

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515–6216
One Hundred Sixteenth Congress

January 14, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
301 7th Street, SW
Washington, D.C. 20528

Dear Acting Secretary Wolf:

We write to renew our objections to the “Migrant Protection Protocols” (MPP), as we continue to question the policy’s legality and remain deeply concerned about its impact on vulnerable populations. We strongly believe that MPP is a dangerously flawed policy that threatens the health and safety of legitimate asylum seekers—including women, children, and families—and should be abandoned.

As we have previously written to you, MPP is inconsistent with the Department of Homeland Security’s (DHS) statutory authority, while exposing thousands of people to threats of murder, sexual violence, and kidnapping as they are forced to wait in extremely dangerous conditions before their asylum claims may be heard. The policy has nearly eliminated the already scarce due process protections available to asylum-seekers—such as access to counsel—further reducing the likelihood that legitimate asylum-seekers can obtain asylum. Moreover, MPP forces women, children, and families to remain in areas that the federal government recognizes as especially unsafe. As of today, there are 31 active travel advisories for Mexico, including 5 warnings in which the State Department explicitly advises Americans against travel.¹ It is difficult to understand why this administration is sending children and families to areas where they will face certain harm.

The House Judiciary Committee has held hearings, sent oversight letters, and participated in a variety of staff-level briefings in which administration officials have been unable or unwilling to answer basic questions relating to MPP. A comprehensive review of the policy, its implementation, and its impact on vulnerable populations is necessary. Therefore, we respectfully ask that you produce the relevant documents, data, and communications listed below by January 30, 2020.

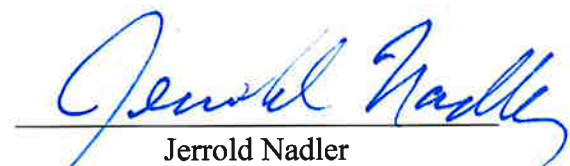
1. Documents and communications dated from December 20, 2018 to January 2, 2020 relating to the implementation of MPP along the southern border.

¹ *US Slaps Highest-Level “Do Not Travel” Warning on Five Mexican States*, FOX NEWS (Jan. 10, 2018), <https://www.foxnews.com/world/us-slaps-highest-level-do-not-travel-warning-on-five-mexican-states>

2. The total number of individuals subjected to MPP and breakdown of this number by nationality, gender, and age.
3. The total number of family units subjected to MPP and a breakdown of this number by nationality.
4. The total number of individuals initially placed in MPP but later removed from the program, including the reason an individual (or family unit) was removed from MPP.
5. The total number of nonrefoulement interviews, including the number of people given nonrefoulement interviews, that have been conducted for individuals in MPP, including the results of those interviews.
6. An unredacted copy of “The Migrant Protection Protocols Red Team Report,” including the “MPP Flow Chart” and “MPP Recommendations Matrix Summary” attached to the report.
7. Documents and communications, dated from December 19, 2018 to January 4, 2020, referring or relating to policies, processes, or resources needed to implement or expand MPP.
8. Documents and communications referring or relating to “tent courts”² being erected along the southern border for MPP, including policies related to access to tent courts or other nonpermanent facilities by attorneys, the public, and media.
9. Documents and communications referring or relating to individuals in MPP who were granted relief by an immigration judge and then were subsequently transported or sent back to Mexico.

Thank you for your prompt attention to this matter.

Sincerely,

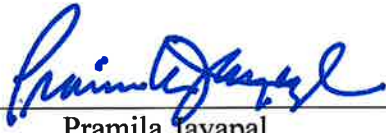


Jerrold Nadler
Chairman
House Committee on the Judiciary



Zoe Lofgren
Chair
Subcommittee on Immigration and Citizenship

² Nick Miroff, *Along Texas Border, Trump Administration Sets up Tent Courts for Virtual Asylum Hearings*, WASH. POST (Sept. 18, 2019).



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Vice Chair

Subcommittee on Immigration and Citizenship



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Member of Congress



Joe Neguse
Member of Congress



Debbie Mucarsel-Powell
Member of Congress



Veronica Escobar
Member of Congress

- cc: Honorable Doug Collins, Ranking Member, House Committee on the Judiciary
cc: Honorable Ken Buck, Ranking Member, Subcommittee on Immigration and Citizenship