

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOE NEGUSE *et al.*,

Plaintiffs,

v.

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

Defendants.

Case No. 25-cv-02463-JMC

DECLARATION OF REPRESENTATIVE NORMA TORRES

I, Norma Torres, declare as follows:

1. I am a member of the U.S. House of Representatives, representing California's 35th congressional district. I have been a Member of Congress since 2015.

2. I am a member of the House Appropriations and Administration Committees. I previously served on the House Homeland Security Committee from 2015 through 2017.

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. I began conducting oversight of DHS and ICE facilities when I served in the California State Senate. Since being elected to the House of Representatives, I have continued to engage in oversight of DHS and ICE.

5. In the course of conducting oversight of DHS, I have performed numerous in-person visits to DHS facilities. In June 2018, I conducted an oversight visit of the Otay Mesa Detention Center in California operated by ICE, as well as the San Ysidro Port of Entry and the Brown Field Border Patrol Station (both operated by U.S. Customs and Border Protection (CBP), a component agency of DHS).¹ While there I witnessed the cruel impacts of the first Trump Administration's family separation policies, including toddlers huddled under aluminum blankets in freezing jail cells as they waited to be processed. In December 2018, I conducted oversight visits of the Antelope Wells Port of Entry and the Lordsburg Border Patrol Station, both operated by CBP in New Mexico, with colleagues from the Congressional Hispanic Caucus in order to investigate the circumstances surrounding the death of a 7-year-old Guatemalan national.² In June 2019, I conducted oversight visits of El Paso Border Patrol Station 1, and Clint Border Patrol Station, both located in Texas and operated by CBP, with colleagues from the Congressional Hispanic Caucus to investigate reports of inhumane conditions for children and families. During this visit I saw appalling conditions in which children were being held in groups of 10-15 in cells with no furniture and without access to basic necessities.³ In January 2020, I visited the Brownsville Ten Court Facility run by CBP to investigate how migrants claiming asylum were treated in their immigration court proceedings. Until recently, I had a positive working relationship with ICE immigration officers and received access to detention facilities in California, Florida, and Texas.

¹ Press Release, Representative Norma Torres, *Torres Visits San Diego-Mexico Border to See Effects of Trump's Zero Tolerance Policy* (June 21, 2018), <https://torres.house.gov/media-center/in-the-news/torres-visits-san-diego-mexico-border-see-effects-trumps-zero-tolerance>.

² Norma J. Torres (@NormaJTorres), X (December 18, 2018), <https://x.com/NormaJTorres/status/1074103155967823872>.

³ Norma J. Torres (@NormaJTorres), X (July 2, 2019), <https://x.com/NormaJTorres/status/1146185166181806080>.

6. As recently as February 19, 2025, DHS cooperated with my request for a briefing and tour of the ICE Enforcement and Removal Operations Field Office at the Los Angeles Federal Building located at 300 N. Los Angeles Street, Los Angeles, California 90012 (the “LA Facility”). I requested this visit following reports that unidentified federal agents had removed constituents from their homes and taken them to the facility. During my visit, I had a productive conversation with ICE officials about the need to communicate with local law enforcement when conducting operations. I was also given a tour of the area used to detain individuals in ICE custody.

Defendants’ Unlawful Obstruction of June 2025 Oversight Visits

7. On June 6, 2025, I saw widespread reports of ICE operations in the Los Angeles area. I also received reports from constituents of inhumane conditions in the LA Facility. In response to these reports, I coordinated with Representatives Jimmy Gomez, Luz Rivas, and Lou Correa to conduct an oversight visit of the LA Facility.

8. On June 7, 2025, Representatives Gomez, Rivas, Correa, and I gathered outside the LA Facility, along with members of our staffs, family members of detained individuals, and attorneys. Around 8:30 AM PT, I contacted the Acting Assistant Director—an ICE liaison officer with whom I had interacted during my previous visit to the LA Facility—and informed her that Members of Congress were requesting access to the facility in order to receive a briefing on the previous day’s ICE operations. She advised me that she would request authorization to provide a briefing.

9. After being repeatedly told by the Acting Assistant Director that she was seeking authorization, but without receiving a clear answer, the other representatives and I repeatedly called her to request a briefing. She later instructed us to move to a side entrance of the LA Facility. At the entrance, we pressed an external intercom call button and identified ourselves as Members of Congress. We were initially told to wait at the entrance, and we were subsequently informed that we would not be granted access to the LA Facility or a briefing on recent ICE operations. I later spoke

to the Acting Assistant Director, who told me that I would have to contact ICE headquarters to make an appointment for a briefing.⁴ A member of my staff also sent an email to ICE at 11:21 AM PT regarding our attempts to access the LA Facility.

