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Oversight of ICE Detention Facilities: Is DHS Doing Enough?

Madam Chairwoman Small, Mr. Crenshaw, Thank you for the invitation to appear before this Committee.

The Nakamoto Group is a woman-owned, minority-owned small disadvantaged business, headquartered in Frederick County Maryland. My great-grandparents immigrated to the United States from Japan. My maternal grandparents were both born in California making them United States citizens. After Pearl Harbor, a Presidential order was issued to incarcerate all Japanese regardless of their citizenship status. My maternal family were living in California and had to relinquish all of their property including any businesses that they had. They were given one trash bag to fill of personal items to take with them and had to leave everything else behind. Our family was spread out to various internment camps across the country. My maternal grandparents were incarcerated in a Japanese internment camp in Arizona. They were there long enough to meet, fall in love, get married, have a baby, my mother, and become pregnant again with my Aunt. Since they had to start over, they were offered employment at a food processing factory before they were released and they chose to move to a small town called Seabrook in Southern New Jersey, where ultimately I was born.

My father was born and raised in Hilo, Hawaii. My grandfather returned to Japan soon after he was born. My father was the youngest in a large broken home and he was raised by several of his older brothers. My father served more than 20 years in the United States Army, served 2 tours during Vietnam and served on what was one of the first all Japanese-American Green Beret units.

Upon his retirement from Ft. Ritchie, Maryland, we relocated to Frederick, Maryland, where I grew up. Because my parents did not have a lot of money, I worked during high school and have been working since I was 15 years old. Shortly after high school, I was able to obtain a secretarial job in the Government at the Department of Health and Human Services. I worked there for 6 years before leaving to work for three other successful minority owned government contractor firms. I learned about government contracting during those 7 years and I decided to take a chance and start my own company.

I started this company in 2003. It was the same year that I lost my late husband to police suicide. I still volunteer for his Fraternal Order of Police Lodge #91 and have volunteered for them over 20 years serving as the Executive Assistant to the Executive Board.

The Nakamoto Group, Inc. was certified in the Small Business Administration's 8(a) program in 2004, and successfully graduated the certification in 2013. The first contract awarded to my company was in 2004, to maintain a hotline entitled Insure Kids Now, which is a hotline that provides either free or low cost healthcare to kids through the State's Children's Health Insurance Program, within the United States and its territories. We still maintain that contract after 15 years and now it also includes another hotline entitled 311-Baby which helps expectant and new mothers by providing information via phone. 311-BABY also works in conjunction with a program called text4baby that text messages throughout the pregnancy and up to age one. The information provided helps inform where the mother is within her pregnancy and the baby milestones up to age one. It also provides helpful detailed bi-weekly tips such as what the mother may be feeling, how big the baby should be, check-ups, poison control, vaccinations, nutrition with suggestions on what to eat to stay healthy for mother and child.

For the last 15 years, we have obtained logistics contracts with the Food and Drug Administration and the Department of Health and Human Services. From 2006-2007 we had a contract with the Food and Drug Administration to help them hire Hispanics to increase diversity within their workforce. We continue to provide logistics support for FDA's Center for Drug Evaluation Research (CDER) advisory committees.

Our most current and longstanding logistics contracts has been with the Office of Rural Health Policy to run logistics for their National Advisory Committee on Rural Health and Human Services. We also provided logistics support for several of their policy meetings regarding telehealth in rural America from 2010-2013.

In 2005, we obtained a contract with the now dissolved Office of the Federal Detention Trustee, which was a department under the Department of Justice. We won a place within a Blanket Purchase Agreement (BPA) to provide Detention Expert Support Services to the Office of the Federal Detention Trustee. Using Performance Based Detention Standards, we sent teams to provide an expert specialized service consultation by conducting facility reviews of Non-Federal contract jails and detention facilities which housed United States Marshals Service (USMS) and Immigration and Customs Enforcement (ICE) detainees.

