

Congress of the United States
Washington, DC 20515

March 23, 2020

The Honorable Chad F. Wolf
Acting Secretary
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20582

Dear Acting Secretary Wolf,

As you are aware, Public Law 116–93 established an Ombudsman for Immigration Detention and provided \$10 million to begin setting up its operation. We are eager to see the Department move forward with organizing this office, but we are disappointed to see that the fiscal year 2021 budget request included no continuing funding for the office. We also want to underscore the importance of setting up the new office, and appointing the new ombudsman, in a way that ensures credibility.

With purposeful consideration, Congress directed that the Ombudsman “shall be a senior official with a background in civil rights enforcement, civil detention care and custody, and immigration law.” The legislative language establishing the new office requires a number of specific functions, ranging from establishing a redress process for misconduct at the Department of Homeland Security (DHS) to making recommendations to improve detention facilities and requires the Ombudsman to have access to all departmental records necessary to execute the office’s responsibilities. In addition, the law makes clear that the Ombudsman office shall have “unfettered access to any location within each [DHS] detention facility and shall be permitted confidential access to any detainee at the detainee’s request and any departmental records concerning such detainee.” Given this wide range of duties and access, it is critical that the appointed Ombudsman be someone with a demonstrated commitment to the law and to the rights of detainees, and that it be staffed and equipped with the resources necessary to provide a persistent presence at each detention location in order to execute its mission fully.

It is important that congressional intent is followed so that the Ombudsman office is widely perceived as robust and impartial, and that those who utilize the office have faith in its independence and leadership. Given that this is a time-sensitive issue, we request an urgent meeting with you and hope to confirm a meeting with you no later than April 10, 2020. In this meeting, we would like to further discuss the establishment of the new office and hope that you will carefully consider whom to appoint to this critical new position. Thank you for your attention to this matter and we look forward to hearing from you.

Sincerely,

Joaquin Castro
Chairman
Congressional Hispanic Caucus

Veronica Escobar
Freshman Representative
Congressional Hispanic Caucus

Jerrold Nadler
Chairman
Judiciary Committee

Zoe Lofgren
Subcommittee Chair
Judiciary Committee

Rosa DeLauro
Subcommittee Chairwoman
Appropriations Committee

José E. Serrano
Subcommittee Chairman
Appropriations Committee

Jamie Raskin
Subcommittee Chairman
Oversight Committee

Albio Sires
Subcommittee Chairman
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Alexandria Ocasio-Cortez
Member of Congress

Darren Soto
Member of Congress

Grace F. Napolitano
Member of Congress

Xochitl Torres Small
Member of Congress

Nydia M. Velázquez
Member of Congress

Juan Vargas
Member of Congress

Gilbert R. Cisneros, Jr.
Member of Congress

Linda T. Sánchez
Member of Congress

Tony Cárdenas
Member of Congress

Jason Crow
Member of Congress

Pramila Jayapal
Member of Congress

Jan Schakowsky
Member of Congress

Adriano Espaillat
Member of Congress

Ruben Gallego
Member of Congress

Debbie Mucarsel-Powell
Member of Congress

Sylvia R. Garcia
Member of Congress

J. Luis Correa
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Raúl M. Grijalva
Member of Congress