

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOE NEGUSE, in his official capacity as a
Member of the U.S. House of Representatives,
et al.,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT *et al.*,

Defendants.

Case No. 25-cv-2463-JMC

DECLARATION OF REPRESENTATIVE LOU CORREA

I, Lou Correa, declare as follows:

1. I am a member of the U.S. House of Representatives, representing California's 46th congressional district. I have been a Member of Congress since 2017.

2. I am a member of the Committee on the Judiciary and the Committee on Homeland Security. In 2023, I was named ranking member of the Homeland Security Committee's Subcommittee on Border Security and Enforcement.

3. I have personal knowledge of the facts and information in this declaration. I respectfully provide this declaration to explain how the unlawful, new oversight visit policy of the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) prevents me from performing my oversight duties as a member of Congress and significantly harms my ability to serve my constituents.

DHS and ICE Oversight Activities

4. As a member of the Judiciary and Homeland Security Committees, as current ranking member of a Subcommittee for the Homeland Security Committee dealing with immigration

matters, and because of the composition of my district I have been actively engaged in oversight of the Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE).

4. In the course of conducting oversight of DHS, I have performed numerous in-person visits to DHS facilities over the last several years. In my oversight role as ranking member of the Subcommittee on Border Security and Enforcement, I have sought to understand the concerns of immigration enforcement officers and to help them achieve their objectives, as per our laws and within the context of my district's needs and concerns. Until recently, I shared a positive working relationship with ICE immigration officers and received unobstructed access both to the ICE Santa Ana field office, which is located in my district, and to detention facilities outside my district.

5. These on-the-ground oversight visits are integral to other activities I have undertaken to investigate immigration detention and to craft relevant legislation, including DHS appropriations.¹ For example, I have sent oversight letters to DHS, ICE, and the Government Accountability Office, calling for greater transparency regarding ICE arrests,² the conditions of detention facilities and

¹ Lou Correa, Press Release: *Reps Correa, Cleaver Lead Effort to Address Unjust Deportations, Return Unlawfully Deported Individuals* (Mar. 28, 2023), <https://correa.house.gov/news/press-releases/rep-correa-cleaver-lead-effort-to-address-unjust-deportations-return-unlawfully-deported-individuals>.

² Lou Correa, Press Release: *Correa Slams Secretary Noem on Illegal ICE and DHS Activities, Urges for Agency Transparency* (Jul. 8, 2025), <https://correa.house.gov/news/press-releases/correa-slams-secretary-noem-on-illegal-ice-and-dhs-activities-urges-for-agency-transparency>.

processing facilities at ports of entry,³ and the processing of asylum claims,⁴ and expressing concern regarding the denial of entry into detention facilities.⁵

6. I have also introduced legislation to address issues that have arisen in the course of my oversight of DHS. In June 2024, I introduced the Child Status Fairness and Modernization Act, which sought to address the specific provision in the Immigration and Nationality Act that leads to separation of families.⁶

Defendants' Unlawful Obstruction of June 2025 Oversight Visits

7. On June 7, 2025, I attempted to visit an ICE facility in downtown Los Angeles with other Democratic colleagues to observe the status of individuals being detained inside the facility. When we arrived that morning, we were denied entry. The purpose of our visit was to inspect the facility after hearing those individuals had been denied access to attorneys, were being placed in overcrowded conditions, and did not have access to adequate healthcare. When denied access by ICE officers, we were unable to fulfill our oversight responsibilities.

8. On June 8, 2025, I began visiting the ICE field office in Santa Ana on a daily basis to ensure there was no overcrowding and to locate specific individuals based on requests from my constituents. Most days, I found fewer than ten detainees. On one of my daily visits, I saw a surge in

³ Letter from Lou Correa to Joseph V. Cuffari, Acting Inspector General at DHS (May 6, 2025), <https://d12t4t5x3vyizu.cloudfront.net/ritchietorres.house.gov/uploads/2025/05/DHS-IG-Letter.pdf>; Letter from Lou Correa to Pete R. Flores, Acting Commissioner at CBP and Todd Lyons, Acting Director at ICE (Apr. 29, 2025), https://www.warren.senate.gov/imo/media/doc/letter_on_cbp_misconduct_at_ports_of_entry.pdf.

