

Congress of the United States
Washington, DC 20515

April 19, 2018

Attorney General Jefferson Sessions
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Sessions,

We write to express our strong opposition to the recent announcement that the Department of Justice is terminating the Legal Orientation Program (LOP) and the Immigration Help Desk program (ICH). The termination of these programs would undermine fairness and the right to due process in our immigration court proceedings, all while slowing case processing, and increasing costs for the Executive Office for Immigration Review. Additionally, these actions directly contradict the express direction of Congress.

The Legal Orientation Program (LOP) and Immigration Help Desk Program (ICH) provide vital resources to individuals facing proceedings in immigration courts. The LOP program provides individuals in detention with in-person briefings on immigration court procedures as well as basic legal information and resources. Studies have shown that these programs save our immigration courts time and money¹, and in fact, the Justice Department's own website states that: "Experience has shown that the LOP has had positive effects on the immigration court process: detained individuals make wiser, more informed, decisions and are more likely to obtain representation; non-profit organizations reach a wider audience of people with minimal resources; and, cases are more likely to be completed faster, resulting in fewer court hearings and less time spent in detention."² Given this body of evidence, we were shocked to hear about the Department's plans—which were brought to our attention not by the Department, but by concerned advocates.

The stated reasoning for the programs' "suspension" is so the Executive Office for Immigration Review ("EOIR") can "conduct efficiency reviews which have not taken place in six years."³ While we support efforts to engage in regular oversight, that does not justify the termination of these programs during that process. Previous reviews, including the 2012 review, were effectively conducted without interrupting the operation of the LOP program.⁴

¹ https://storage.googleapis.com/vera-web-assets/downloads/Publications/legal-orientation-program-evaluation-and-performance-and-outcome-measurement-report-phase-ii/legacy_downloads/LOP_Evaluation_May2008_final.pdf, p. 3.

² <https://www.justice.gov/eoir/legal-orientation-program>

³ https://www.washingtonpost.com/local/immigration/justice-dept-to-halt-legal-advice-program-for-immigrants-in-detention/2018/04/10/40b668aa-3cfc-11e8-974f-aacd97698cef_story.html?utm_term=.4a9062b42a3c


⁴ It should be noted that the last review was conducted at the request of the Appropriations Committee.

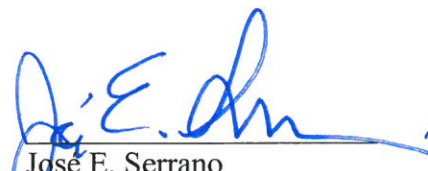
https://www.justice.gov/sites/default/files/eoir/legacy/2013/03/14/LOP_Cost_Savings_Analysis_4-04-12.pdf

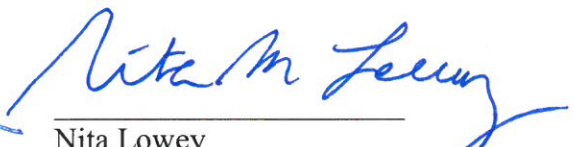
Lastly, the Department's announcement that it is terminating these programs runs counter to the very clear direction of Congress. The reports accompanying both the House and Senate Commerce, Justice, Science Appropriations bills for fiscal year 2018 included clear expectations that the LOP program be continued in fiscal year 2018 at no less than the fiscal year 2017 level. In fact, the House report stated, "The recommendation sustains the current legal orientation program and related assistance, such as the information desk pilot,"⁵ while the Senate specified that, "the Committee's recommendation maintains the fiscal year 2017 level of no less than \$10,400,000 for LOP."⁶ The language in each of these reports was approved by the fiscal year 2018 Omnibus Appropriations Act (Public Law 115-141).⁷

Recent efforts at the Department with regard to U.S. immigration courts raise serious concerns about the Department's commitment to fairness, due process, and constitutional requirements. In this case, these efforts also directly contradict the express direction of Congress in House Report 115-231, Senate Report 115-139, and Public Law 115-141 and its accompanying Explanatory Statement. Our expectation is that these programs will be resumed consistent with congressional intent. We look forward to your response.

