

Opening Statement
Chairman Elijah E. Cummings

**Hearing on “The Trump Administration’s Child Separation Policy:
Substantiated Allegations of Mistreatment”**

July 12, 2019

Today, we will examine the Trump Administration’s inhumane policy of separating children from their parents at the southern border. I use the word inhumane for a reason. Separating children from their mothers and fathers causes lasting damage that may endure for the rest of their lives.

The Trump Administration adopted this child separation policy intentionally—purposefully—as a tactic to deter people from coming to the United States and seeking asylum. We know this because they said so.

On March 7, 2017, the Secretary of Homeland Security, General John Kelly, was asked whether the Administration was going to “separate the children from their moms and dads.” He said “yes,” he wanted to “deter” additional movement across the border. Later, when he became White House Chief of Staff, General Kelly confirmed, “It could be a tough deterrent—would be a tough deterrent.” Similarly, when Attorney General Jeff Sessions was asked if separating children was intended as a deterrent, he said, “yes, hopefully people will get the message.”

As many of you know, this is an issue I care very deeply about. Last year, while Democrats were in the minority, I begged the Republican leaders of this Committee to take action. But they refused. I wrote letters seeking information about these children. I spoke up at completely unrelated hearings to warn about the plight of these kids. But I was ignored.

One Republican, Rep. Mark Meadows, agreed to join me in sending a letter seeking documents. I thank him for that. But the Administration ignored our letter, and we never got a single page. I am sorry to say, the Republicans were fine with that during the last Congress.

Well, that was their watch. And this is ours. Earlier this year, we issued subpoenas to the Departments of Justice, Homeland Security, and Health and Human Services. And now, we have finally begun to get documents.

Based on these documents, the Committee is releasing a staff report today that summarizes this preliminary information. To be clear, the information we have received is not complete. But even with this limited data, we can draw a few key findings.

First, the Trump Administration’s child separations were more harmful, traumatic, and chaotic than previously known.

At least 18 infants and toddlers under two years old were taken away from their parents at the border and kept apart for up to six months. At least 241 separated children were kept in Border Patrol facilities longer than the 72 hours permitted by law. And many separated children were kept in government custody far longer than previously known—some for more than a year.

Second, the Trump Administration has not been candid with the American people about its purpose in separating children.

The Administration claimed that separating children was necessary to prosecute parents. But the documents describe parents who were never sent to federal criminal custody. Other parents were briefly taken into custody, but then returned, likely because prosecutors declined to prosecute or they were sentenced to time served. That did not matter, however, because their children were taken away anyway.

In some cases, the documents show that parents were returned to the same facilities they left just hours before, but their children were gone. Imagine the horror those parents endured.

Third, the nightmare of child separations continues.

Hundreds of additional children have been separated from their parents since a court ordered an end to the Trump Administration’s “zero tolerance” policy more than a year ago. At least 30 children separated under that policy remain separated today, despite the court’s order to reunite them with their families or place them with sponsors.

Overall, the evidence shows that the Trump Administration’s policies are causing the problems at the border—not helping to resolve them. The Administration is detaining thousands of people who do not need to be detained and are not required to be detained. These policies are contributing to massive overcrowding, which is aggravating conditions, draining supplies, and endangering the health and safety of both detainees and government personnel.

Today, my hope is that we can all agree on several basic points. Anyone in the custody of our government—especially a child—must be treated humanely and with respect. Children should be not separated from their mothers or fathers unless there is a true need for it. And our government must meticulously track both children and their parents, so they can be reunited or placed with sponsors as quickly as possible.

This is about our values as Americans. And we need to do everything in our power to make sure we are living up to those values as a nation.
