

Congress of the United States
Washington, DC 20515

February 8, 2017

Mr. John Roth
Inspector General
Mail Stop 0305
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305

Ms. Veronica Venture
Acting Officer for Civil Rights and Civil Liberties
Office for Civil Rights and Civil Liberties
Department of Homeland Security
Building 410, Mail Stop #0190
Washington, D.C. 20528

Dear Inspector General Roth and Acting Officer Venture,

We write to urge you to conduct an immediate investigation into potential abuse of civil rights and constitutional rights of individuals detained by Customs and Border Patrol (CBP) agents under the implementation of the Executive Order issued on January 27, 2017, entitled "Protecting the Nation from Foreign Terrorist Entry into the United States." We are extremely concerned by reports of coercive actions taken by CBP officers, and that individuals were denied access to legal counsel, sometimes in spite of court orders requiring such access.

As this Executive Order has been implemented in a chaotic and uneven manner, a number of disturbing reports have emerged. There have been numerous news accounts indicating that CBP officers attempted to coerce several Legal Permanent Residents (LPR) into signing an I-407 form, which relinquishes their LPR status. Additionally, there are still other stories in the media that valid visa holders were detained and encouraged to sign an I-275 form, which rescinds their application for admission into the United States. There are also numerous reports indicating that CBP officers at Dulles International Airport refused to allow lawyers access to their detained clients, despite a court-issued Temporary Restraining Order requiring such access.

These stories are seriously disturbing. If accurate, they undermine important provisions of our Constitution and the rule of law in the United States. While courts will soon rule on the constitutionality of this Executive Order on its face, there also remain serious questions regarding the violation of individuals' rights- including the rights of legal permanent residents- and CBP's responsibilities in these circumstances. There are also important questions to be answered regarding whether senior officials at DHS or elsewhere provided guidance requiring CBP agents to engage in such conduct. We believe if there were violations of law, procedure, or policy by CBP agents or their superiors, then those individuals should be held accountable. Although the DHS Inspector General has initiated an investigation, we believe that the Office for

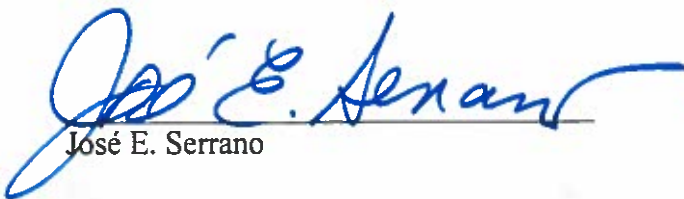
Civil Rights and Civil Liberties should do the same, and that both investigations address the following questions:

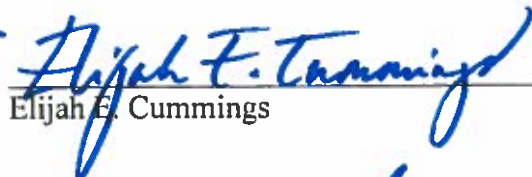
1. Did CBP officers attempt to coerce LPRs into signing I-407 forms relinquishing their status as legal permanent residents? If so, where and when?
2. Did CBP officers attempt to coerce visa holders into signing I-275 forms to rescind their applications for admission to the United States? If so, how many instances of this occurred, and where did they occur?
3. Were there instances at Dulles International Airport in which CBP officers refused to follow a federal court order requiring access to counsel for individuals being detained? Were there similar instances at other airports or ports of entry? If so, in how many instances did this occur, and where did it occur?
4. Did these actions violate CBP internal rules, regulations, guidance, or operations manuals? Did these actions violate any statutes protecting civil rights and liberties? Did they implicate any constitutional rights?
5. Why did these abuses occur? Did senior officials at the Department of Homeland Security or the White House provide guidance or instruction requiring such conduct?
6. Has the Department of Homeland Security taken disciplinary action against any officers or senior officials involved in these efforts? Do you recommend that such action be taken?

We fully support the DHS IG's investigation, and believe further action by the Office for Civil Rights and Civil Liberties will help ensure accountability and fairness for all parties involved in the implementation of this Executive Order. Please let us know immediately if there are any challenges to accessing documents or witnesses. If the investigatory requests made in this letter will be covered under the scope of the DHS IG's investigation, we request that you add the signatories of this letter to the list of Members requesting that investigation, and we ask to receive regular updates on its status. We also request full, unredacted copies of the reports once they are completed, as well as a full briefing at that time.

Thank you for your service to our country and your efforts to ensure our immigration system is administered in a fair, impartial, and constitutional manner. We look forward to your response.

Sincerely,


José E. Serrano


Elijah E. Cummings


Nydia M. Velázquez


Raúl M. Grijalva

Betty McCollum

Betty McCollum

James P. McGovern

James P. McGovern

Jerrold Nadler

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Darren Soto

Darren Soto

Jamie Raskin

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Ruben Gallego

Ruben Gallego

Keith Ellison

Keith Ellison

Alcee L. Hastings

Alcee L. Hastings

William R. Keating

William R. Keating

Jan Schakowsky

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Henry C. "Buck" Johnson, Jr.

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