Sincerely,


Mike Quigley
Member of Congress


José E. Serrano
Member of Congress


Nita Lowey
Member of Congress

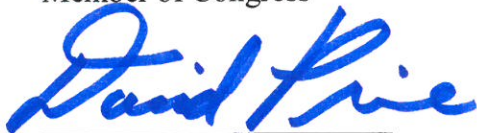
⁵ H. Rept. 115-231

⁶ S. Rept. 115-139

⁷ "Sec. 4. Explanatory Statement. The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about March 22, 2018, and submitted by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through L of this Act as if it were a joint explanatory statement of a committee of conference." Division B of the explanatory statement begins as follows: "Report language included in House Report 115-231 ("the House report") or Senate Report 115-139 ("the Senate report") that is not changed by this explanatory statement or this Act is approved. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where both the House report and the Senate report address a particular issue not specifically addressed in the explanatory statement, the House report and the Senate report should be read as consistent and are to be interpreted accordingly."



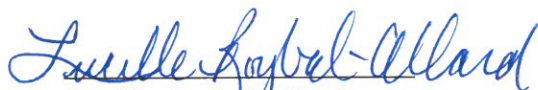
Marcy Kaptur
Member of Congress



David E. Price
Member of Congress



Rosa L. DeLauro
Member of Congress



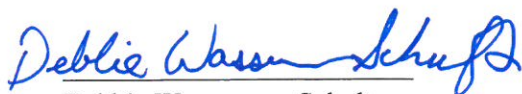
Lucille Roybal-Allard
Member of Congress



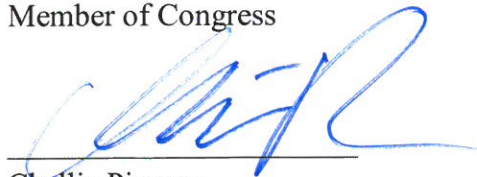
Barbara Lee
Member of Congress



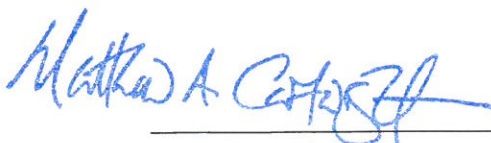
Betty McCollum
Member of Congress



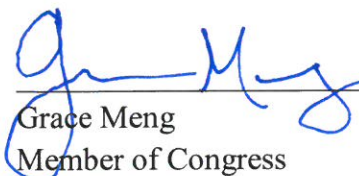
Debbie Wasserman Schultz
Member of Congress



Chellie Pingree
Member of Congress



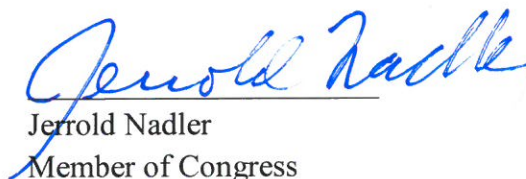
Matt Cartwright
Member of Congress



Grace Meng
Member of Congress



Mark Pocan
Member of Congress



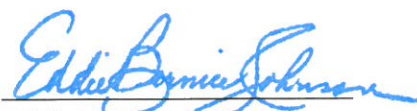
Jerrold Nadler
Member of Congress



Zoe Lofgren
Member of Congress



Gene Green
Member of Congress



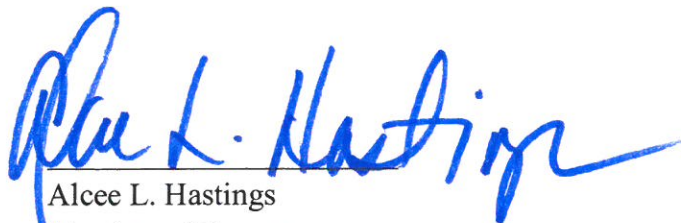
Eddie Bernice Johnson
Member of Congress



