

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on “The Unaccompanied Alien Children Crisis: Does the Administration Have a
Plan to Stop the Border Surge and Adequately Monitor the Children?”
February 23, 2016**

Fiscal year 2014 saw a record number of unaccompanied minors illegally crossing the border. Customs and Border Protection apprehended over 68,000 minors in that year. This year, we are seeing another surge of minors illegally crossing the border with 20,455 apprehended as of January 31, 2016. If these trends continue, we can expect to see an even greater number of minors crossing the border this year than in 2014.

Recent reports have brought to light the Obama Administration’s major inadequacies in dealing with the 2014 border surge. In 2014, I, along with Senators Hatch, Coburn and Johnson, asked the Government Accountability Office to review the Department of Health and Human Services’ policies and procedures in caring for and monitoring these minors and finding appropriate sponsors. This report was released yesterday. Its findings are troubling.

The report found that the Department of Health and Human Services responded to the 2014 surge by expanding its bed capacity. However, at the time of the report, the Department “had not yet updated its plans to meet future needs.” There was no capacity framework for 2016, nor a systematic approach to update the capacity framework on an annual basis going forward.

The report further found that the Department was not consistently monitoring its grantees. Grantees perform most of the responsibilities of the Department, which include housing minors, vetting sponsors, and providing post release services to a small percentage of minors. The report found required documents missing from case files, and that some grantees had not been visited by the Department in seven years.

The report also noted that the amount of time minors remained in the Department’s facilities had decreased from 72 days to 34 days. This was accomplished by taking shortcuts such as allowing for copies of birth certificates and foregoing the fingerprinting of sponsors.

Because the Department cut corners, several minors were placed with human traffickers. In Ohio, unaccompanied minors were forced to live in unsanitary and degrading conditions while working seven days out of the week at an egg farm without pay. Others were pawned off to people who abused them or forced them into sex trafficking. And those are only the cases that are public. How many more minors have been released into the care of others who claim to be their parents or family friends who do not really care about their well-being?

These reports led to an investigation by the Homeland Security and Government Affairs Permanent Subcommittee on Investigations. The Subcommittee issued a report last month that laid out numerous problems with the Obama Administration’s care and monitoring of minors in its custody. For example, the report found that the Department was unable to determine whether a sponsor was already sponsoring one or more minors and that some parents were being coerced into endorsing a sponsor.

The Subcommittee also found that no agency is taking responsibility for children once they are placed with a sponsor. Each agency points to the other to take responsibility for the minors after they are released to a sponsor. And while the Department attempts to call each minor 30 days after placement, many times there is no answer, or it reaches a wrong number. The result is that this group is not showing up for its immigration hearings, and is hiding in the shadows in the country.

For the record, I would like to submit a letter from the Chairman of the Permanent Subcommittee on Investigations to this committee.

According to the Executive Office of Immigration Review, over 40 percent of unaccompanied minors are not showing up for immigration hearings. Yet no one is following up on these individuals when they skip their immigration hearings, unless they are receiving post-release services. They are also not enforcement priorities for this administration. This means a lot of these minors are nowhere to be found.

Not only is this a problem because these minors are not being properly cared for, but because some of them are committing serious crimes. Over the past year, I have written numerous letters to the Obama Administration officials on this very topic.

In October of 2015, I asked Secretary Johnson about a 17-year-old from Loudoun County who was murdered by minors—with ties to the MS-13 gang—several days after the suspects failed to appear for their immigration hearing.

The next month, I received whistleblower information that minors were being released to sponsors with criminal records that included domestic violence and child molestation. Senator Cornyn and I asked the Department of Homeland Security and the Department of Health and Human Services to explain why minors were being placed with these criminals, and how they planned to resolve this troubling issue. Several days ago, we asked for additional information about the possibility of fraud schemes among sponsor placement and questioned them on post release services.

In addition, I wrote to Secretary Johnson after learning from a whistleblower that unaccompanied minors were being smuggled into the United States with adults. Foreign smuggling organizations were allegedly pairing these children with single women in an attempt to create a family unit to avoid detention and removal when crossing the border. This type of fraud presents significant safety concerns.

In November of 2015, I wrote again to Secretary Johnson concerning an individual who beat up a Deputy Sheriff who was doing nothing more than sitting in his patrol car, filling out a report to an unrelated traffic incident. This individual came into the country in 2014 as an unaccompanied minor, but was caught by Customs and Border Patrol a week before his 18th birthday. He was released on his own after being handed over to the Department of Health and Human Services for only a few days.

And after multiple run-ins with the police, he is still waiting for his immigration hearing which isn't scheduled until March.

I have written on several other cases, on which we are still waiting for responses.

We need to be prepared to take care of these unaccompanied minors crossing the border, while at the same time ensuring their safety, and the safety of the community, when placing them with sponsors. This will require the administration to stop shirking its responsibility and monitor these individuals after placement. They need a plan, they need to learn from their mistakes, they need to ensure that the minors are quickly and safely returned to their home country, and they need to be held accountable.