



IndivisibleEB.org

Representative Mark DeSaulnier
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To: Representative Mark DeSaulnier
From: Indivisible East Bay
Date: August 12, 2019
Subject: Resisting the Trump Agenda

We had a short but substantive meeting with you on August 5, 2019 before your Immigration Town Hall in Richmond on the topics below.

By discussing these critical issues, we are able to take back to our members how well you represent our progressive values in California's 11th congressional district.

Accountability for the Border Patrol: There are really too many examples to mention of irresponsible and lawless activity by this agency: from continuing to separate families on the basis of unfounded gang connections[1] to illegally refusing entry to asylum seekers to the horrific camps we've all heard about. But there is one case here in California that we would especially like you to investigate and hold the agents responsible accountable. Nine-year-old American citizen Julia Isabel Amparo Medina was detained on her way to school and held for 32 hours without access to her family[2].

Questions:

- We know Congress doesn't hire and fire border patrol agents, but what can Representative DeSaulnier do to hold not just the administration, but also the individuals carrying out rights abuses accountable to the American people?

Answers:

- You agree that accountability by CBP is important but that the recent \$4.6 billion in border aid approved by Congress unfortunately did not come with any real accountability due to internal divisions within the Democratic caucus. You mentioned that our president is also good at playing the race card to divide Americans-much like what the Russians are trying to do.

Office of Refugee Resettlement: This agency is failing at its two most important missions regarding unaccompanied migrant children: keeping them safe and finding homes for them with sponsors. According to a Disability Rights California report[3,4], here in our state, mainly at Yolo Juvenile Detention Center, the agency has "consistently failed to provide detained immigrant children with disabilities sufficient special education services, medical exams, and mental health assessments that meet the state standard. Worse, some children suffering from suicidal ideation and other mental health issues have learned that they will be penalized for reporting their suicidal thoughts and seeking help."

Of course in some cases finding family or friends living in the U.S. will be very difficult, but it is unacceptable for ORR to give up on finding sponsors for a third of the children in its care, not to mention turning down willing and appropriate foster families[5].

Questions:

- Will Rep. DeSaulnier commit to oversight of the treatment of children with special needs in ORR facilities?
- Will he write or support legislation with strengthened protections for those children specifically?
- Will he hold ORR accountable for not pursuing "prompt and continuous efforts toward family reunification" of unaccompanied migrant children?
- Will he write or support legislation with strengthened requirements for finding sponsors for children in ORR care? Possibly requiring them to partner with NGOs and community groups better suited to the outreach work?

Answers:

- Not answered due to lack of time.

White supremacist terrorism: We want to thank the Representative and his committee for bringing attention to the threat of white supremacist terrorism during the oversight hearing in June 2019[6]. Republicans have been dragging their feet on this issue since 2009 and since then that cancer on our nation has metastasized. Congressional Republicans have also sought to silence, discredit and otherwise destroy careers of DHS staff who've worked to identify and track white supremacist terror networks[7]. Former FBI investigator Dave Gomez said in a recent Washington Post report that "there's some reluctance among agents to bring forth an investigation that targets what the president perceives as his base. It's a no-win situation for the FBI agent or supervisor."[8]

Questions:

- In light of the two most recent mass shootings by white supremacists who published their manifestos to spread their ideology, will House Oversight Committee work with appropriators to get additional funding for the Countering Violent Extremism program to focus on white supremacists and their radicalization?
- Can the Oversight Committee investigate political pressure on law enforcement to ignore white supremacist extremism?

Answers:

- Not answered due to lack of time.

FY20 Federal Budget Negotiations: We're glad that the US government won't go into default as a result of the recently negotiated and passed budget caps but we're concerned about the provision that Democratic leadership would limit/prevent inclusion of policy riders in the

appropriations bills[9]. The basic protections in the House version of DHS Appropriations includes necessary reforms for the agency and we urge the Representative to fight to ensure that those protections make it through conference and final passage.