Dina Titus
Member of Congress



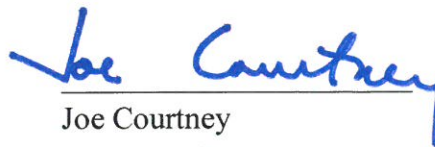
Ted Deutch
Member of Congress



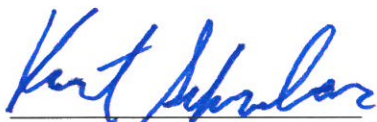
Alcee L. Hastings
Member of Congress



Frederica S. Wilson
Member of Congress



Joe Courtney
Member of Congress



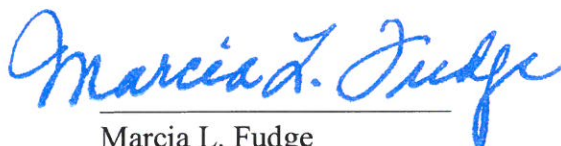
Kurt Schrader
Member of Congress



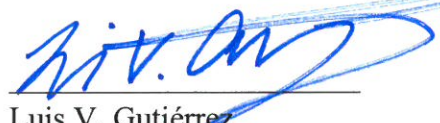
Al Green
Member of Congress



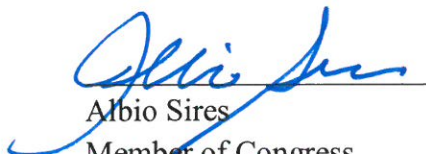
Judy Chu
Member of Congress



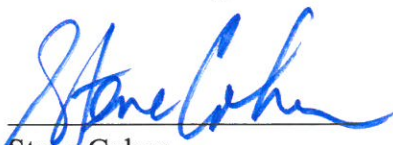
Marcia L. Fudge
Member of Congress



Luis V. Gutiérrez
Member of Congress



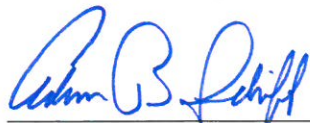
Albio Sires
Member of Congress



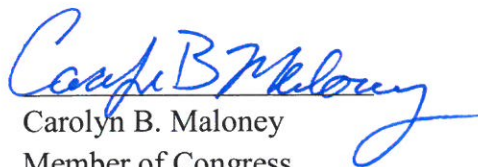
Steve Cohen
Member of Congress



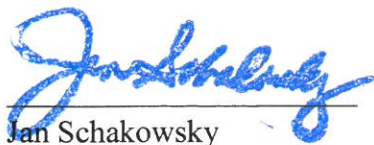
Linda T. Sanchez
Member of Congress



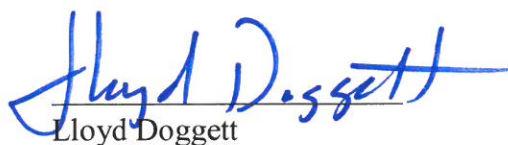
Adam B. Schiff
Member of Congress



Carolyn B. Maloney
Member of Congress



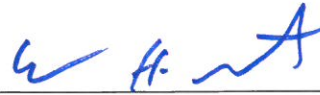
Jan Schakowsky
Member of Congress



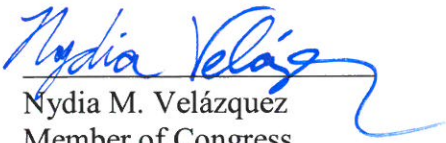
Lloyd Doggett
Member of Congress



Peter Welch
Member of Congress



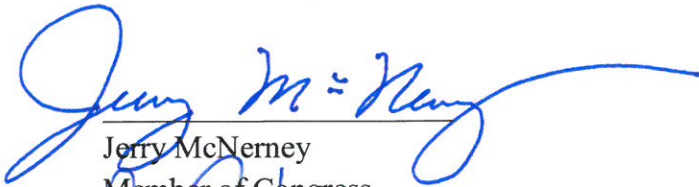
Eleanor Holmes Norton
Member of Congress



