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US Department of Homeland Security

Submitted via <https://www.regulations.gov/document/USCIS-2024-0005-0001>

RE: Department of Homeland Security Notice of Proposed Rulemaking entitled *Application of Certain Mandatory Bars in Fear Screenings*; DHS Docket No. USCIS-2024-0005

Dear Director Delgado:

The Women's Refugee Commission ("WRC") submits this comment in response and in opposition to the Department of Homeland Security ("DHS") US Citizenship and Immigration Services' ("USCIS") Notice of Proposed Rulemaking ("NPRM") on May 13, 2024, "Application of Certain Mandatory Bars in Fear Screenings" (the "Proposed Rule").¹

The Proposed Rule would impose new barriers to people seeking asylum at the earliest screening stage of the expedited removal process. The Proposed Rule would allow US Citizenship and Immigration Services ("USCIS") Asylum Officers ("AO") to, at their discretion, apply five mandatory bars (codified at 8 U.S.C. § 1158(b)(2)(A)(i-v)) during credible and reasonable fear interviews ("CFI" and "RFI"), including when people are subject to the Circumvention of Lawful Pathways ("CLP") Rule. The Proposed Rule would preclude people from asylum eligibility, dramatically shift the expedited removal process against congressional intent, create inefficiency, and further inequitably restrict access to asylum for the most vulnerable and in need of protection. WRC strongly advises that DHS withdraw the Proposed Rule in its entirety.

I. WRC's interest in commenting on the Proposed Rule.

The WRC is a non-profit organization that advocates for the rights of women, children, and youth fleeing violence and persecution. We are leading experts on the needs of refugee women and children and the policies and programs that can protect and empower them. The Migrant

¹ DHS, *Application of Certain Mandatory Bars in Fear Screenings*, 89 Fed. Reg. 41347.

Rights and Justice (“MRJ”) Program focuses on the right to seek asylum in the United States and strives to ensure that migrants and refugees, including women and children, are provided with humane reception in transit and in the United States, given access to legal protection, and are protected from exposure to gender discrimination or gender-based violence.

Since 1996, MRJ staff have made numerous visits to the southwest border region, including along Mexico’s northern border, as well as to immigration detention centers for adult women and families and to shelters housing unaccompanied children throughout the country. WRC has interviewed hundreds of women, families, and children seeking asylum in the United States. Based on the information that we collect on these visits and our analysis of the laws and policies relating to these issues, we advocate for improvements, including by meeting with government officials and service providers and by documenting our findings through fact sheets, reports, backgrounders, and other materials. We make recommendations to address identified or observed gaps or ways in which we believe the corresponding department or agency can improve its compliance with the relevant standards.²

II. The 30-day comment period provides insufficient time to comment on the Proposed Rule.

The WRC objects to the abbreviated comment period provided for the Proposed Rule, which effectively denies the public the right to meaningfully comment under the notice and comment rulemaking procedures required by the Administrative Procedure Act. This time frame is insufficient for a proposed rule that significantly alters asylum processing. On May 21, 2024, WRC and 77 other immigrant rights, advocacy, and legal services organizations requested that DHS extend the comment period to a minimum of at least 60 days to comment on the complex proposed rule.³ DHS fails to follow Executive Orders 12866 and 13563, which state that agencies should generally provide at least 60 days for the public to comment on proposed regulations.

The five rules DHS references in the Proposed Rule fail to justify shortening the comment period to 30 days. Three of the rules discussed the bars within other drastic and numerous changes to

² Reports of our findings include: WRC and Jewish Family Service of San Diego, *Welcoming People Seeking Safety: A San Diego Blueprint for Humanitarian Reception* (2023); WRC and Instituto para las Mujeres en la Migración A.C., *Stuck in Uncertainty and Exposed to Violence: The Impact of U.S. and Mexican Migration Policies on Women Seeking Protection in 2021* (2022); WRC, *Asylum Denied: Remain in Mexico 2.0* (2021); WRC, *Prison For Survivors: The Detention of Women Seeking Asylum in the United States* (2017); WRC, Lutheran Immigration and Refugee Service, and Kids in Need of Defense, *Betraying Family Values: How Immigration Policy at the United States Border is Separating Families* (2017); WRC and Lutheran Immigration and Refugee Service, *Locking Up Family Values, Again: A Report on the Renewed Practice of Family Immigration Detention* (2014); WRC, *Migrant Women and Children at Risk: In Custody in Arizona* (2010); WRC, *Torn Apart by Immigration Enforcement: Parental Rights and Immigration Detention* (2010); WRC, *Innocents in Jail: INS Moves Refugee Women From Krome to Turner Guilford Knight Correctional Center* (2001); WRC, *Behind Locked Doors: Abuse of Refugee Women at the Krome Detention Center* (2000); and WRC, *Liberty Denied: Women Seeking Asylum Imprisoned in the U.S.* (1997).