10. Contrary to ICE's public claim that over 1,000 protestors were present, our delegation was a small gathering. We came to the LA Facility to request that four members of Congress be granted unobstructed access to the facility to perform our legally protected oversight function. When we requested access to the facility, we were not standing with protestors.

11. Representatives Gomez, Rivas, Correa, and I stayed in the vicinity of the LA Facility to assist constituents, some of whom were attempting to deliver medication to detained family members. My staff and I attempted to assist family members of detained individuals as best we could.

12. While we remained within the vicinity of the LA Facility, someone from inside the building deployed a chemical agent that caused irritation to my throat and lungs. As detailed in my June 12, 2025, letter to ICE Acting Director Todd Lyons,⁵ the deployment of the chemical agent and my subsequent exposure required that I visit a hospital emergency room for respiratory treatment. After being treated at the hospital, I was prescribed medication that has caused ongoing adverse health effects.

13. On June 12, 2025, the ICE Branch Chief responded to my staff's request to access the LA Facility. My staff requested that he schedule a tour of the LA Facility for June 14, 2025. Following this request, the Branch Chief responded on June 12 that he could no longer accommodate a tour due

⁴ Text message to from ICE Acting Assistant Director to Representative Torres (June 7, 2025) (attached as Exhibit A).

⁵ Letter from Representative Norma Torres to Immigration and Customs Enforcement Acting Director Todd Lyons, https://torres.house.gov/imo/media/doc/congresswoman_torres_letter_to_ice.pdf (June 12, 2025).

to the “situation in Los Angeles.” My staff requested further available dates from the Branch Chief but received no response.

14. On June 18, 2025, I again attempted to obtain a briefing from ICE at the LA Facility. I approached the building and identified myself as a member of Congress through the exterior intercom. I was told through the intercom that I was not permitted to enter the LA Facility. After I was denied entry, my Chief of Staff sent an email to ICE at 12:50 PM ET stating that I was denied entry to the LA Facility and requesting a briefing. In its reply, ICE asserted that the LA Facility is not used to “house aliens” and it would not “facilitate any visits” to the LA Facility.⁶ In a separate response, an ICE representative stated that they would be in touch to schedule a briefing. However, my staff received no follow up to this email.

15. On June 25, 2025, Representatives Gomez, Rivas, Correa, and I sent a letter to Comptroller General Gene Dodaro calling for a Government Accountability Office (“GAO”) investigation into potential violations of the Antideficiency Act (Public Law 97-258) by ICE in connection with the incidents that occurred on June 7, 2025, at the LA Facility.⁷

Defendants’ Unlawful Obstruction of July 2025 Oversight Visits

16. In July 2025, I received reports that ICE was detaining constituents at the Adelanto ICE Processing Center in Adelanto, California (the “Adelanto Facility”). On July 3, 2025, my staff sent an email to the Branch Chief stating that I wished to visit the Adelanto Facility on July 7, 2025. The Branch Chief responded and informed my staff that ICE could not support a visit to the Adelanto Facility in that time frame.

⁶ Email from ICE Office of Congressional Relations to Congresswoman Torres’ staff (June 18, 2025) (attached as Exhibit B).

⁷ Letter from Representatives Norma Torres, Jimmy Gomez, Luz Rivas, and Luis Correa to Comptroller General Gene Dodaro, https://torres.house.gov/imo/media/doc/letter_request_to_gao_to_investigate_violations_of_the_antideficiency_act.pdf (June 25, 2025).

17. On July 11, 2025, Representative Raul Ruiz and I traveled to the Adelanto Facility to conduct an unannounced oversight visit. We were accompanied by members of our staffs, members of the press corps, and representatives of the advocacy organizations Inland Congregations United for Change and the Inland Coalition for Immigrant Justice. When Representative Ruiz and I approached the gate to the Adelanto Facility, we were informed by an employee of the GEO Group (the private prison company that contracts with ICE to manage the Adelanto Facility) that we were denied entry.

18. In follow up communications with ICE officials, my staff was informed that Representative Ruiz and I were denied entry because we did not give sufficient notice before our visit. We were directed to a policy stating that “requests be made a minimum of seven (7) calendar days in advance to schedule visits to DHS detention facilities. Any requests to shorten that time must be approved by the DHS Secretary.”⁸

19. Members of my staff continued to contact ICE by email and request that I be given access to the Adelanto Facility. On July 16, 2025, a representative of ICE informed my staff that I was approved for a tour of the Adelanto Facility on July 18, 2025, at 10:00 AM PT.

