

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Joe Neguse, et al.,

Plaintiffs,

v.

U.S. Immigration and Customs Enforcement,
et al.,

Defendants.

Civil Action No. 1:25-cv-02463-JMC

DECLARATION OF HOLLY C. MEHRINGER

I, Holly C. Mehringer, based upon my personal knowledge and information made known to me in the course of my official employment hereby declare, to the best of my knowledge, information, and belief, as follows relating to the above-captioned matter:

1. I am the Senior Official Performing the Duties of the Chief Financial Officer at the U.S. Department of Homeland Security (DHS). As the Senior Official Performing the Duties of the Chief Financial Officer, I oversee the Budget Division within the Office of the Chief Financial Officer. The Budget Division oversees the administration of the Department's total budgetary resources to ensure the efficient and effective use of funds. The Budget Division's responsibilities include the formulation of the Department's budget submissions to the White House Office of Management and Budget (OMB), and other work related to the formulation of the President's annual budget submission for DHS. The Budget Division is also responsible for execution, control, and monitoring of appropriations for the Department that Congress has enacted. I have

personal knowledge regarding the budget process, including the execution of the Department's appropriated funding.

2. On July 4, 2025, Congress passed, and the President signed into law H.R. 1, otherwise known as the One Big Beautiful Bill Act or the Reconciliation Act. H.R. 1 provided more than \$191 billion in appropriations to DHS. The appropriations provided by H.R. 1 are available in addition to the Department's regular, annual appropriations and fund a variety of activities related to homeland security, including costs related to immigration enforcement and immigration detention. Congress provided much of the H.R.1 funding in the form of multi-year appropriations, meaning they are available for the Department's obligation and use for a period of years. Many of the H.R. 1 appropriations are available for five years through September 30, 2029, and are currently available for obligation and expenditure.

3. Among the appropriations provided by H.R. 1 for purposes related to immigration enforcement and detention are the following:

- Section 90003 provides ICE with \$45 billion for detention capacity;
- Section 90007 provides DHS with \$10 billion for activities "in support of the Department of Homeland Security's mission to safeguard the borders of the United States."; and
- Section 100052 provides ICE with \$29.8 billion for, among other listed purposes, hiring and training additional personnel, including officers and agents, to carry out immigration enforcement activities.

These H.R. 1 funds have been apportioned by the Office of Management and Budget, and they are currently available for the Department to obligate and expend and were available on January 8, 2026.

4. For fiscal year 2026, DHS also received funding through a short-term continuing resolution. The continuing resolution provides annual funding to the Department, including ICE, at the same funding levels as the fiscal year 2025 annual appropriation. The current short-term continuing resolution expires on January 30, 2026.

5. On January 8, 2026, the Secretary of Homeland Security issued a new policy related to congressional access to alien detention facilities. The Secretary's policy directed that it be implemented and enforced using only funds appropriated to the Department by H.R. 1 and that the Department's annual appropriations not be used for that purpose.

6. From an accounting perspective, the Department has determined that it is possible to track the costs incurred to issue and enforce the January 8 policy. Once those costs are captured, the Department can adjust its accounting ledgers to ensure that these costs are properly recorded against an available, and appropriate, H.R. 1 appropriation and not one of the Department's annual appropriations accounts. To the extent that the obligations for these costs would ordinarily be recorded against the Department's annual appropriations, the Department can adjust its accounting ledgers so that they are properly recorded against H.R. 1 appropriations.

7. Going forward, to ensure that ICE complies with the Secretary's direction and to ensure that the appropriate H.R. 1 funding source is used to enforce the January 8 policy, the Department will track the costs incurred enforcing the policy.

8. For instance, ICE will track the time spent by ICE employees responding to requests by Members of Congress to visit ICE facilities, including time spent planning such visits. The Department will accordingly track the costs associated with those time records.

9. The Department will reconcile its accounts to ensure that the tracked costs related to the access policy are charged to and recorded against the appropriate H.R. 1 accounts. To the

extent it is necessary for the H.R. 1 appropriations to reimburse annual appropriations so that all of these expenses are properly recorded and accounted for against an H.R. 1 appropriation, the Department will establish interagency agreements to effectuate any transfers that are necessary to reimburse annual appropriations for payroll and other expenses.

10. Any transfers that are necessary to ensure payroll and other tracked charges are obligated against appropriate H.R. 1 accounts related to enforcement of the access policy will be processed on a monthly basis. A consolidated report will be compiled by the DHS Budget Director for audit purposes.

11. Using this process to reconcile its accounts, the Department will ensure that all charges related to enforcement of the January 8 access policy are properly recorded against H.R. 1 accounts no later than the end of the fiscal year, when the Department's annual appropriations accounts expire.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 13th day of January, 2026.

/s/ _____
Holly C. Mehringer
Senior Official Performing the Duties of the
Chief Financial Officer
Office of the Chief Financial Officer
U.S. Department of Homeland Security