

Congress of the United States

Washington, DC 20515

December 2, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20032

Dear Secretary Noem:

I write to direct your immediate attention to persistent failures by U.S. Immigration and Customs Enforcement (ICE) personnel to provide detainees with access to Privacy Release Form 60-001.¹ Despite repeated requests from my office, and despite explicit obligations under federal law, ICE facilities under your authority are failing to provide detainees with this document or to process completed forms. These failures are not isolated errors. They represent a systemic breakdown that impedes detainees' rights, obstructs lawful congressional oversight, and violates the Department's own stated procedures.

Multiple attorneys, family members, and advocates have reported to my office that detainees have been denied access to Form 60-001 outright, or that their completed forms are never transmitted to the proper channels. On September 26, the ICE Office of Congressional Relations advised my office that:

“If the detainee is experiencing challenges accessing the privacy waiver form, they may contact the Center of Operations via the Detention Reporting and Information Line (888-351-4024) or request the privacy waiver form by submitting a Detainee Request Form. Alternatively, you may also contact the Enforcement and Removal Operations field office with purview over the facility.”

In practice, none of these avenues function. Detainees continue to report that they cannot obtain the form, and inquiries from my office to facilities routinely go unanswered.

When ICE personnel do respond, they often state that no information can be shared without a signed privacy waiver, the very document your facilities refuse to provide or process. This manufactured catch-22 unlawfully denies detainees their rights and prevents Congress from conducting even basic oversight.

Federal law is unequivocal. The Privacy Act of 1974 (5 U.S.C. § 552a) and the Judicial Redress Act of 2015 (5 U.S.C. § 552a note) require a signed privacy waiver before ICE may release information to Congress, but this requirement presumes meaningful access to Form 60-001. ICE must allow detainees to obtain, complete, and submit this form. When ICE blocks access to the form, it blocks oversight itself—preventing Members of Congress from assisting constituents and holding the executive branch accountable as the law requires.

I therefore request that the Department take immediate corrective action to meet its legal obligations:

1. Ensure that all ICE detention facilities provide Privacy Release Form 60-001 to any detainee upon request, without delay or obstruction.
2. Direct all field offices, contractors, and personnel to process completed forms promptly and transmit them to congressional offices without exception.

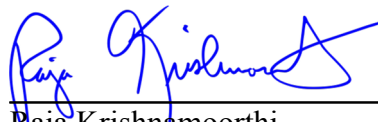
¹ <https://www.ice.gov/file-download/download/public/80509>

3. Issue and publicly post clear, uniform guidance affirming ICE's legal obligations regarding privacy waivers and cooperation with congressional inquiries.

These steps are not discretionary. They are mandatory for the Department to comply with federal law, uphold its own policies, and maintain the transparency expected of any federal agency.

I respectfully request a briefing on these failures by December 11th, 2025. I also expect a detailed response outlining DHS's plan to immediately remedy these failures and prevent their recurrence. Thank you for your prompt attention to this matter. I look forward to swift corrective action.

Sincerely,



Raja Krishnamoorthi
Member of Congress