³ Center for Gender & Refugee Studies, “Request to Provide a Minimum of 60 days for Public Comment in Response to the Department of Homeland Security (DHS) Notice of Proposed Rulemaking (NPRM): Application of Certain Mandatory Bars in Fear Screenings” (May 21, 2024), <https://cgrs.uclawsf.edu/our-work/publications/request-provide-minimum-60-days-public-comment-response-department-homeland>.

asylum processing beyond the scope of this Proposed Rule and two of the rules rescinded or changed the application of these bars in CFIs and RFIs. Two of the rules also only provided 30-day comment periods, despite stakeholders requesting more time.⁴ The complicated administrative records of these rules warrant DHS providing stakeholders a meaningful opportunity to comment on the Proposed Rule rather than a truncated comment period.

With a longer comment period, WRC would have provided a more thorough analysis of the Proposed Rule and the concerns it raises, including by elaborating on specific complexities of each of the bars and demonstrating the alternative steps DHS could take to develop a more efficient and fair asylum system that complies with the United States' domestic and international obligations to protect refugees.

III. The Proposed Rule would hinder a person's ability to *apply* for asylum.

The Proposed Rule makes it more challenging to pass credible or reasonable fear interviews and therefore proceed to a full hearing before an immigration judge. People typically undergo these initial screenings without access to legal counsel, the ability to present evidence, and are often detained and within days of having entered the United States after a long journey.

More than 25 years ago, Congress established clear distinctions between fear screenings and full merits reviews of asylum claims. Congress intentionally set a less onerous screening standard for admission to enter the full asylum process: a "significant possibility" that the noncitizen could establish eligibility for asylum. The Supreme Court established that a person showing even a one in ten chance of persecution should receive a positive credible fear determination.⁵ This allows for noncitizens to have their asylum claims heard in a full hearing. A dozen US Senators recently reasserted this notion in their comment in opposition to the CLP Rule.⁶

Despite this clear distinction between the credible fear screening—establishes the possibility of asylum eligibility—and the full merits hearing to make a final asylum determination, the Proposed Rule would insert bars to being granted asylum at the former stage. This effectively blocks a person's ability to apply for asylum and does so when a person is least prepared to disclose their fear, trauma, evidence of persecution, and evidence to demonstrate that bars do not apply. It is

⁴ Tahirih Justice Center and 502 other organizations, "Request to Provide a Minimum of 60 days for Public Comment in Response to the Department of Homeland Security United States Citizenship and Immigration Services and Department of Justice Executive Office for Immigration Review Joint Notice of Proposed Rulemaking," (June 18, 2020), <https://www.tahirih.org/wp-content/uploads/2020/06/Request-for-Extension-of-Asylum-Rule-Comment-Period-from-502-organizations.pdf>; Women's Refugee Commission and 30 other organizations, "Letter Requesting Extension of Public Comment Period for Proposed Rule Making Fundamental Changes to Asylum Processing and the Immigration System," (Aug. 6, 2020), <https://www.womensrefugeecommission.org/research-resources/letter-requesting-extension-of-public-comment-period-for-proposed-rule-making-fundamental-changes-to-asylum-processing-and-the-immigration-system/>.

⁵ *INS v. Cardoza-Fonseca*, 480 U.S. 421, 431, 440 (1987).

