

Committee on Energy and Commerce

Opening Statement

of

Subcommittee on Oversight and Investigations Ranking Member Brett Guthrie

Examining the Failures of the Trump Administration's Inhumane Family Separation Policy

February 7, 2019

Thank you, Chair DeGette, for holding this hearing. Congratulations on becoming Chair of the Oversight and Investigations Subcommittee. This Subcommittee has had a long-standing tradition of working on important investigations, often on a bipartisan basis, and I look forward to working with you in this new role and hopefully continuing that tradition.

As we begin this hearing on family separation policy at the border, I want to be clear: I support strong enforcement of our nation's borders, but I do not support separating children from their parents. Between the violence they face in their home country and on their harrowing journeys to the U.S., these children face severely traumatic experiences before even arriving here – and under no circumstances should we add to that trauma by separating them from their parents.

This Committee's oversight over the care and treatment of unaccompanied alien children by the Department of Health and Human Services, as well as the sponsorship process for unaccompanied children, extends back to 2014 with the first major influx of children and family units coming across our southern border.

This overwhelmed the previous administration and resulted in children being placed with traffickers within the United States. Because of the work done by this committee and others, reforms were made to the Office of Refugee Resettlement program, including improving the medical care available to children while in HHS care and custody.

In June, following reports that the administration had adopted a zero-tolerance policy for immigrants entering the U.S. and was separating children from their parents, all of the Republican members of this Committee sent a letter to HHS expressing our belief that children should not be arbitrarily separated from their parents and that all children in HHS care should be properly cared for.

We agree with the majority that there are questions for the administration regarding the creation and implementation of the zero-tolerance policy, though I would point out that the Justice and Homeland Security Departments are best positioned to speak directly to the policy itself. As noted by the extensive oversight this committee has conducted for over five years, we care deeply about the health and well-being of these children, and that is why we invited HHS here today to testify on the first panel regarding the agency's role in caring for affected children.

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Commander Jonathan White is a career civil servant, with long experience working with unaccompanied children at the Office of Refugee Resettlement.

After the announcement of the zero-tolerance policy and subsequent ruling from a federal district court judge ordering the reunification of children separated from their parents, HHS officials, including Commander White, worked tirelessly to reunify the children that were separated from their parents, all while they continued to care for and work on placement of thousands of traditional unaccompanied children through the standard sponsor process.

While we have important questions for HHS with respect to the challenges and ramifications of a policy that was created by the Department of Justice and implemented by the Department of Homeland Security, I want to underscore that HHS did not separate a single child – their sole role and responsibility was to care for the children while they were in their custody and work to reunify children with the parent from whom they were separated. If that was not possible due to a risk of the child's safety or the wishes of the parent for their child to remain in the United States, HHS worked to place the child with the most appropriate sponsor. Without the other departments here, we simply cannot have a full conversation about the creation of, planning for, and implementation of the zero-tolerance initiative with the witnesses before us today.

We also invited Bethany Christian Services to testify on the second panel. Bethany is a sub-grantee that provides direct care for unaccompanied children in HHS custody. They also cared for 108 children who were separated as a result of the zero-tolerance policy. Because of their role in caring for unaccompanied children, Bethany has practical insight into the care for both traditional unaccompanied children and those who were separated and can speak to the trauma these children have endured in home country, on their journey to the U.S., as well as the effects of the zero-tolerance policy.

I thank our witnesses for being here today and being part of this important discussion. I yield back.