

“Hearing with Acting Secretary of Homeland Security Kevin K. McAleenan”
House Committee on Oversight and Reform
10:00 AM, Thursday, July 18, 2019
2154 Rayburn House Office Building
Rep. Gerald E. Connolly (D-VA)

Mr. Chairman, thank you for holding this hearing today to further examine the Trump Administration’s cruel child separation policy and the squalid conditions at the southern border. A society is judged by the way we treat our children, and the Trump Administration’s policies fail this test. Acting Secretary of Homeland Security Kevin McAleenan served as Acting Commissioner of Customs and Border Protection (CBP) from January 20, 2017, to March 20, 2018, and was confirmed by the Senate to his current position on March 20, 2018.

Mr. McAleenan led CBP at the height of the implementation of the family separation policy in 2017 and 2018. He also recommended to then Department of Homeland Security (DHS) Secretary Kirstjen Nielsen the Department should adopt the zero-tolerance policy, leading to the separation of 3,000 or more children from their parents. I thank the Chairman for inviting Mr. McAleenan here today so he can answer to Congress for this Administration’s destructive immigration policies that have manufactured a humanitarian crisis at the southern border.

This humanitarian crisis is the latest demonstration of an immoral and indifferent Trump Administration immigration policy that traumatically tears apart families, neglects the physical, psychological, emotional, and social well-being of young children, and locks up asylum seekers fleeing violence and seeking refuge in the hope and opportunities of America. Despite a court order in June 2018 to reunite separated children with their families, the Administration instead continues to separate children from their parents. More than 700 additional children have been separated from their families since that court order.

Despite clear proof from the DHS Inspector General (IG), news reports, the witnesses of a Congressional delegation, and testimony from children held in CBP facilities, Mr. McAleenan has failed to address shocking conditions at the southern border. At a Committee hearing last Friday, the IG testified that DHS has no long-term plan to address and improve conditions at CBP facilities, despite the IG’s report recommendation that DHS “take immediate steps to alleviate dangerous overcrowding and prolonged detention of children and adults.” However, Mr. McAleenan went as far as to deny reports of extreme overcrowding and dangerous conditions, saying that the reports “at a single” detention facility are “unsubstantiated.” His claims ignore the evidence. Not only does Mr. McAleenan not have a plan to address these documented problems, he will not even acknowledge the problems exist.

During his tenure as CBP Commissioner, Mr. McAleenan oversaw Border Patrol—the agency largely responsible for separating families. In his recommendation to Secretary Nielsen advising she adopt the zero-tolerance policy, he provided several options to “pursue this increased prosecution, ‘Zero-Tolerance’ initiative.” The recommendation suggested that “the most effective method to achieve operation objectives” was “prosecution of all amenable adults who cross our border illegally, including those presenting with a family unit.” Mr. McAleenan and this Administration lacked any sense of humanity when implementing these immigration

policies—his recommendation catalyzed the separation and traumatization of thousands of children and their families.

The disastrous situation at the southern border is a problem of the Administration's own making, and Mr. McAleenan was actively involved in creating this disaster. The family separation policy strained both DHS and the Department of Health and Human Services' resources to shelter and care for children in their custody. The zero-tolerance policy has also strained DHS resources as DHS now detains immigrants and asylum seekers while they wait to appear in court, rather than the previous lower cost and more effective policy of monitoring them with social workers or GPS devices during that time. The zero-tolerance policy has resulted in record numbers of detained migrants. Federal resources are spread too thin and creating inhumane conditions at these detention facilities. As the Trump Administration and Mr. McAleenan blame Congress for this humanitarian crisis, it is important to remember that the Administration's de-humanizing policies are the true cause of this crisis.

I thank the Chairman for holding today's hearing, so this Committee can hear directly from Mr. McAleenan. He played a key role in the creation and implementation of this Administration's cruel policies. Children are suffering as a direct result of Mr. McAleenan's actions, and Congress must hold him and the rest of the Administration accountable. I appreciate Mr. McAleenan's willingness to testify today—many officials in this Administration have subverted Congress's constitutional authority and have refused to come before this Committee. To ensure children are protected, we must have the opportunity to investigate DHS's actions and question the person overseeing DHS's implementation of this Administration's immigration policies that are putting the welfare of children at risk. We must end these deplorable and inhumane practices immediately.