⁶ Senators Menendez, Padilla, Markey, Merkley, Sanders, Booker, Warren, Murray, Wyden, Cardin, Luján, and Hirono, "Re: Comment on the Proposed Rule by the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR) on Circumvention of Lawful Pathways, CIS No. 2736-22; Docket No: USCIS 2022-0016; A.G. Order No. 5605-2023" (Mar. 29, 2023), at 3, <https://www.regulations.gov/comment/USCIS-2022-0016-12291>.

impossible for AOs to comply with the low screening “significant possibility” standard while simultaneously imposing bars to asylum during a CFI.

When AOs apply these bars in expedited removal, people seeking asylum likely will not understand the rapid complex process they are in and, having fled persecution or torture, are psychologically unprepared to defend their legal cases. DHS data confirms that only 1 percent⁷ of people had legal representation for their CFIs, paving the way for failure for the overwhelming majority of asylum seekers.

The UN Refugee Agency’s (“UNHCR”) guidelines state that exclusion clauses—like the bars in this Proposed Rule—should be considered in regular proceedings, not in accelerated procedures, “so that a full factual and legal assessment of the case can be made.”⁸ Conflating fear screenings with hearings on the merits essentially blocks a person’s ability to access the asylum system.

IV. The Proposed Rule would not create “systematic efficiencies.”⁹

In 2022, DHS and the Executive Office for Immigration Review (“EOIR”) rescinded the part of the Global Asylum Rule¹⁰ that applied 8 U.S.C. § 1158(b)(2)(A)(i-v) bars during credible and reasonable fear interviews. In order to “preserve the efficiency Congress intended” and “ensure due process” for individuals who would establish eligibility for asylum but for the potential applicability of a bar, DHS and EOIR decided to return to the historic practice of not applying mandatory bars during CFIs and RFIs, as was established during the final month of the prior administration.¹¹

In the Proposed Rule, DHS affirms the complex nature of evaluating whether a bar applies in its description of the ICE Office of the Principal Legal Advisor’s (“OPLA”) review. DHS notes that OPLA assigns cases involving certain potential bars to relief or protection to “certain designated attorneys specializing in such cases, entail special reporting requirements, and coordination with OPLA headquarters divisions.”¹² Although DHS claims that because AOs can exercise discretion in determining when the five bars apply via easily verifiable evidence, AOs would still necessarily need to elicit facts relevant to the bars when conducting CFIS and RFIs. AOs would need to do so in an outcome determinative manner that goes beyond the interview’s congressionally intended purpose of serving as a screening for potential eligibility for asylum or

⁷ DHS Office of Homeland Security Statistics, *Asylum Processing Rule Cohort Reports*, (Apr. 30, 2024), <https://www.dhs.gov/immigration-statistics/special-reports/asylum-processing-rule-report>.

⁸ UN High Commissioner for Refugees (UNHCR), *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, (Sept. 4, 2003), <https://www.refworld.org/policy/legalguidance/unhcr/2003/en/14733>.

⁹ 89 Fed. Reg. at 41351.

¹⁰ DHS and EOIR, *Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review*, 85 Fed. Reg. 80274, (Dec. 11, 2020), <https://www.federalregister.gov/documents/2020/12/11/2020-26875/procedures-for-asylum-and-withholding-of-removal-credible-fear-and-reasonable-fear-review>, (“Global Asylum Rule”).

¹¹ DHS and EOIR, *Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers*, 87 Fed. Reg. 18078, (Mar. 29, 2022), <https://www.federalregister.gov/documents/2022/03/29/2022-06148/procedures-for-credible-fear-screening-and-consideration-of-asylum-withholding-of-removal-and-cat>.

¹² 89 Fed. Reg. at 41352.

related protections. AOs do not have to conduct such time- and fact-intensive analysis in a manner that develops and decides the relief or protection itself otherwise.

Michael Knowles, the president of the American Federation of Government Employees Local 1924 that represents USCIS in the Washington area, affirms that the Proposed Rule would make CFIs and RFIs take a longer time to conduct yet fail “to have a big impact.”¹³ AOs are also notably already understaffed¹⁴ and overwhelmingly conducting these interviews instead of adjudicating cases in the asylum backlog, which exceeded 2,400,000 pending cases at the end of fiscal year 2023.¹⁵ The USCIS Ombudsman noted that all fear screenings at the southern border “inhibit the agency’s ability to reduce the affirmative asylum backlog.”¹⁶

The Asylum Officers’ union opposed serving as final adjudicators under the previous administration’s Global Asylum Rule, stating that the “applicability of any bars to withholding of removal, is inappropriate and beyond the scope of the screening function. Such considerations are properly left to an immigration judge to explore in a full merits hearing.”¹⁷ The union asserted that considering the applicability of bars during screenings would make the expedited removal process “further complicated and delayed.”¹⁸

Collectively, these analyses by the most relevant experts confirm that the Proposed Rule would slow down the expedited removal process against congressional intent and exacerbate the asylum backlog.

