



UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 PENNSYLVANIA AVENUE , NW, WASHINGTON, DC 20425

www.usccr.gov

October 11, 2018

Cameron Quinn
Officer for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Washington, DC 20528

Dear Ms. Quinn:

I write as one member of the U.S. Commission on Civil Rights, and not on behalf of the Commission as a whole. I have reviewed your September 17, 2018 letter to the Commission's general counsel.

I emphatically maintain the position expressed in my 2015 statement dissenting from the Commission's immigration detention facilities report: the Commission does not have jurisdiction over matters pertaining to immigration enforcement.

Immigration enforcement and detention of immigrants is not a matter of national origin or racial discrimination. The Commission may try to bootstrap a national origin discrimination angle by claiming that there is disparate treatment of individuals crossing our northern and southern borders. This is a ploy. First, people who illegally cross into the United States from Canada are not necessarily (in fact, likely are not) Canadian citizens, but rather are citizens of other countries. So it is unlikely that there is an invidious Canadian preference at work. Second, many, if not most, people who cross into the United States illegally from Mexico are not Mexican citizens. DHS is not separating Mexican parents from their children, but not Honduran parents from their children. So there is not national origin discrimination occurring on the southern border either. It is merely a matter of different enforcement challenges faced on the northern and southern borders caused by mass law-breaking on the southern border.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Kirsanow".

Peter Kirsanow
Commissioner