

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

June 7, 2019

Hon. Jerrold Nadler  
Chair  
Committee on the Judiciary  
2138 Rayburn House Office Building  
Washington, DC 20515

Hon. Doug Collins  
Ranking Member  
Committee on the Judiciary  
2142 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Collins,

We write to respectfully request that the Committee on the Judiciary hold hearings investigating the treatment of pregnant migrants seeking asylum in the United States.

We are deeply disturbed by reports that federal immigration and law enforcement agencies are targeting and mistreating pregnant asylum seekers, and in the process, endangering the lives of both the women and their children. *Rewire.News* recently published a wide-ranging investigation detailing the impact the Trump Administration's so-called "zero-tolerance" policy has had on its treatment of pregnant migrants apprehended at the southern border. Since this policy was enacted, there has been an increase in prosecutions,<sup>1</sup> and, according to advocates, when pursuing prosecution, Customs and Border Protection (CBP) officials, "seem to be choosing pregnant asylum seekers as their sacrificial lambs."<sup>2</sup>

Migrants prosecuted under this policy are remanded to U.S. Marshals Service (USMS) custody, where many pregnant women are reportedly experiencing lapses in prenatal and gynecological care that endanger both them and their child.<sup>3</sup> For instance, women were reportedly shackled when accessing prenatal and postpartum care, which, according to the American College of Obstetricians and Gynecologists, compromises the health care women receive in numerous ways.<sup>4</sup> *Rewire.News* reported that some women were even shackled while giving birth.<sup>5</sup> Advocates also report that, immediately after giving birth, women in USMS custody were forced

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<sup>1</sup> Transactional Records Access Clearinghouse (TRAC) at Syracuse University, *Illegal Border Crossers: Prosecutions Continue To Rise*, August 6, 2018, <https://trac.syr.edu/immigration/reports/524/#f1>.

<sup>2</sup> Tina Vasquez, "Meet the Federal Agency Helping to Criminalize Pregnant Migrants," *Rewire.News*, May 14, 2019, <https://rewire.news/article/2019/05/14/meet-the-federal-agency-helping-to-criminalize-pregnant-migrants/>.

<sup>3</sup> Vasquez, "Meet the Federal Agency Helping to Criminalize Pregnant Migrants," <https://rewire.news/article/2019/05/14/meet-the-federal-agency-helping-to-criminalize-pregnant-migrants/>.

<sup>4</sup> American College of Obstetricians and Gynecologists, *ACOG committee opinion: Health Care for Pregnant and Postpartum Incarcerated Women and Adolescent Females*, 2011 (reaffirmed 2019), <https://www.acog.org/Clinical-Guidance-and-Publications/Committee-Opinions/Committee-on-Health-Care-for-Underserved-Women/Health-Care-for-Pregnant-and-Postpartum-Incarcerated-Women-and-Adolescent-Females>.

<sup>5</sup> Tina Vasquez, "OB-GYN Says U.S. Marshals Service Is Shackling Detained Pregnant Migrants," *Rewire.News*, May 14, 2019, <https://rewire.news/article/2019/05/14/ob-gyn-says-u-s-marshals-service-is-shackling-detained-pregnant-migrants/>.

to hand their newborns to the Texas Department of Family and Protective Services (DFPS).<sup>6</sup> This is barbaric, and these stories provide additional examples in a long line of ways in which the Administration has willfully mistreated migrants and separated families in the name of border security. The officials responsible for these actions should be held accountable, and Congress should demand that they respond to these horrific reports.

We appreciate that the Committee has initiated an investigation into the Trump Administration's family separation policy, and we urge you to include the issue of treatment of pregnant migrants in the ongoing investigation of the "zero tolerance" immigration policy.

We look forward to working with you on investigating this matter and thank you for your consideration of this request.

Sincerely,

  
CAROLYN B. MALONEY      VERONICA ESCOBAR  
Member of Congress      Member of Congress

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<sup>6</sup> Tina Vasquez, "Trump Administration Separates Some Migrant Mothers From Their Newborns Before Returning Them to Detention," May 28, 2019, <https://rewire.news/article/2019/05/28/trump-administration-separates-pregnant-migrants-newborns-before-returning-detention/>.