V. The Proposed Rule would reinforce the fundamentally flawed expedited removal process by applying bars at the screening stage, against DHS and EOIR’s own 2022 assessment, and increase the risk of refoulement.

As civil society and legal services organizations have demonstrated, the expedited removal process is already fundamentally flawed¹⁹ without the Proposed Rule’s changes. The full adjudication of asylum cases cannot reasonably be prepared and decided in days or weeks. People seeking asylum need time to find and consult an attorney and obtain and translate supporting evidence, such as witness declarations, medical and police records, and expert

¹³ Eric Katz, “Is Biden’s new immigration rule doomed without more staffing?,” *Government Executive* (May 13, 2024), <https://www.govexec.com/management/2024/05/bidens-new-immigration-rule-doomed-without-more-staffing/396521/>.

¹⁴ *Id.*

¹⁵ Executive Office for Immigration Review, “Pending Cases,” (June 5, 2024), <https://www.justice.gov/eoir/workload-and-adjudication-statistics>.

¹⁶ USCIS Ombudsman, *Annual Report 2020*, (June 30, 2020), https://www.dhs.gov/sites/default/files/publications/20_0630_cisomb-2020-annual-report-to-congress.pdf.

¹⁷ National Citizen and Immigration Services Council 119, “Re: Comments on Joint Notice of Proposed Rulemaking: Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review, 85 Fed. Reg. 36264 (June 15, 2020) Department of Homeland Security (RIN 1615–AC42); Department of Justice, Executive Office for Immigration (EOIR Docket No. 18–0002; A.G. Order No. 4714–2020; RIN 1125–AA94),” (Aug. 18, 2020), at 27, <https://www.regulations.gov/comment/EOIR-2020-0003-6096>.

¹⁸ *Id.*

¹⁹ Women’s Refugee Commission, Human Rights First, Center for Gender & Refugee Studies, The Center for Victims of Torture, and the Network Lobby for Catholic Social Justice, *Do Expedited Asylum Screenings and Adjudications at the Border Work?*, (May 19, 2021), <https://www.womensrefugeecommission.org/research-resources/do-expedited-asylum-screenings-and-adjudications-at-the-border-work/>.

evaluations. The rushed time frame of expedited removal contradicts these necessities for fairness and instead curbs meaningful access to asylum and increases the risk that bona fide refugees are returned to persecution or harm. People seeking asylum are in no position to adequately present their claims in expedited removal or defend against the application of mandatory bars.

DHS and EOIR, in their 2022 rescission of applying 8 U.S.C. § 1158(b)(2)(A)(i-v) bars in CFIs and RFIs, asserted that the “[b]ecause of the complexity of the inquiry required to develop a sufficient record upon which to base a decision to apply certain mandatory bars, such a decision is, in general and depending on the facts, most appropriately made in the context of a full merits interview or hearing, whether before an asylum officer or an IJ, and not in a screening context.”²⁰ DHS also clarified that “due to the intricacies of fact finding and legal analysis required to make a determination on the applicability of any mandatory bars, individuals found to have a credible fear of persecution should be afforded the additional time, procedural protections, and opportunity to further consult with counsel that the Asylum Merits process or section 240 proceedings provide.”²¹ In the Proposed Rule, DHS does not provide adequate justifications for reversing course on its prior position, ignoring its assessment that the bars raise complex legal questions and its concerns regarding due process. DHS also ignores the new complexities and burdens on AOs and people seeking asylum due to the CLP Rule, as explained further in Section VI of this comment.

In a rushed procedure with little opportunity to obtain counsel and evidence to make their cases, people seeking asylum under the changes in this Proposed Rule would more likely be denied protection and returned despite meritorious claims, in contravention of the non-refoulement obligations codified in the Refugee Act.

