

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

May 22, 2018

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

We write to request that the Committee on Oversight and Government Reform hold a hearing to investigate the Department of Homeland Security's decision to enact an official policy of forcibly separating immigrant children from their parents at the border.

On Monday, May 7, 2018, Attorney General Jeff Sessions and Thomas Homan, the Acting Director of Immigration and Customs Enforcement (ICE), announced that the Trump Administration would adopt a "zero-tolerance" policy toward anyone attempting to cross the border illegally. This policy will ensure that every family member crossing the border, regardless of whether they have legitimate asylum claims, are referred to the Department of Justice to be prosecuted for illegal entry. Adults will be transferred to criminal custody, and children will be separated from their parents and, ironically, treated as "unaccompanied minors." Attorney General Sessions is quoted as saying, "If you are smuggling a child, then we will prosecute you and that child will be separated from you as required by law."

This change in policy came just 11 days after Steven Wagner, the Acting Assistant Secretary of the Administration for Children and Families at the Department of Health and Human Services, testified before the Senate Homeland Security and Governmental Affairs Committee that the agency had lost track of almost 1,500 migrant children in the United States, raising grave concern that those children could end up in the hands of human traffickers or be forced into labor by those posing as relatives.

Those seeking asylum in the United States should have asylum requests processed before being referred for prosecution. Given this serious change in enforcement policy, we ask that the Committee hold a hearing to investigate the following questions:

- (1) How many children has the Trump Administration separated from their parents when entering the United States since January 20, 2017?
- (2) What accommodations are provided to children who have been detained?

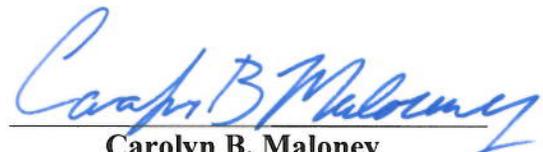
- (3) How do the Department of Homeland Security and ICE ensure that proper precautions are taken to protect the health and safety of detained immigrant children?
- (4) How does this policy comport with existing law as it relates to protecting families with legitimate claims of asylum in the United States?
- (5) Why does the Trump Administration believe it is in children's best interest to separate them from their parents upon arrival?

We believe that the questions above warrant careful consideration, and we respectfully request that the Committee hold a hearing with Attorney General Sessions and ICE Acting Director Homan as witnesses to investigate this sudden change in border enforcement policy.

Thank you for your consideration of this request.

Sincerely,

  
**Elijah E. Cummings**  
**Ranking Member**

  
**Carolyn B. Maloney**  
**Member of Congress**