

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, IN HIS OFFICIAL  
CAPACITY AS PRESIDENT OF THE  
UNITED STATES, *et al.*,

Defendants.

Civil Action No. 1:25-cv-39 (JJM)

**DECLARATION**

I, Cameron Hamilton, hereby state as follows:

1. I am the Senior Official Performing the Duties of the Administrator, Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA). The Senior Official Performing the Duties of the FEMA Administrator is the DHS official responsible for being the principal advisor to the President and the Secretary for all matters relating to emergency management in the United States.
2. Since being sworn in on January 25, 2025, the Secretary of Homeland Security has issued a number of written and verbal directives regarding payments made by the Department of Homeland Security, all of which were designed to ensure that any payments made by the Department are consistent with law and do not promote fraud, waste, or abuse. One such directive is attached as Exhibit 1.
3. Consistent with those directives, the Department has been reviewing a variety of grant programs to ensure compliance with all grant conditions. Every grant issued by the

Department requires compliance with applicable federal laws. An example of such grant conditions is attached as Exhibit 2.

4. The current Department leadership believes that its grant programs are not being administered in a way that prevents fraud, waste, and abuse, that its grant programs are going to entities violating applicable federal laws, and that grants are possibly even funding illegal activity. Given the time sensitive nature of this request, I am discussing the Shelter and Services Program as an illustrative example.

### **Shelter and Services Program**

5. The Shelter and Service Programs is supposed to provide temporary shelter and other services to aliens released from custody. *See* Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Div. C (2024); Department of Homeland Security Appropriations Act, 2023, Pub. L. No. 117-328, Div. F (2022).
6. As of today, the Department has paused funding to the Shelter and Services Program based on significant concerns that the funding is going to entities engaged in or facilitating illegal activities.
7. For example, a substantial portion of Shelter and Services Program money goes to funding alien housing at the Roosevelt Hotel in New York City. According to media reports, the vicious Venezuelan gang Tren De Aragua has taken over the hotel and is using it as a recruiting center and base of operations to plan a variety of crimes.<sup>1</sup> According to these same reports, these crimes include gun and drug sales as well as sex trafficking, which can reasonably be presumed to be conducted in the hotel itself. One of the groups responsible

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<sup>1</sup> <https://nypost.com/2024/10/17/us-news/nyc-migrant-hotels-violent-gang-rep-is-all-over-tiktok-say-fed-up-residents-who-worry-its-only-gonna-get-worse/>; [NYPD says migrant children behind several violent crimes near Times Square - ABC7 New York](#).

for these activities refer to themselves as “diablos de la 42,” which means the devils of 42nd St., a street near where the Roosevelt Hotel is located. Notably, the alien who murdered Laken Riley stayed at this hotel, which is funded by payments from the Department.<sup>2</sup>

8. I am aware of criminal investigations into many of these activities, but I have been informed that these details are law enforcement sensitive and should not be shared in a public declaration.
9. Despite all of these issues, absent an exception from this court and with confirmation this funding pause based on the terms of the award falls within the court’s order, the Department would be required by the court to make payments to fund the housing of aliens in this hotel, and likely fund criminal activity.
10. In addition to the crimes mentioned above, I am concerned that entities receiving payment under this program may be guilty of encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), transporting or moving illegal aliens, *id.* § 1324(a)(1)(A)(ii), harboring, concealing, or shielding from detection illegal aliens, *id.* § 1324(a)(1)(A)(iii), or applicable conspiracy, aiding or abetting, or attempt liability respecting these statutes. On its face, the program funds sheltering and transportation for unauthorized aliens. And a previous Office of Inspector General report concluded that Department of Homeland Security grant recipients used funds from a similar program to provide service to clandestine aliens who never had an encounter with the Department.<sup>3</sup> *See* Exhibit 3.

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<sup>2</sup> <https://www.nationalreview.com/news/laken-riley-murder-suspect-received-taxpayer-funded-stay-at-roosevelt-hotel-flight-to-georgia/>.

<sup>3</sup> <https://www.foxnews.com/politics/dhs-oig-finds-millions-american-rescue-plan-funds-misused-ngos-given-gotaway-illegal-immigrants>.

11. Based on the above-described concerns of illegal activity in connection with the performance of this award, FEMA paused funding for this award. FEMA is required to administer its grant awards so as to ensure that federal funding is expended and associated programs are implemented in full accordance with the U.S. Constitution, applicable federal statutes, and regulations. 2 C.F.R. § 200.300(a). The terms and conditions of the award allow the Department to suspend the grant or terminate the award for a failure to comply with the conditions of the award or applicable federal statutes. *See* 2 C.F.R. §§ 200.208; 200.340; and 200.339(a).

12. In addition, FEMA is in the process of requesting information from New York City to further investigate this matter to ensure that federal funds are not being used for illegal activities. The Department paused funding quickly in this matter to protect that funding from the potential for its misuse for the illegal activity described above.

13. FEMA will begin the process of providing notice to New York City regarding the funding pause and will provide the information and process required by regulation and the terms and conditions of the award. *See* 2 C.F.R. § 200.242.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on this 11th day of February 2025.

/s/   
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Cameron Hamilton  
Senior Official Performing the Duties of Administrator  
Federal Emergency Management Agency