Nydia M. Velázquez
Member of Congress



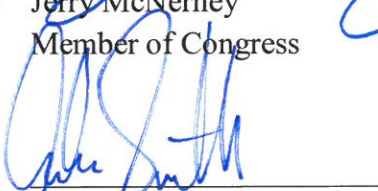
André Carson
Member of Congress



Jerry McNerney
Member of Congress



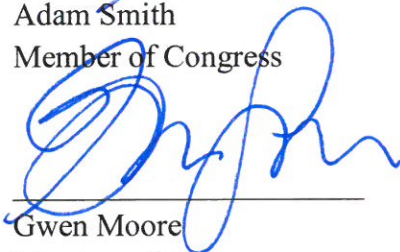
Diana DeGette
Member of Congress



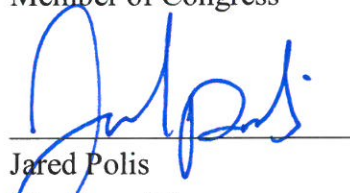
Adam Smith
Member of Congress



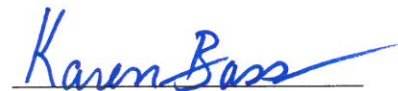
Kathy Castor
Member of Congress



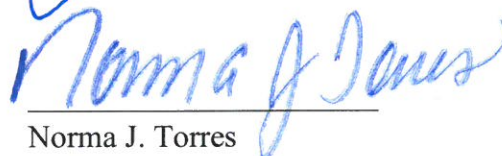
Gwen Moore
Member of Congress



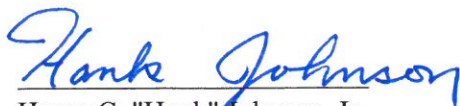
Jared Polis
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Karen Bass
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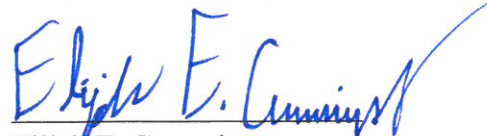
Norma J. Torres
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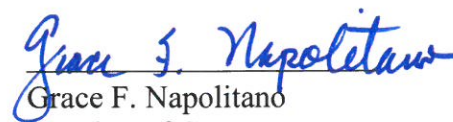
Henry C. "Hank" Johnson, Jr.
Member of Congress



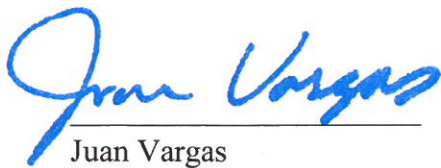
Adriano Espaillat
Member of Congress



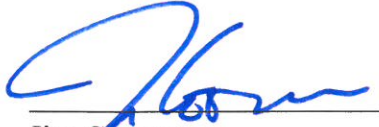
Elijah E. Cummings
Member of Congress



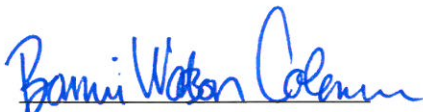
Grace F. Napolitano
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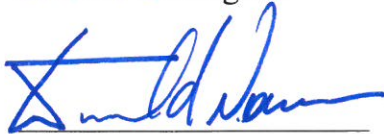
Juan Vargas
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Jim Cooper
Member of Congress



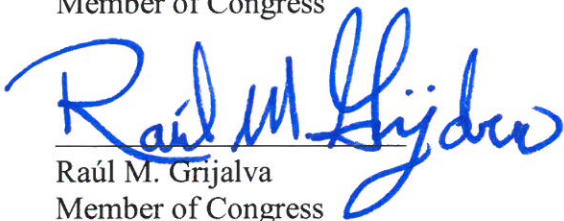
Bonnie Watson Coleman
Member of Congress