20. Due to travel delays, I arrived at the Adelanto Facility at approximately 11:00 AM PT. Once inside the facility, I was informed by ICE officials that I was an hour late and that my tour would have to be shortened. I was shown the processing area, health unit, and kitchen of the facility. My visit was limited to approximately thirty minutes, and I was told that I could not access other parts of the facility. Although I was able to see the medical unit of the facility, I was unable to confirm the number or type of medical professionals present at the facility. Due to the limits placed on the duration of my visit, I was unable to conduct oversight of the area of the facility used to house detainees.

⁸ Email from ICE official to Congresswomen Torres’ staff (July 11, 2025) (attached as Exhibit C).

21. My staff immediately placed another request for a full visit of the facility, which ICE scheduled for July 28, 2025— 10 days after the request was made. The visit took place as scheduled at 10:00 a.m. PT on July 28. I, along with members of my staff, reviewed the East Wing and West Wing facilities, the latter of which holds female detainees. We also observed the female health clinic and an ongoing immigration court proceeding, which was taking place virtually. I was told that I was not allowed to speak with detainees, and that neither I nor my staff could have access to detained constituents unless names were sent in advance along with a privacy release form with the detainee's own signature. The staff located at the facility indicated that the number of detainees was well below capacity. I observed low-risk and medium-risk detainees, but not high-risk detainees.

The Significant, Irreparable Harm from Defendants' Unlawful Obstruction

22. 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. As a member of the House Appropriations Committee, it is critical that I understand how appropriated funds are being used in real time on the ground in immigration detention. This close oversight informs Members of Congress on how to best serve our 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 held in detention facilities.

23. Congressional ICE facility visits, especially during periods of intense enforcement in Southern California, are a critical tool for ensuring that ICE is complying with the law and its own internal policies and procedures. I have heard from family members of constituents detained at ICE facilities in Southern California about substandard conditions, lack of medical care, inability to access legal counsel, and other concerning reports.

24. Additionally, ICE now requires that detained individuals personally sign a privacy release form to receive casework services from me and my staff. Functionally, this means that either

I, a member of my staff, or a family member must visit the individual to obtain the signature. ICE's obstruction of my in-person visits to detention facilities thus directly impacts my ability to provide necessary services to my constituents. ICE's practice of frequently moving detained individuals from one facility to another further complicates my efforts.

25. I represent a diverse district with many immigrant communities. ICE's increased enforcement activity in my district has heavily affected many families and created a climate of fear and intimidation. I am frequently contacted by the family members of individuals detained by ICE, who do not know where their loved ones have been taken. Oversight visits are a way of maintaining accountability of ICE's actions at these facilities, including understanding the conditions faced by my constituents at the detention facilities, and to ensure that my office can better help family members connect with their loved ones who have been detained.

26. Given the critical information I gain from both announced and unannounced visits, I intend to visit the LA Facility and Adelanto Facility for purposes of conducting oversight.

27. I have also introduced multiple pieces of legislation related to immigration and my oversight of DHS. Most recently, in April 2025, I introduced the Fairness to Freedom Act, which seeks to establish a universal right to legal representation for individuals facing deportation.⁹ My oversight of DHS facilities, including in-person visits, directly informs my understanding of what legislation will best serve the needs of my constituents who interact with our immigration system.

28. Defendants' refusal to permit me to conduct tours at detention facilities without seven days' notice, and at field offices such as the LA Facility under any circumstances, hinders my ability to perform my duties as a member of Congress. When conducting oversight of ICE facilities, the purpose

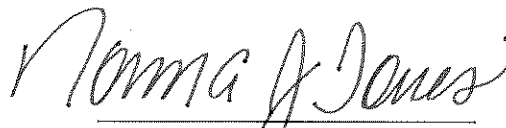
⁹ Press Release, Representative Norma Torres, *Congresswoman Torres Leads Introduction of Fairness to Freedom Act: A Call for Universal Legal Representation for Individuals Facing Deportation* (April 30, 2025), <https://torres.house.gov/media-center/press-releases/congresswoman-torres-leads-introduction-of-fairness-to-freedom-act-a-call-for-universal-legal-representation-for-individuals-facing-deportation>.

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.

29. 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 7th day of August 2025.

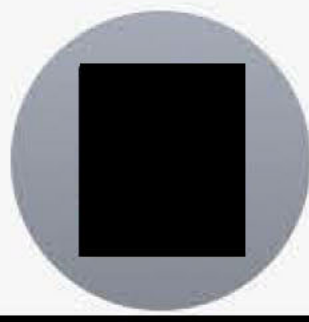


NORMA TORRES

TORRES EXHIBIT A

1:04

LTE



iMessage
Sat, Jun 7 at 8:57 AM

Hello [REDACTED] we are at the attorney and family entrance. Norma Torres

Good morning, Ms. Torres. I'm now in the building. I will get someone to talk to you.

