



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Statement of Border Security, Facilitation, and Operations Subcommittee Chairwoman Kathleen Rice (D-NY)

The Department of Homeland Security's Family Separation Policy: Perspectives from the Border

Subcommittee on Border Security, Facilitation, and Operations

March 26, 2019

Today we are continuing the oversight we began at the full committee level earlier this month during our hearing with Secretary Nielsen. I thank our legal advocates and medical experts who have joined us this morning for their willingness to testify and share their first-hand knowledge of the current state of our Southern border.

Last summer, the Department of Homeland Security, under the leadership of Secretary Nielsen, implemented a Zero-Tolerance policy, which resulted in the separation of thousands of families. Despite knowing beforehand that this policy would immediately lead to family separations, DHS, and specifically U.S. Customs and Border Protection, was completely unprepared and ill-equipped for the massive and delicate undertaking of sheltering thousands of separated children, with an unknown number of babies and toddlers.

To make matters worse, within days of this policy's enactment, it became abundantly clear that none of the federal agencies involved had any systems in place to effectively keep track of and reunite separated family members.

And the few systems that did exist were found to be severely deficient, according to multiple reviews by the Government Accountability Office, and the Inspectors General of both DHS and the Department of Health and Human Services.

This means that the reunification of family members was either an afterthought of this administration, or simply not prioritized at all. Due to their lack of preparations and planning, DHS has still failed to fully account for the total number of migrant children that were separated from their families over the past two years. Even more shocking is that DHS still has board authority to separate families based on a set of vague criteria, which agents can apply at their own discretion.

Like all of my colleagues, I am deeply committed to combating human trafficking at our Southern border.

But the family separations that took place last summer had nothing to do with preventing human trafficking. In fact, multiple former administration officials have openly acknowledged the Zero Tolerance policy was first and foremost an effort to deter unlawful immigration. To me, and to many of my colleagues on our committee, this means that any criteria or justification that this administration uses to separate families at the border today must be carefully scrutinized and subject to Congressional oversight.

Congress has a responsibility to continue questioning DHS' implementation of Zero Tolerance, its handling of families and children in its custody, its compliance with reunification efforts, and the standards used to determine if a family should be separated. But DHS' family separation policy is just one element that we intend to examine today.

Under the Trump Administration, DHS has pursued increasingly restrictive immigration policies at our Southern border that are having devastating humanitarian consequences. At various ports of entry, CBP has been regulating the number of asylum seekers – many of them families – who can present themselves daily. This “metering” practice has led to long waitlists and backlogs that have driven some families to seek access to our asylum process through other and often more dangerous means, such as traveling through remote areas of the border to find Border Patrol agents. These parts of the border are often not well-prepared or appropriately resourced to handle families and unaccompanied children. Meanwhile, other asylum seekers and families are being asked to remain in Mexico while their cases make their way through our immigration courts.

Secretary Nielsen and others in this administration are choosing to unilaterally reshape our asylum process. And these so-called “Migrant Protection Protocols” are putting already vulnerable people – including young, unaccompanied children – at greater risk. We have laws and procedures in place to protect migrant children and families seeking asylum. There is a reason why these laws exist, and we need to ensure that our immigration process operates squarely within those boundaries.

Today's hearing is intended to give our Members an opportunity to hear from the legal and medical experts who have been at the Southern border for several years and who have seen firsthand how DHS screens and processes family units, manages detention facilities and facilitates health care. I look forward to hearing from each of our expert witnesses about their experiences and what they took away from their visits to the border.

Next week, we are planning to visit the Texas-Mexico border and your testimony today will help inform us of the various issues that we must explore while on the ground.

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