

Congress of the United States
House of Representatives
Washington, DC 20515-4707

05/01/2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

Dear Secretary Nielsen:

I am writing this letter in support of the University of Washington Center for Human Rights (CHR) that is seeking a response to the 30 Freedom of Information Act (FOIA) requests that they have submitted. CHR will use the information to better understand the way that federal immigration enforcement is carried out in Washington State. Furthermore, the data will be used for educational and research purposes to advance the progress of human rights. CHR understands that while original files may contain information about specific immigrants' cases, redacted information can be released to protect personal privacy as required under the Privacy Act.

CHR informed my office that, since 2016, they had very little success in obtaining information from your agency. Multiple requests for information from U.S. Customs and Border Patrol (CBP) and U.S. Immigration and Customs Enforcement (ICE) have gone unanswered; others have resulted in prolonged delays. CHR has informed my office that FOIA requests that had been promised specific response dates are now several months overdue, as they cited with case numbers 2018-ICFO-00515 and CBP-2018-021773. Other cases that they provided (for example, see case number 2018-ICFO-14208) were abruptly closed on the argument that all records requested regarding ICE activities were exempt from disclosure.

CHR is stating that both CBP and ICE are creating barriers for releasing information through third-party consent forms, which are not required because personal information can be redacted. Under the FOIA, agencies are required to release all reasonably segregable nonexempt material. Through my correspondence, I have learned that CBP and ICE often recognize and grant FOIA requests with redactions upon appeal without these signed consent forms.

CHR has shown a strong commitment to interdisciplinary excellence in the field of human rights. Their work has promoted human rights education amongst undergraduate and graduate students. In treating human rights as a core area of faculty and graduate research, they have engaged productively with local, national, and international organizations and policymakers to advance respect for human rights. As an organization established by the Washington State Legislature, CHR relies on data collection and research to achieve their mission and their goal of rights discourse. I support this educational pursuit as well as the need for research and data collected by CHR. I urge the timely release of the FOIA information to the extent that the law permits.

I am confident that you will thoroughly and consistently evaluate all FOIA requests from CHR and provide them with full and due consideration. I have included those requests and additional supporting documents from the CHR pertaining to this matter. If you have additional questions, please do not hesitate to contact my immigration caseworker, Hamdi Mohamed at hamdi.mohamed@mail.house.gov. Thank you for your time and consideration regarding this matter.

Sincerely,



Pramila Jayapal
Member of Congress