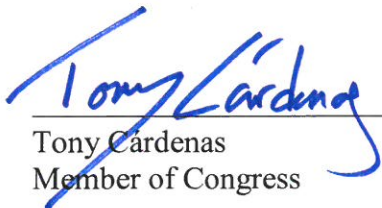
Donald Norcross
Member of Congress



Carol Shea-Porter
Member of Congress



Raúl M. Grijalva
Member of Congress



Tony Cardenas
Member of Congress



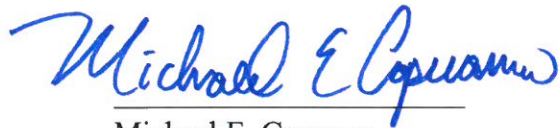
Mark Takano
Member of Congress



Tulsi Gabbard
Member of Congress



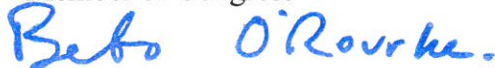
Darren Soto
Member of Congress



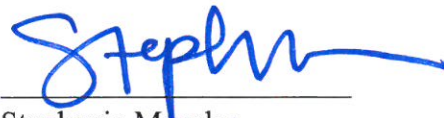
Michael E. Capuano
Member of Congress



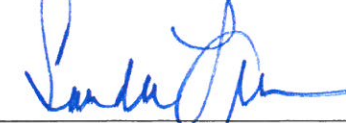
Jared Huffman
Member of Congress



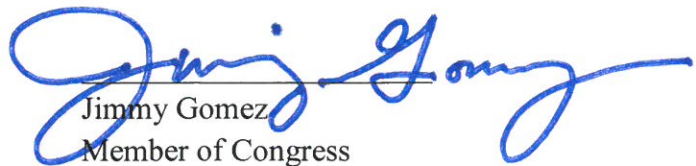
Beto O'Rourke
Member of Congress



Stephanie Murphy
Member of Congress



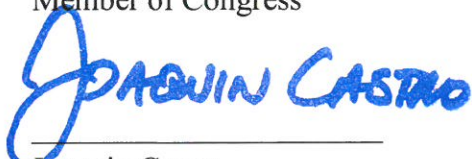
Sander Levin
Member of Congress



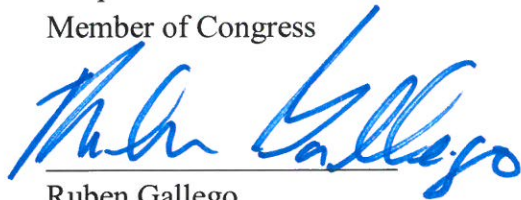
Jimmy Gomez
Member of Congress



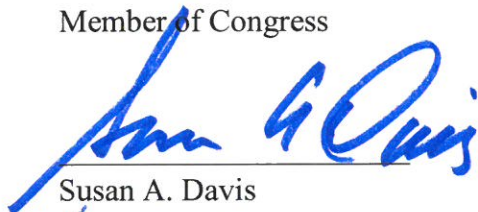
Bill Foster
Member of Congress



Joaquin Castro
Member of Congress



Ruben Gallego
Member of Congress



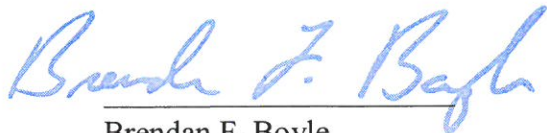
Susan A. Davis
Member of Congress


M.C.

Brenda L. Lawrence
Member of Congress



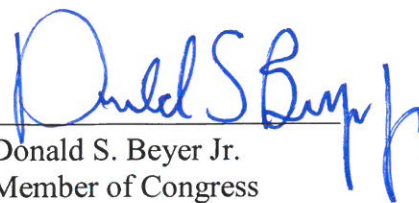
Robert C. "Bobby" Scott
Member of Congress