Questions:

- How can the findings from the Oversight Committee's recent hearings[6,10] be utilized to ensure accountability if not through appropriations policy riders? Some examples of provisions in the DHS FY 2020 bill[11] that we think the Representative should fight for through the conference process are provisions which:
 - Prohibit construction of border barriers, except with funds appropriated for that purpose.
 - Prohibit funding transfers to ICE Operations and Support for Enforcement and Removal Operations.
 - Prohibit ICE from removing sponsors of unaccompanied children based on information provided by the Office of Refugee Resettlement as part of the sponsor's application to accept custody of the child.
 - Limits future detention facility contracts or renewals from having an indefinite period of availability.
 - Ensures access by Members of Congress to detention facilities.

Answers:

- You recognized that this administration doesn't believe in the law. You said that you are committed to asserting as our Representative how this administration spends money only as approved by Congress. You said that supportive conference committee members will continue to fight for the above five bullets in the conference. You mentioned that your staff would provide information about a potential legal suit by the ACLU.

Border Supplemental Appropriations Bill: We thank Rep. DeSaulnier for voting NO on the version of the bill that did not include strong protections for migrants and ask him to continue to vote NO on any DHS spending bills that don't at least include the protections that were in the original House bill.

Election Security: The Senate Select Committee on Intelligence reported all 50 states were subject to attack[12]. The Mueller Report and Robert Mueller's own statements[13] are unequivocal about Russian interference in our elections. Election security experts are unified on the level of the danger[14] and the necessary steps needed to protect us[15]. Even Republicans support taking action against Russian interference[16], bills to defend our election infrastructure are bipartisan[17]. We appreciate the work that House Democrats did to pass the \$600 million in additional funding for election security[18] but we think there should be additional oversight hearings in the House about vulnerabilities in our election system, to help pressure Senate Republicans to act on it as well (or at the very least not strip it from the Senate version of the bill).

Questions:

- What pressure can the Rep. bring, either in private or in public on Republicans who are known to be concerned about Russian and other foreign election interference? We believe there are people who are concerned enough that they could be persuaded to defend the election security funding. Election security should be seen as national security, a subject which many Republicans claim to take seriously.
- Senate Majority Leader McConnell has explained part of his objections to allowing election security bills to be voted on by claiming existing protections are good enough. However he does not seem to be on the record as saying which protections those are, or why they are good enough, especially given that cybersecurity experts appear to strongly disagree. Does it fall within the purview of the Oversight Committee to press for details that could verify or refute these claims?

Answers:

- You affirmed that voting systems should have an audit trail.
- You expressed alarm about how social media can be weaponized but that the Oversight Committee needs to continue to hold hearings and educate the public on false news. Along those lines, you mentioned that all the committees are staffing up, especially Oversight. You asked Indivisible for ideas on hearings. We will put our heads together and get back with you.
- You suggested that states can take pieces of HR1 and try it at the local level. You also said that progressive groups should apply pressure strategically and communicate to swing state voters that progressive policies are good for them. You suggested that Indivisible chapters can work on messaging this in swing states. You expressed some concerns where these messages can be better communicated such as the Fresno area.
- You stated that your committee assignments can be impactful. You are certain that there will be “vehicles on election security because it is important.”

Impeachment: Thank you for coming out publicly in favor of impeachment. Although it’s a great step that the House Judiciary Committee has initiated an impeachment inquiry, we want the House to vote to formally open impeachment proceedings. We urge you to make your decision clear by cosponsoring House Resolutions 257[19] and 396[20]. At your June 11 Town Hall on Protecting Our Democracy and the Mueller Report in El Cerrito, you implied that you had not yet cosponsored H.Res. 257 out of deference to the Speaker. You did say, however, that you anticipated cosponsoring it in the coming weeks. Speaker Pelosi recently said that each Representative should make this decision based on their conscience and their constituents[21], and we hope you agree that the time is right for you to cosponsor 257 and 396.

Answers:

- You said you wanted your name on the impeachment inquiry but that members of the Democratic caucus who are reluctant to add their names have some reservations due to the aftermath of President Clinton’s impeachment. You stated it was important to “bring people along” towards impeachment while also focusing on the 2020 elections.

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