⁴ Lou Correa, Press Release: *Reps Correa, Garcia, Espaillat Urge for Humane DHS Preparation for End of Title 42* (Apr. 18, 2023), <https://correa.house.gov/news/press-releases/rep-correa-garcia-espaillat-urge-for-humane-dhs-preparation-for-end-of-title-42>.

⁵ Letter from Lou Correa to Gene L. Dodaro, Comptroller General at GAO (Jun. 25, 2025), https://torres.house.gov/imo/media/doc/letter_request_to_gao_to_investigate_violations_of_the_antideficiency_act.pdf.

⁶ Lou Correa, Press Release: *Correa, Omar Introduce Bill to Keep Immigrant Families Together* (Jun. 7, 2024), <https://correa.house.gov/news/press-releases/correa-omar-introduce-bill-to-keep-immigrant-families-together>.

the numbers of detainees. I was verbally told that there were seventy-seven detainees, housed in about eight holding cells with a maximum capacity of eighty-six detainees. I was told that the increase was due to the Los Angeles facilities being temporarily closed. Each time I conducted a visit, I gave notice the night before my arrival and I would usually verbally inform my ICE escort that I would be back the next day for my 7am visit.

9. After conducting these visits without issue for about twelve days, I was denied entry to the Santa Ana field office on June 21. When I arrived at about 7am, ICE officials informed me of a new rule requiring my office to provide a seven-day written notice in order to visit the facility. I was therefore unable to obtain real-time, reliable information regarding the conditions of confinement.

10. I left the Santa Ana field office without being able to conduct oversight of the facility. I was also told that I could no longer use my regular contacts to schedule visits to the Santa Ana facility but had to submit requests to a centralized email box. I continue to lack information regarding the conditions of detention at the Santa Ana field office.

11. On August 1, my staff sent an email to ICE requesting another oversight visit at the Santa Ana field office. Later that day, I received a response that I could visit on August 12 – almost two weeks later.

The Significant, Irreparable Harm from Defendants' Unlawful Obstruction

12. Federal law requires DHS to allow any member of Congress to visit any DHS detention facility for the purpose of conducting oversight without providing advance notice. It is a critical oversight function to understand how appropriated funds are being used in real time on the ground in immigration detention. This close oversight informs me on how to best serve my constituents—especially those of us who represent districts where DHS facilities are located or nearby, or who have constituents who are themselves held in such facilities or whose loved ones are.

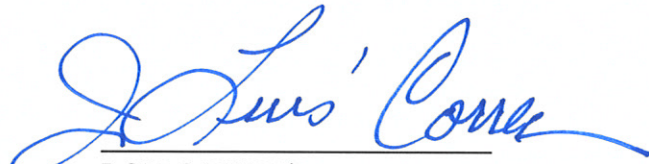
As ranking member of the Subcommittee on Border Security and Enforcement, close oversight also informs my ability to be a subject matter expert on this topic and ensure that funds are being adequately appropriated to our immigration agencies. For these reasons, I intend to continue engaging in on-the-ground, real-time oversight of DHS facilities.

13. Defendants' refusal to permit me to conduct oversight visits at the Santa Ana field office without seven days' notice hinders my ability to perform my duties as a member of Congress. When conducting oversight of ICE facilities, the purpose of being able to visit without notice is to capture the state of the facility as it exists in its current state. If ICE is given lengthy notice of a congressional oversight visit, there is an opportunity to alter the circumstances of the facility. The value of visiting facilities with the seven-day notice requirement is therefore greatly diminished.

14. Without adequate oversight, I am less able to serve my constituents, to ensure that DHS and ICE are acting consistent with the law, and to craft relevant legislation and appropriations—including limits on such appropriations—going forward.

I declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed this 6th day of August 2025 in Punta Ana CA


LOU CORREA