sound thing and hold DHS accountable for this broken ORR system! And please do NOT allow them to continue the SCAM of "emergency influx shelters" which are overly expensive, dangerous and unnecessary!

16. If you have any questions or require additional information, please do not hesitate to contact me. Thank you.

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//Linda A. Brandmiller//
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