Should we go to the front or stay on the side entrance for family and attorneys

Stay on the side

Ok

We are still at the side door

They are spraying chemical agents on us. What is happening

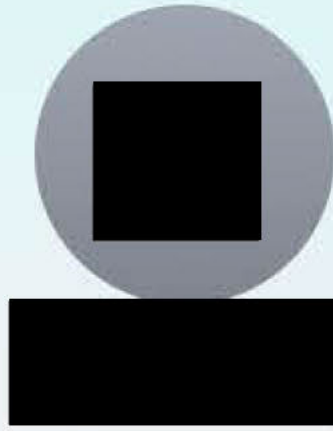
Sat, Jun 7 at 12:58 PM

Ms. Torres, apologies for the delay. We are dealing with the protestors and most importantly the safety of our detainees and personnel. As mentioned earlier, it's not safe and we can't guarantee your safety. Please be careful and stay safe



iMessage



1:03  5G 

Ok

We are still at the side door

They are spraying chemical agents on us. What is happening

Sat, Jun 7 at 12:58 PM

Ms. Torres, apologies for the delay. We are dealing with the protestors and most importantly the safety of our detainees and personnel. As mentioned earlier, it's not safe and we can't guarantee your safety. Please be careful and stay safe.



iMessage



TORRES EXHIBIT B

From: [CongressToICE](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Rep. Torres Briefing Request on ICE Activity in Congressional District
Date: Wednesday, June 18, 2025 2:01:52 PM

Hi [REDACTED] -

The Federal Building at 300 N. Los Angeles St (adjacent to the Edward E. Roybal Federal Building) houses the ICE Enforcement and Removal Operations (ERO) Los Angeles Field Office. This location is not a detention facility and falls outside of the Sec. 527 requirements. ICE does not house aliens at this location, rather this is a working office where ERO personnel process aliens to make custody determinations based on the specific circumstances of each case. Aliens determined to require detention are transferred to an ICE detention facility pending removal or the outcome of their removal proceedings. Due to our high operations tempo, we are not facilitating any visits to ICE Field Offices or suboffices at this time.

We've received your request for a briefing and will be in touch about scheduling once we have identified the appropriate briefer.

V/R,
ICE Office of Congressional Relations

From: [REDACTED]
Sent: Wednesday, June 18, 2025 12:50 PM
To: CongressToICE <CongressToICE@ice.dhs.gov>; [REDACTED]
[REDACTED]
[REDACTED]
Cc: [REDACTED]
Subject: Rep. Torres Briefing Request on ICE Activity in Congressional District

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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Hello-

Congresswoman Torres was in downtown LA for an event this morning and attempted to stop by the ICE facility in the Roybal Federal Building to receive a briefing on ICE enforcement activities that took place in her district yesterday. She was refused entry and a briefing. She would like a briefing on these activities immediately- and would note that this is not the first time she has been illegally refused entry from an ICE facility.

I look forward to your response-

[REDACTED]

[REDACTED]

Congresswoman Norma Torres (CA-35)
2227 Rayburn House Office Building
Washington, D.C.

[REDACTED]

TORRES EXHIBIT C

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

From: [REDACTED]

Sent: Friday, July 11, 2025 4:57:31 PM

To: [REDACTED]

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: TIME SENSITIVE Adelanto Visit

Hi [REDACTED] –

This is all we have to offer at this time:

Statement attributable to DHS Assistant Secretary Tricia McLaughlin:

“As ICE law enforcement have seen a surge in assaults, disruptions and obstructions to enforcement, including by politicians themselves, any requests to tour processing centers and field offices must be approved by the Secretary of Homeland Security. These requests must be part of legitimate congressional oversight activities.

As for visits to detention facilities, requests should be made with sufficient time to prevent interference with the President’s Article II authority to oversee executive department functions—a week is sufficient to ensure no intrusion on the President’s constitutional authority. To protect the President’s Article II authority, any request to shorten that time must be approved by the Secretary.”

As Department guidance regarding visits to DHS facilities is updated, it will be posted to [ice.gov](https://ice.dhs.gov).

ICE continues to comply with Sec. 527 but entry into detention facilities may be delayed due to exigent circumstances (including personnel and facility security considerations during protests) or time required to vet requests to ensure they for legitimate purposes (i.e., oversight, etc.). ICE will continue to take all actions required to faithfully execute Executive Order 14159, [Protecting The American People Against Invasion](#); we defer additional questions regarding visits to DHS facilities, including questions regarding statements by Secretary Noem or Assistant Secretary McLaughlin, to the Department.

