

**Congress of the United States**  
**Washington, DC 20515**

October 10, 2017

President Donald J. Trump  
The White House  
1600 Pennsylvania Ave., NW  
Washington, DC 20500

Dear Mr. President,

We are appalled at the gross overreach in the proposal published in the Federal Register to modify records collection in the so-called “A-Files” maintained by the Department of Homeland Security (DHS)<sup>1</sup>. We strongly urge you to immediately terminate all efforts to surveil and collect the social media information on immigrants, including lawful permanent residents of the United States, and American citizens.

Simply put, this proposal is un-American. It flies in the face of freedom of speech, due process, and freedom of association, all of which are cherished founding values that are meant to protect personal privacy and encourage discourse and dissent in a free society.

Interpreting social media is difficult. Even DHS’s own Inspector General recognized this in a report issued earlier this year, noting that “neither the private sector nor the U.S. Government possessed the capabilities for large-scale social media screening.”<sup>2</sup> Given the volume of information generated on social media, it is impractical to assume that careful human consideration for each data point acquired will be undertaken. As a result, mass collection of data will be stockpiled and subject to blunt and automated robotic analysis which cannot differentiate between citizen, resident, immigrant, or refugee.

A recent analysis observed, “[s]urveillance technologies can grant an air of objectivity to assessments that are not necessarily indicative of realities on the ground due to outdated, inaccurate, or incomplete information.”<sup>3</sup> The 2016 presidential election campaign serves as an abject reminder of the danger fake social media accounts pose to factual public discourse. In the near certainty that any automated system would be programmed with implicit biases, blind reliance on social media postings to inform our immigration policies is even more dangerous.

In addition, this proposal grants license for lawful first amendment activity to be surveilled, like organized protests, Facebook postings, Twitter retweets, and Snapchats. People who have never committed or supported a single criminal act could be deported simply because of a social media

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<sup>1</sup> United States, Department of Homeland Security, Privacy Office. “Privacy Act of 1974; System of Records.” Federal Register, vol. 82, no. 179, 18 Sept. 2017.

<sup>2</sup> United States, Office of Inspector General. “DHS’ Pilots for Social Media Screening Need Increased Rigor to Ensure Scalability and Long-Term Success (Redacted)” 27 Feb. 2017.

<sup>3</sup> Mateescu, Alexandra, et al. “Social Media Surveillance and Law.” Data & Civil Rights: A New Era of Policing and Justice, 27 Oct. 2015.

posting innocently revealing where they live or with whom they spend their time. The ramifications of an error by DHS are extremely severe, possibly resulting in the separation of families.

This proposal runs counter to American values. The collection of social media data in a dragnet as proposed is unwise and has not been proven effective, particularly when American citizens become targets. We urge you to retract the Federal Register notice immediately.

Sincerely,



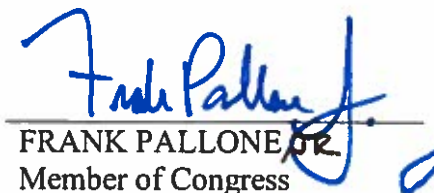
PRAMILA JAYAPAL  
Member of Congress



RUBEN KIHUEN  
Member of Congress



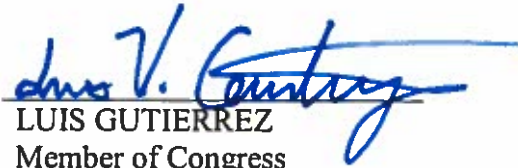
RAJA KRISHNAMOORTHI  
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FRANK PALLONE  
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JERROLD NADLER  
Member of Congress



LUIS GUTIERREZ  
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NYDIA VELAZQUEZ  
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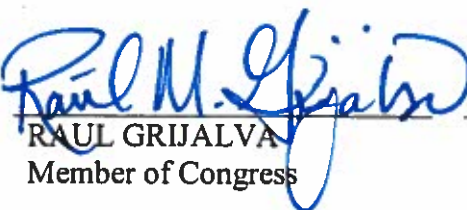
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