VI. The Proposed Rule would apply upon people subject to the Circumvention of Lawful Pathways and June 2024 Presidential Proclamation, among other drastic changes that harm people seeking asylum, which already impose unprecedented new barriers to asylum protection.

Since May 2023, the CLP Rule has already barred access to asylum for most people entering the United States through the southern border. Despite a court finding the CLP Rule unlawful, it remains in effect while litigation continues.²² Human Rights First, a nonpartisan international human rights organization, found that people are three times more likely to receive a negative screening and be ordered deported to their countries of feared persecution or to Mexico under the

²⁰ DHS and EOIR, *Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers*, 87 Fed. Reg. 18078, (Mar. 29, 2022), at 18093, <https://www.federalregister.gov/documents/2022/03/29/2022-06148/procedures-for-credible-fear-screening-and-consideration-of-asylum-withholding-of-removal-and-cat>.

²¹ DHS and EOIR, *Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers*, 87 Fed. Reg. 18078, (Mar. 29, 2022), at 18094, <https://www.federalregister.gov/documents/2022/03/29/2022-06148/procedures-for-credible-fear-screening-and-consideration-of-asylum-withholding-of-removal-and-cat>.

²² *East Bay Sanctuary Covenant v. Biden*, 683 F. Supp. 3d 1025 (N.D. Cal. 2023), appeal held in abeyance, 93 F.4th 1130 (9th Cir. 2024).

CLP Rule.²³ Subjecting people to the CLP Rule and the Proposed Rule would require building an evidentiary record against both, often when they are detained in CBP custody within days of arriving at the southern border and without access to legal representation.

Since the CLP Rule went into effect, people seeking asylum have been forced to wait more than six months to secure appointments to enter at ports of entry to seek asylum and suffered over 2,500 kidnappings, acts of torture, forced disappearances, extortions, and other forms of violent attacks while waiting in Mexico.²⁴

In addition to the dramatic increase in barriers and immense suffering due to the CLP Rule, the Biden administration and DHS has put in place other obstacles that restrict access to asylum. These include reducing the amount of time people have to consult an attorney and conducting CFIs in CBP custody;²⁵ increasing the prosecution of people entering between ports of entry;²⁶ and establishing an expedited docket to deport people entering at the southern border.²⁷ DHS has also announced, but not published,²⁸ new guidance allowing AOs to consider if internal relocation within the asylum applicant's home country is reasonable at the credible fear stage.²⁹

On June 4, 2024, President Biden invoked INA § 212(f) to issue a proclamation that bars asylum for most people who enter between ports of entry at the southern border. The proclamation and accompanying DHS and EOIR interim final rule ("STB") bars access to asylum after an arbitrary weekly average of 2,500 encounters is reached, despite such a number having no bearing on the legitimacy of a person's asylum case.³⁰ This action violates 8 U.S.C. § 1158(a), which states that "any" noncitizen can seek asylum regardless of how they entered the United States. It also begs the question of why this Proposed Rule is necessary or why DHS is failing to provide stakeholders the necessary time to analyze how it would intersect with these new, relevant changes to the asylum process.

²³ Rebecca Gendelman, "Correcting the Record: The Reality of U.S. Asylum Process and Outcomes," *Human Rights First* (Nov. 3, 2023), <https://humanrightsfirst.org/library/correcting-the-record-the-reality-of-u-s-asylum-process-and-outcomes/>.

²⁴ Christina Asencio, "Trapped, Preyed Upon, and Punished," *Human Rights First* (May 7, 2024), https://humanrightsfirst.org/wp-content/uploads/2024/05/Asylum-Ban-One-Year-Report_final-formatted_5.13.24.pdf.

²⁵ DHS, "Fact Sheet: U.S. Government Announces Sweeping New Actions to Manage Regional Migration," (Apr. 27, 2023), <https://www.dhs.gov/news/2023/04/27/fact-sheet-us-government-announces-sweeping-new-actions-manage-regional-migration>.

²⁶ Department of Justice, "Justice Department Expands Efforts to Dismantle Human Smuggling Operations and Support Immigration Prosecutions," (May 31, 2024), <https://www.justice.gov/opa/pr/justice-department-expands-efforts-dismantle-human-smuggling-operations-and-support>.