V/R,
[REDACTED]

From: [REDACTED]
Sent: Friday, July 11, 2025 4:51 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: RE: TIME SENSITIVE Adelanto Visit

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Hi [REDACTED],

How does this illegal guidance follow the law I listed below? Especially given that there was not a protest today, and TWO Members of Congress were trying to exercise their congressional authority. You say “time to vet requests to ensure they are for legitimate purposes.” A Member of Congress visiting for oversight is a legitimate purpose.

The Congresswoman would like a briefing and a tour next Friday or Saturday of Adelanto. Can we start the process for this, since it seems Members of Congress have to jump over hoops to get a visit?

[REDACTED]

*Stay up to date on our work [here](#).
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From: [REDACTED]
Sent: Friday, July 11, 2025 3:40 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: RE: TIME SENSITIVE Adelanto Visit

Hi [REDACTED] – apologies for the delay.

Per my email exchange with [REDACTED] last night, we did receive a request for Rep Ruiz to visit the Adelanto ICE Processing Center on Fri (7/11/25); the initial request was received on Mon (7/7/25). As I articulated to [REDACTED], the request was not in compliance with Department guidance regarding visits to DHS facilities.

Regarding Rep Torres, I'm not aware of a request for Rep Torres to visit the Adelanto ICE Processing Center on Fri (7/11/25). When was this request submitted?

As outlined on [ice.gov](https://ice.dhs.gov) under Facility Visit Request Process heading:

Please note the Department requires requests be made a minimum of seven (7) calendar days in advance to schedule visits to DHS detention facilities. Any requests to shorten that time must be approved by the DHS Secretary.

Visit requests should be submitted during normal business hours to OCR at CongressToICE@ice.dhs.gov. Visit requests are not considered actionable until OCR acknowledges receipt of the request to the requestor. Requests received after hours or on weekends/holidays will be confirmed on the next business day. OCR will work with the appropriate ICE Field Office to coordinate the visit request and will confirm details as soon as practicable.

Visit requests should include the date of the proposed visit, the visit location, the duration of the visit, and the names and titles of all participants. Only Members and congressional staff scheduled and confirmed for the visit will be allowed to participate.

Statement attributable to DHS Assistant Secretary Tricia McLaughlin:

“As ICE law enforcement have seen a surge in assaults, disruptions and obstructions to enforcement, including by politicians themselves, any requests to tour processing centers and field offices must be approved by the Secretary of Homeland Security. These requests must be part of legitimate congressional oversight activities.

As for visits to detention facilities, requests should be made with sufficient time to prevent interference with the President's Article II authority to oversee executive department functions—a week is sufficient to ensure no intrusion on the President's constitutional authority. To protect the President's Article II authority, any request to shorten that time must be approved by the Secretary.”

As Department guidance regarding visits to DHS facilities is updated, it will be posted to [ice.gov](https://ice.dhs.gov).

ICE continues to comply with Sec. 527 but entry into detention facilities may be delayed due to

exigent circumstances (including personnel and facility security considerations during protests) or time required to vet requests to ensure they for legitimate purposes (i.e., oversight, etc.). ICE will continue to take all actions required to faithfully execute Executive Order 14159, [Protecting The American People Against Invasion](#); we defer additional questions regarding visits to DHS facilities, including questions regarding statements by Secretary Noem or Assistant Secretary McLaughlin, to the Department.

Please let us know if we could help schedule a future visit.

V/R,

[REDACTED]

From: [REDACTED]
Sent: Friday, July 11, 2025 12:11 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: Fw: TIME SENSITIVE Adelanto Visit

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Hi [REDACTED],

I see that [REDACTED] is out. Please see my email below.

—

[REDACTED]

[REDACTED]
Sent: Friday, July 11, 2025 12:09 PM

To: [REDACTED]
Cc: [REDACTED]

[REDACTED]

Subject: TIME SENSITIVE Adelanto Visit

[REDACTED],

Congresswoman Torres and Congressman Ruiz are outside Adelanto right now being denied entry.

According to your illegal guidance, Congressman Ruiz did make this request more than a week in advance.

These are 2 Members of Congress trying to exercise their congressional authority. Pursuant to the Further Consolidated Appropriations Law (PL 118-47), these Members should be allowed entry.

What is the legal basis for this? DHS does not have the authority to encroach on Members doing their job.

Let me know when they will be allowed into the facility.

You can reach me at [REDACTED] We expect a response immediately.

—

[REDACTED]