



COMMITTEE ON HOMELAND SECURITY

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Hearing Statement of Chairman Bennie G. Thompson (D-MS)

Examining the Human Rights and Legal Implications of DHS' 'Remain in Mexico' Policy

November 19, 2019

Today, the Subcommittee will hear about how the Trump Administration's "Remain in Mexico" policy has distorted our immigration system by effectively closing the door to people seeking safety in this country. I share Chairwoman Rice's concerns about the legal and humanitarian implications of this misguided policy and thank her for calling this hearing. While Department of Homeland Security officials have argued "Remain in Mexico" has allowed U.S. Customs and Border Protection to regain operational control of our border with Mexico, we know better. In fact, the policy has raised serious legal questions and created a new humanitarian crisis along our southern border. Moreover, it runs contrary to our American values.

Returning migrants with known physical, mental, and developmental disabilities to Mexico is unacceptable. Sending pregnant women in to Mexico, where there is no safe housing or basic medical care for them is unacceptable. Establishing secretive courts that DHS uses to process asylum seekers forced to return to Mexico runs contrary to our values. Indeed, immigration court proceedings are generally open to the public for the sake of transparency. American Immigration Lawyers Association, ACLU, and Amnesty International, among others regularly observe proceedings. However, these organizations have been repeatedly denied access to the new temporary port courts in Brownsville and Laredo.

For those of you who are familiar with the Rio Grande Valley, you know about the work Sister Norma of Catholic Charities carries out to assist migrants in that region. Sister Norma has also been denied entry to the port courts multiple times with no real explanation as to why. These observers are desperately needed. Attorneys who have been able to get in to the port courts uniformly talk about "court" operations that run roughshod over basic due process rights. Paperwork is filled out with wrong information or certain sections are purposely left blank, for example. Every step that can be taken to limit the amount of time an attorney can meet with their clients is taken. CBP has even allegedly fabricated future hearing dates for migrants who were granted asylum in order to return them to Mexico. The Administration appears intent on cutting off access to the lawful asylum process, even if their actions are legally questionable or force vulnerable adults and children into danger.

I look forward to hearing from our panelists about their firsthand observations and experience with the Remain in Mexico policy and the temporary port courts. Their testimony will help inform the committee's future oversight work. Efficient and effective border security has long been a bipartisan priority of this Committee. But blocking the asylum process for vulnerable people and risking their lives by putting them in harm's way does not make us any safer. It just makes us less than the America we have held ourselves out to be.

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