²⁷ DHS, "DHS and DOJ Announce "Recent Arrivals" Docket Process for More Efficient Immigration Hearings," (May 16, 2024), <https://www.dhs.gov/news/2024/05/16/dhs-and-doj-announce-recent-arrivals-docket-process-more-efficient-immigration>.

²⁸ Center for Gender & Refugee Studies, "CGRS Seeks Transparency on Asylum Screening Guidance," (May 24, 2024), <https://cgrs.uclawsf.edu/news/cgrs-seeks-transparency-asylum-screening-guidance>.

²⁹ DHS, "DHS Announces Proposed Rule and Other Measures to Enhance Security, Streamline Asylum Processing," (May 9, 2024), <https://www.dhs.gov/news/2024/05/09/dhs-announces-proposed-rule-and-other-measures-enhance-security-streamline-asylum>.

³⁰ Joseph R. Biden Jr., "A Proclamation on Securing the Border," *The White House* (June 4, 2024), <https://www.whitehouse.gov/briefing-room/presidential-actions/2024/06/04/a-proclamation-on-securing-the-border/>; DHS and EOIR, *Securing the Border*, 89 Fed Reg. 48710.

These compounding barriers to asylum protection are a clear departure from the Biden administration's commitment to restoring and strengthening the US asylum system.³¹ People subjected to the CLP Rule, the new proclamation, and/or the Proposed Rule, as well as the other obstacles described in brief, would face immense impediments to presenting their asylum claim.

VII. The Proposed Rule would disproportionately punish people seeking asylum due to their race, nationality, religion, sexual orientation, or disability, who are wrongfully criminalized by their governments.

The Proposed Rule expects people seeking asylum to meet their factual burden and overcome bars that have unresolved legal questions and/or complex histories. For example, it remains unresolved whether a duress exception applies and would serve as defense against the application of the persecutor bar.³² Another example is the serious nonpolitical crime bar, which can be triggered against individuals who are themselves victims of violence or coerced into a gang or trafficked by criminal groups and does not require conviction.³³

People who are wrongfully criminalized or prosecuted by their governments are often the most vulnerable, including Black, Brown, Indigenous, and LGBTQ people seeking asylum. Governments around the world systematically arrest and prosecute people due to their sexual orientation, mental health conditions, or political dissent. It is unreasonable for DHS to expect a person seeking asylum to provide by a preponderance of the evidence that there is a significant possibility or reasonable possibility that the bar does not apply in CFIs or RFIs respectively within days after their arrival and often in custody.

VIII. Conclusion.

WRC opposes the Proposed Rule because it precludes people from asylum eligibility, dramatically shifts the expedited removal process against congressional intent, creates inefficiency, and further inequitably restricts access to asylum for the most vulnerable and in need of protection. The Proposed Rule is the latest in a series of policies that dramatically restrict access to asylum and undermine the United States' moral and legal obligations to protect people fleeing persecution and harm. Our responsibilities to ensure legal protection do not change based on the historically greater number of refugees around the world. Instead, the United States should pursue a fair, humane asylum system. WRC urges DHS to withdraw the Proposed Rule.

³¹ Executive Office of the President, *Creating a Comprehensive Regional Framework To Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border*, 86 Fed. Reg. 8267.

³² *Negusie v. Holder*, 555 U.S. 511 (2009).

³³ Hillel R. Smith, "An Overview of the Statutory Bars to Asylum:

Limitations on Granting Asylum (Part Two)," Congressional Research Service (Sept. 7, 2022),

<https://crsreports.congress.gov/product/pdf/LSB/LSB10816>; Hannah Dreier, "To stay or to go? Amid coronavirus outbreaks, migrants face the starkest of choices: Risking their lives in U.S. detention or returning home to the dangers they fled," The Washington Post (Dec. 26, 2020),

<https://www.washingtonpost.com/nation/2020/12/26/immigration-detention-covid-deportation/>; Hannah Dreier, "Trust and consequences: The government required him to see a therapist. He thought his words would be confidential. Now, the traumatized migrant may be deported," The Washington Post (Feb. 15, 2020),

<https://www.washingtonpost.com/graphics/2020/national/immigration-therapy-reports-ice/>.

Thank you for your time and consideration of this comment.