Brendan F. Boyle
Member of Congress



Scott H. Peters
Member of Congress



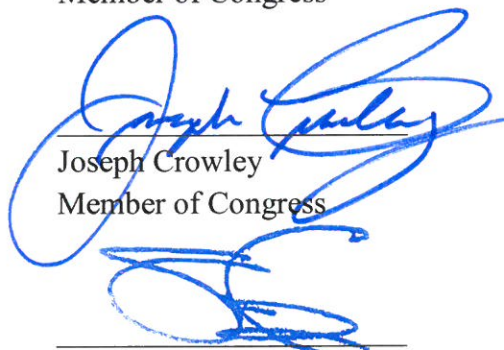
Donald S. Beyer Jr.
Member of Congress



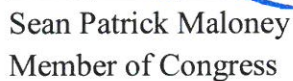
J. Luis Correa
Member of Congress



Lois Frankel
Member of Congress



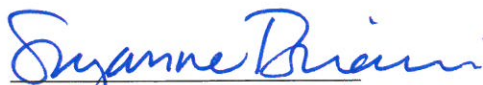
Joseph Crowley
Member of Congress



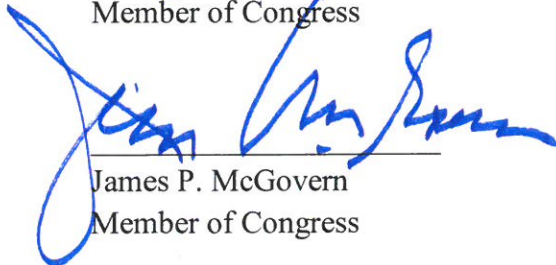
Sean Patrick Maloney
Member of Congress



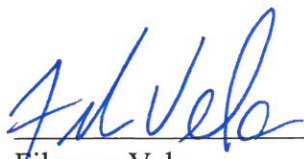
Ro Khanna
Member of Congress



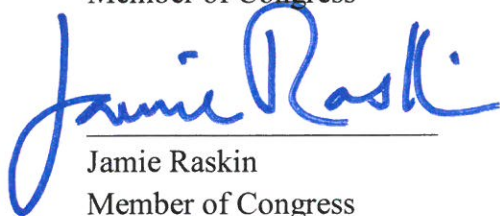
Suzanne Bonamici
Member of Congress



James P. McGovern
Member of Congress



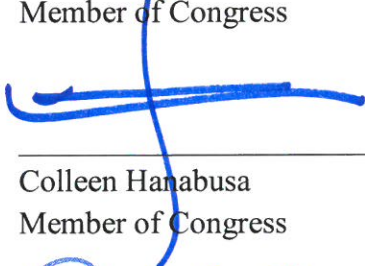
Filemon Vela
Member of Congress



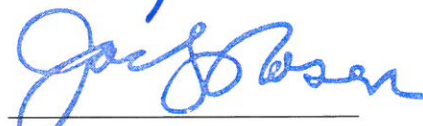
Jamie Raskin
Member of Congress



Denny Heck
Member of Congress



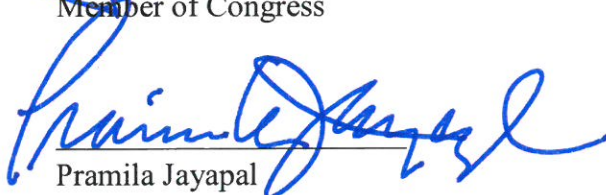
Colleen Hanabusa
Member of Congress



Jacky Rosen
Member of Congress



John Lewis
Member of Congress



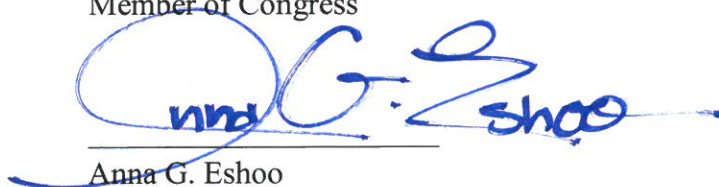
Pramila Jayapal
Member of Congress



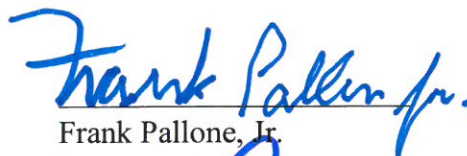
A. Donald McEachin
Member of Congress



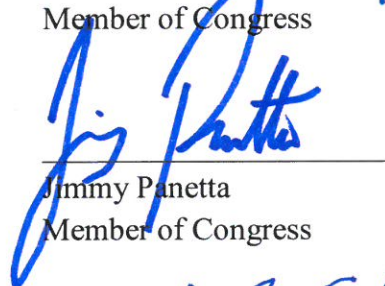
Ruben J. Kihuen
Member of Congress



Anna G. Eshoo
Member of Congress



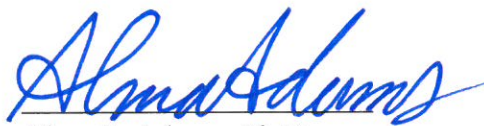
Frank Pallone, Jr.
Member of Congress



Jimmy Panetta
Member of Congress



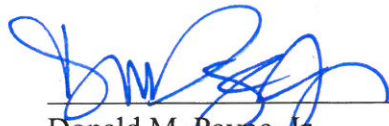
Daniel T. Kildee
Member of Congress




Alma S. Adams, Ph.D.
Member of Congress




Michelle Lujan Grisham
Member of Congress




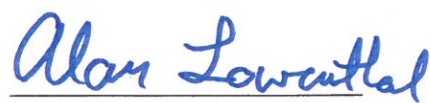
Donald M. Payne, Jr.
Member of Congress

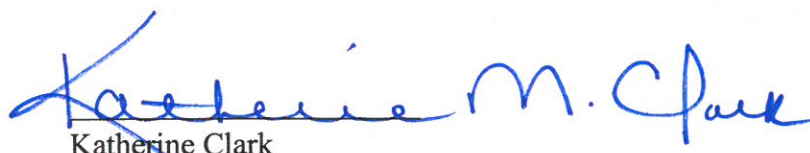

John Yarmuth
Member of Congress


Debbie Dingell
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Tom O'Halleran
Member of Congress


Mark DeSaulnier
Member of Congress


Alan Lowenthal
Member of Congress


Katherine Clark
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