

United States Senate

WASHINGTON, DC 20510

June 15, 2018

The Honorable Thomas Homan
Acting Director
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th St. SW
Washington, D.C. 20536

The Honorable L. Eric Patterson
Director
Federal Protective Services, National Protection and Programs
U.S. Department of Homeland Security
800 North Capitol Street NW, Suite 500
Washington, DC 20002

Dear Acting Director Homan and Director Patterson,

I write to express significant concern regarding recent actions taken by the Boston Field Office for Immigration and Customs Enforcement (ICE). Specifically, it is my understanding that the regional office has informed members of the New Hampshire Council of Churches that they are no longer permitted to access the Norris Cotton Federal Building in Manchester, NH. Further, I understand that the regional office has also informed Reverend Sandra Pontoh that she is no longer permitted to provide interpretive services for Indonesian speakers who visit your office for their mandated check-ins.

The NH Council of Churches is a community of Christian denominations in New Hampshire that co-operate to promote unity, prayer, interfaith dialogue, and the strengthening of Christian values in society. Members of this clergy group have been visiting the Norris Cotton Federal Building for more than a year to provide voluntary spiritual services and support for their church members in New Hampshire who are required to visit with ICE officials regarding their status.

Unfortunately, in late 2017 the group was told by the ICE regional office that clergy would no longer be allowed into the lobby of the Norris Cotton federal building to offer that pastoral support. In the eight months since receiving that news, the NH Council of Churches has diligently worked to communicate with ICE, Government Services Administration (GSA) property management and DHS security at the building to understand why their access was revoked and to negotiate restored access to the building lobby in a manner that satisfies any security concerns that may exist. I sent a letter on February 12, 2018 inquiring about the reason for prohibiting this religious group from accessing this public facility and urging increased communication to resolve this issue. I have not yet received an answer to this letter. However, I

was encouraged that a meeting to discuss building access was eventually convened between the NH Council of Churches, ICE and GSA property management on March 20, 2018, five months after the clergy first asked to speak with you about this matter. But on June 7 I learned that the regional office has decided against reinstating building access to the New Hampshire Council of Churches.

The Norris Cotton Federal Building is a public building managed by the GSA. Pursuant to 41 CFR 101-20.302, GSA managed buildings are required to stay open to all members of the public during normal business hours. I am concerned about the legality and ethics of prohibiting a peaceful religious group from accessing a federal facility. To that end, I respectfully request timely answers to the following questions about this determination.

1. There have been no instances of the NH Council of Churches disturbing the peace at the building. What factors were used to determine that members of this organization would be prevented from entering the building?
 - a. What is the Federal Protective Service's and ICE's justification for denying access for this specific religious group to a federal building where many members of the public conduct business every day?
 - b. Was there a risk assessment conducted by DHS Federal Protective Services (FPS)? If so, please provide a copy.
 - c. Please provide all written documentation ICE, FPS and GSA produced during this decision-making process.

2. What is the policy ICE and FPS use to determine when a member of the public is prohibited from entering any federal building where an ICE Regional Field Office is located?
 - a. What is the policy for an individual to formally appeal such a decision?
 - b. How does ICE ensure that these standards are applied equally in all Regional Field Offices?
 - c. Please provide all written guidance given to FPS and ICE Regional Directors regarding the public's building access.

Additionally, I am further concerned about ICE's decision to prohibit Reverend Sandra Pontoh from providing interpretation services for Indonesian speakers during their ICE check-ins. Reverend Pontoh is a trained interpreter in the State of New Hampshire and has served as a reliable interpreter for members of this community for many years, but on June 5, 2018 Reverend Pontoh was informed that ICE would no longer allow her to serve in this capacity. Reverend Pontoh was told by the Regional Field Office that this change in practice is because of an ICE decision to only use "ICE-certified translators" for interpretive services from now on. Therefore, I request answers to the following additional questions.

3. What is the statutory or regulatory grounds for this decision by the Regional Field Office?
4. Given that Reverend Pontoh has been permitted to interpret for ICE for many years, has ICE recently changed its federal policies regarding interpretive services?
5. What statutory or regulatory authority does ICE have to dictate the specific interpreter an individual is permitted to use?
6. What is the difference between an “ICE-certified translator” and a trained interpreter who has been interpreting on behalf of individuals at ICE check-ins for years?
 - a. What is the process by which a trained interpreter can become ICE-certified?
 - b. How many Indonesian-speaking ICE-certified interpreters does ICE have in the State of New Hampshire? Do these interpreters sit in at interviews or do they participate remotely?

Thank you for your timely attention to this important matter. I request a response from your office at your earliest convenience. If you have any questions, your staff may be in contact with Laura O’Neill from my staff at (603) 647-7500 or by email at laura_oneill@shaheen.senate.gov.

Sincerely,



Jeanne Shaheen
United States Senator

CC: Todd Thurlow, Assistant Field Office Director, Boston Field Office, U.S. Immigration and Customs Enforcement
Tim Stevens, Director for Enforcement and Removal Operations, Manchester Sub-Office, U.S. Immigration and Customs Enforcement
The Honorable Kirstjen Nielsen, Secretary, U.S. Department of Homeland Security