In 2007, we were asked to attend a meeting at ICE Headquarters where we were asked to perform on-site monitoring services and to provide monthly technical assistance and included full time monitors for forty of the largest ICE detention facilities and Monthly, Quarterly, and bi-annual reviews of other smaller ICE detention facilities. The goal was to ensure that the facilities were in compliance with the standards. ICE piggy backed onto the existing contract we had at the time with the Department of Justice and we did this type of work for them from 2007-2010. In 2009, we won a full and open competition to perform these same duties for five years. However, after year one, in 2010, the government chose not to exercise any more years of the contract and instead chose to in-source that program. In effect, terminating our contract. As a result, Nakamoto laid off over 150 employees and absorbed over \$100,000.00 worth of contract closing costs. Due to those costs, I was on the brink of losing my company

altogether. We stayed afloat only because of the hard work of the few determined and dedicated staff that I had left.

Also in 2007, my company was approached by ICE and the Juvenile Family Residential Unit (JFRMU) to help them coordinate a cadre of experts: A former senior federal official with experience in providing health care services to indigent women and children, a Daycare provider, licensed social worker, medical doctor, Educator with a Ph.D., Juvenile corrections expert, to create the standards for JFRMU and to inspect the family residential facilities. We held that contract from 2007-2015.

I am telling you my story to ensure that the correct story goes on record today. Recently, because of our association with the Department of Homeland Security (DHS), I have been personally attacked via social media and news outlets; attacks that have disparaged my Mother, who passed away in 2008; myself; and my heritage. We have been victimized by inaccurate accountings of our work, I can only guess, for the purpose of discrediting ICE.

Fortunately, the facts speak for themselves and we have factually refuted every negative assertion against us. Nevertheless, some have chosen to ignore the facts and continue to reference disproven allegations for their political purposes and to further their agenda against ICE. Because of my background and upbringing, I insist that this Company be diverse and multi-cultural for employees and clients alike, always ensuring that the principles of fairness and equity are our priorities.

We have less than 15 full time employees and 45 part-time employees at any given time. The majority of my employees, who are inspectors, have an average of over 35 years of detention monitoring experience. In the years since 2003, we have worked hard and have succeeded in building a reputation of a conscientious company that provides great value and service to our clients.

As President of the Company, I involve myself with overseeing the various employees that manage our contracts, provide our administrative support, and perform human resource and budgetary functions. I do not necessarily work day-to-day with any specific contract. The ICE annual inspection contract has a very specific Statement of Work that provides the direction and methods for us to conduct inspections. We have no room or opportunity for variance from the provisions of the contract. I have submitted the Statement of Work as part of my testimony and ask the Committee Members to refer to that document for any specific tasks or instructions that are required of us. Because we deal with multiple contracts at any given time, I am not able to memorize any one contract; but rather explore specifics when required to do so to address questions from the contract managers. That being said, should you have questions about specific duties or requirements of the Statement of Work, the answers should be therein. If not, I must defer to ICE, as we have no direction or discretion outside of the Statement of Work.

Facilities are inspected under one of three different sets of ICE immigration standards. We use the set as specified by the contract between each individual facility and ICE. We may inspect as many as 42 Standards with as many as 680 components, and never less

than 39 Standards with 641 components. Every requirement of every Standard is inspected no less than annually at every qualifying facility. Qualifying facilities are primarily those who house ICE detainees for longer than 72 hours and house more than 50 ICE detainees. ICE requires an exhaustive inspection of processes, policies, services, and privileges during every inspection. They also demand that the results are documented as required by the Statement of Work. While the Standards do not specifically address every aspect of a facility operation, the great majority of potential liabilities are scrutinized. Those issues not specifically covered by a component within a Standard are always reviewed by my inspectors. Those issues not specifically covered by the Standards are included in a general sense, as quality of life issues, and reported on as such.

In 2017, we were asked by the Immigration Health Service Corp. to also provide an additional medical expert to review the medical records to determine whether or not the detainees held at the facility have had access to medical services in accordance with best practices.

To the question posed within the title of this hearing, Oversight of ICE Detention Facilities: Is DHS Doing Enough? From our perspective, YES, ICE is efficient and thorough in their oversight of detention facilities as far as the annual inspection contract goes, which is the extent of our knowledge.

This concludes my statement. Thank you.