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March 1, 2007

Assistant Secretary Julie Myers
U.S. Immigration and Customs Enforcement
425 I Street, NW, Room 7030
Washington, DC 20536

Dear Assistant Secretary Myers,

My constituents, non-governmental organizations (NGOs), and others have contacted me regarding recent Immigration and Customs Enforcement Agency (ICE) actions to remove undocumented immigrants in Northern California and around the country. I am writing for clarification and understanding of your agency's policy and methods of removal of undocumented immigrants.

On February 22, 2007, the San Francisco Chronicle reported on a program that has resulted in the arrest and removal of undocumented immigrants in Northern California - "Operation Return to Sender." On February 7, 2007, the San Mateo County Times reported on the detention by your agency of at least seven San Mateo county residents, according to the local police. These articles and individuals I've spoken with have raised questions on the policy and methods ICE has instituted to arrest, detain, and remove undocumented immigrants. I would greatly appreciate a response to the following questions.

- Please provide an explanation of "Operation Return to Sender." When did this program begin? Is this program still in operation? What are the goals of this program? Are there other similar programs in operation today? If so, please describe them.
- In Operation Return to Sender or other similar programs, how many warrants for arrest have been granted? How many of those arrests were successfully executed? How many of those arrests resulted in final removal? How many are currently awaiting action for removal? How many individuals have you arrested who are the parents of U.S. citizen children under the age of 18? How many individuals have been arrested during the execution of a warrant for a different individual? How many of these individuals have been removed and how many are still awaiting action for final removal? Of those arrested, how many are criminal aliens?

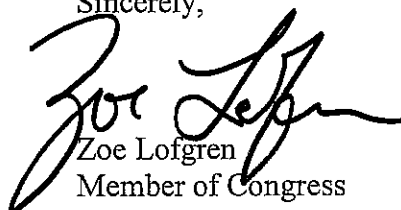
- What are the policies you use to determine where, when, and how you will seek arrest and removal of an undocumented immigrant? What is your policy on determining the location or group of individuals to target for arrest and removal? What are your priorities in determining the location and groups of individuals you will target for arrest and removal? Are criminal aliens a top priority? Are particular locations given special consideration, such as schools and hospitals?
- Please describe in detail the process your agency follows in obtaining warrants for arrest. Who makes the requests? Who approves the requests? What criteria is used to determine whether to grant a warrant for arrest?
- Please provide a thorough explanation of the policy your agents follow when executing a warrant. During the execution of a warrant, how do agents enter the building where the subject of the warrant is suspected to be located? How do the agents describe themselves and announce their presence upon entry? What is the policy and procedure agents must follow when they encounter other individuals who are not the subject of the warrant? Are there special considerations made for executing the warrant when children are present? If children under the age of 18 are present or parents of children under the age of 18 are the subject of the warrant, what steps are taken to ensure the children are provided appropriate care during the arrest and removal process, as well as after the removal if the child is a U.S. citizen?
- Please explain your policy on providing information to family and/or counsel on the location of the individual after the arrest? Where does a family member or counsel obtain information on the location of the detained individual? How long does it take for family or counsel to receive such information? What is your policy on visitation or other contact with family members or counsel of a detained individual during detention?
- What is the average cost per person of executing a warrant for arrest, detaining the individual, and pursuing the removal pursuant to Operation Return to Sender?

I look forward to your written reply to the above questions by March 9, 2007. I also request that you promptly arrange briefings on the enforcement actions your agency has taken: one Congressional briefing for interested Members of Congress and their staff and a series of field hearings in affected areas of enforcement open to interested NGOs and the general public so that you may individually address their questions and concerns.

To arrange the Congressional briefing or if you have questions, please contact me or my counsel, Ur Mendoza Jaddou, at 202-225-3929.

Thank you very for your assistance in this important matter.

Sincerely,



Zoe Lofgren
Member of Congress