

May 25, 2017

Thomas Homan
Acting Director
Immigration Customs Enforcement

Mr. Homan:

We informed you in a letter dated May 12, 2017, that detained applicants for U, T, and VAWA protection are listed in the new ICE VINE database, which is searchable by the public. To date, we have not received a response. We confirmed as of yesterday, May 24, 2017, that applicants are still searchable in the database.

As you know, victims of crimes such as human trafficking, domestic violence, and sexual assault may be eligible for relief under the Violence Against Women Act of 1994 and the Victims of Trafficking and Violence Prevention Act of 2000, specifically as VAWA self-petitioners, T or U visa applicants. Special protections for these applicants' confidentiality are contained in 8 USC §1367. These confidentiality provisions are essential, since perpetrators may try to locate and harm victims, undermine and interfere with their cases in order to maintain power and control, or jeopardize victims' eligibility for relief.

Under this statute, DHS is prohibited from disclosing ANY information about a VAWA applicant, U or T visa holder to a third-party (with certain limited exceptions). See 8 U.S.C. § 1367 (a)(2) & (b).

We are extremely concerned about this unlawful disclosure of victims' federally protected information. Their listing in the public database is a violation of federal statute which carries significant penalties under the law, and puts survivors' lives in danger.

If you cannot immediately remove these applicants from ICE VINE, then we ask that you take down the entire database, and no later than Friday, May 26, 2017.

Thank you for your swift attention to this matter.

Sincerely,



Archi Pyati
Chief of Policy and Programs

cc: Jonathan Cantor, DHS Chief Privacy Officer
Veronica Venture, DHS Acting Officer for Civil Rights and Civil Liberties
Joseph Mather, DHS Acting General Counsel