

EXHIBIT 4

Enforcement and Removal Operations

U.S. Department of Homeland Security
500 12th Street,
SW Washington,
DC 20536



**U.S. Immigration
and Customs
Enforcement**

June 24, 2025

MEMORANDUM FOR: All ERO Field Office Directors

THROUGH: Thomas Giles
Interim Assistant Director
Field Operations

FROM: Monica S. Burke
Assistant Director
Custody Management

SUBJECT: Nationwide Hold Room Waiver

Purpose:

This memorandum provides a nationwide waiver for U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) field offices' 12-hour hold room utilization time, as it relates to [Directive 11087.2: Operations of ERO Holding Facilities](#) (January 31, 2024). Specifically, this memorandum addresses section 5.1, "Holding Facility Supervision and Monitoring – Procedures for ERO Officers," which states: "*Absent exceptional circumstances, no detainee should be housed in a holding facility for longer than 12 hours.*"

This waiver allows for aliens who are recently detained, or are being transferred to or from a court, detention facility, other holding facility, or other agency to be housed in a holding facility¹ for up to, but not exceeding, 72 hours, absent exceptional circumstances. This waiver is effective immediately and will remain in effect for one calendar year, subject to review, extension, and rescission at my discretion.

Discussion:

On January 20, 2025, President Donald J. Trump issued several executive orders, including [Protecting the American People Against Invasion](#) and [Securing Our Borders](#), which declared a national emergency and ordered the detaining, to the maximum extent authorized by law, aliens apprehended on suspicion of violating Federal or State law, until such time as they are removed from the United States.

¹ Consistent with Directive 11087.2, this includes all holding facilities operated by ERO, located in ERO field offices, or jointly operated by ERO and Homeland Security Investigations (HSI) in shared offices. It does not apply to detention facilities with hold rooms.

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As a result of increased enforcement efforts, ERO's average daily population has significantly increased to over 54,000. This increase has put additional strain on finding and coordinating transfers of aliens to available beds within the required timeline detailed in Directive 11087.2. Further, ERO field offices no longer have the option to discretionarily release aliens, nor decline to take aliens into custody from our counterparts in Homeland Security Investigations (HSI) or U.S. Customs and Border Protection (CBP). As a result of these constraints, ERO field offices have had to resort to holding aliens in holding facilities beyond than the 12-hour limit.

To accommodate appropriately housing the increased number of detainees while ensuring their safety and security and avoid violation of holding facility standards and requirements, this waiver allows for aliens to be housed in a holding facility for up to, but not exceeding, 72 hours, absent exceptional circumstances. Detainees shall be in a holding facility for the least amount of time required for their processing, transfer, release, or repatriation as operationally feasible. All other hold room and hold facilities requirements continue to apply to ensure the safety, security and humane treatment of those in custody in hold rooms and hold facilities.