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McLean, Virginia, USA

VIA EMAIL
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Ms. Patricia Sellinger
Chief Freedom of Information Officer
University of Michigan FOIA Office
2025 Fleming Building
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**RE: Michigan Freedom of Information Act Request
Dr. John Tanton Papers (Donor #7087), Boxes 15 - 25+**

Dear Ms. Sellinger:

Under the Michigan Freedom of Information Act § 15.231 et seq., I am requesting an opportunity to inspect or obtain copies of public records regarding all documents donated by Dr. John Tanton, Donor #7087, located in Boxes 15 – 25, and any others marked “closed” at the Bentley Historical Archive (BHA) at the University of Michigan. These documents qualify as “public records” within the meaning of the Michigan FOIA, §15.232 as they are writings “...in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

The Michigan Freedom of Information Act requires a response within five business days. If access to the records I am requesting will take longer, please contact me with information about when I might expect copies or the ability to inspect the requested records.

The BHA notes that Boxes 15 – 25 are closed until April 6, 2035. We submit that Dr. John Tanton's papers are in the public interest that outweigh interest in keeping these boxes closed until 2035.

The organizations founded and/or nurtured by Dr. Tanton currently control and/or influence the creation of national US immigration policy. These organizations include FAIR, (the Federation for American Immigration Reform,) its legal arm IRLI (the Immigration Reform Law Institute,) NumbersUSA, CIS (the Center for Immigration Studies,) and U.S. English. In addition to being its founder, Dr. Tanton's name remains on the “Board of Advisors” for FAIR to this day. In a 2011 interview with the *New York Times*, Dr. Tanton himself explained that he donated his papers to the University of Michigan “to show that he *and colleagues* 'are not the unsavory types sometimes alleged.’” (Emphasis added.)

More specifically, the public interest inheres in the connection between Dr. Tanton, these organizations and one such colleague, Mr. Kris Kobach, currently Kansas Secretary of State. It has been widely reported that Mr. Kobach has been advising the Trump administration on immigration policy, as he has done for previous administration. Kobach remains of counsel to IRLI, which bills itself on its own website as “a public-interest legal education and advocacy law firm, and supporting organization of the Federation for American Immigration Reform (FAIR).” Kobach's name has become synonymous with legislation and lawsuits designed to restrict immigration.

Kobach was a chief architect of NSEERS, a registry for certain nonimmigrants from majority-Muslim countries in the wake of 9/11. This program had far-reaching consequences: 84,000 men registered, 14,000 were placed in removal proceedings, 3,000 were detained, but there were no terrorism-related convictions. Kobach advised Attorney General Ashcroft during the "liberal purge" of the Board of Immigration Appeals, when the entire pro-immigrant wing of the nation's highest immigration court was pushed out. He sued multiple times in jurisdictions across the country to try to deny in-state tuition for undocumented immigrants. He defended ordinances sanctioning employment of and renting to undocumented immigrants. He designed Arizona's infamous "show me your papers" law, S.B. 1070, requiring police to attempt to ascertain immigration status and criminalizing the act of not carrying identification. According to his own “strategic plan” leaked by the Topeka Capital-Journal on November 21 shared with President-Elect Trump, Kobach wants to bring back an enhanced or updated version of the failed NSEERS program, reinstitute other failed national programs like 287(g), cut off all Syrian refugee resettlement, and facilitate racial profiling by designating anyone merely arrested for a crime as a priority for deportation. He adopts President-Elect Trump's "extreme vetting" of nonimmigrants, and takes it to mean that people from certain countries will be questioned about such things as support for "Shariah law" and the Constitution.

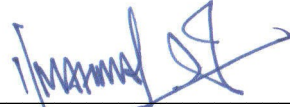
Moreover, the published titles and content of these papers on the BHA website includes the formation of FAIR, its sister organizations, IRLI, comprehensive meeting minutes, and connection with groups like the Pioneer Fund (which funded eugenics research on the inherent genetic superiority of members of the white race). Upon information and belief, these public writings constitute the architectural foundation of policy that, through Kobach, currently informs the new White House.

Kobach's influence on immigration affects millions of people in the United States, and the standing of the United States globally through its immigration policy. A more public interest is difficult to imagine. As such, it is respectfully submitted that the public interest in the contents of these papers outweighs any interest in keeping the John Tanton papers in Boxes 15 - 25 sealed until 2035. There is no applicable exemption from disclosure under the Michigan FOIA (§15.243) that would compel denial of this request.

If you deny any or all of this request, pursuant to §15.240(4) of the FOIA (which specifically places the burden of proof on the public body to show that the public record is exempt from disclosure,) please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. The records requested are not sought for commercial use, and the requesters plan to disseminate the information disclosed as a result of this FOIA request to the public. If there are any fees or deposits required for searching or copying these records, please inform me if the cost will exceed \$300.

If you have any questions or need further information, please do not hesitate to contact our office.
Thank you in advance for your assistance in this matter.

Respectfully Submitted,



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