

United States Senate

WASHINGTON, DC 20510

May 28, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, D.C. 20528

Dear Secretary Noem:

I write with grave concerns about reports of the Department of Homeland Security (DHS) separating families. I urge you to reprioritize threats to public safety in immigration enforcement and use your discretion to grant humanitarian parole to keep infants and young children in their parents' care.

Despite its public commitments,¹ DHS has repeatedly failed to prioritize threats to public safety in removal operations in recent months. Instead, DHS seems to prioritize those in closest reach, including individuals appearing at immigration check-ins,² on monitoring programs,³ or in the wrong place at the wrong time,⁴ regardless of their criminal history and sometimes even regardless of their citizenship status.⁵ In doing so, DHS has deployed significant enforcement resources to cruelly separate young children from primary caregivers who pose no threat to public safety.

¹ See, e.g., Exec. Order No. 14159, 90 Fed. Reg. 8443 (Jan. 20, 2025) (noting focus of immigration enforcement on those “who threaten the safety or security of the American people”); REUTERS, *Trump to appoint former ICE director Tom Homan as US ‘border czar’* (Nov. 11, 2024), <https://www.reuters.com/world/us/trump-appoint-former-ice-director-tom-homan-countrys-border-czar-2024-11-11/> (“Tom Homan ... said on Monday he would prioritize deporting immigrants in the United States illegally who pose threats to public safety and national security”); The Department of Homeland Security’s Budget Request for Fiscal Year 2026: Hearing Before the Senate Comm. on Homeland Security and Governmental Affairs (May 20, 2025) (Statement of Sec. Kristi Noem) (“once again, the United States is enforcing immigration laws to arrest, identify, detain and remove dangerous illegal alien criminals. We’re prioritizing those that are a public safety threat to people, especially those who are affiliated with the terrorist organizations MS-13 and Tren de Aragua.”).

² Nancy Guan, *Deported to Cuba, she wonders when she’ll see her 1-year-old daughter and husband again*, WUSF (Apr. 28, 2025), <https://www.wusf.org/politics-issues/2025-04-28/tampa-mother-deported-with-dozens-others-to-cuba>.

³ Lautaro Grinspan & Alia Pharr, *‘We’re not hurting anybody,’ says wife of immigrant taken from Georgia church*, ATLANTA JOURNAL-CONSTITUTION (Jan. 27, 2025), <https://www.ajc.com/news/georgia-news/were-not-hurting-anybody-says-wife-of-immigrant-taken-from-georgia-church/4KFD3S6JHL7FDS52LLMG57HU/>.

⁴ Laura Rodríguez Presa, *Families impacted by ICE raids denounce Trump administration’s arrests, file emergency motion*, CHICAGO TRIBUNE (Mar. 18, 2025), <https://www.chicagotribune.com/2025/03/17/families-impacted-by-ice-raids-denounce-trump-administrations-arrests-file-emergency-motion/>.

⁵ María Luisa Paúl, *As Trump cracks down on immigration, U.S. citizens are among those snared*, WASH. POST (Apr. 5, 2025), <https://www.washingtonpost.com/immigration/2025/04/05/us-citizens-deported-immigration/>.

When one Florida mother reported to her immigration check-in appointment, for instance, she was reportedly detained and removed within two days, forcing her to leave behind her U.S. citizen husband and their one-year-old daughter.⁶ Her daughter was still breastfeeding and suffers from seizures.⁷ Public reports indicate that this mother has no criminal record and that her husband had petitioned for her adjustment to legal permanent resident status.⁸ In another case, DHS reportedly separated a two-year-old from her mother, although the mother had signed paperwork agreeing to be removed with her toddler.⁹ When her mother was removed, the toddler was left behind in foster care nearly 3,000 miles away.¹⁰ This haphazard enforcement is a cruel and ineffective use of law enforcement resources and causes irreversible harm to children.

Separating children from their caregivers can have devastating impacts. According to the American Academy of Pediatrics, “highly stressful experiences, like family separation, can cause irreparable harm, disrupting a child’s brain architecture and affecting his or her short- and long-term health. This type of prolonged exposure to serious stress—known as toxic stress—can carry lifelong consequences for children.”¹¹ Children placed in foster care face additional risks of harm. For instance, my 13-month investigation into Georgia’s foster care system uncovered pervasive abuse and neglect of vulnerable children.¹²

For these reasons, I urge you to evaluate the use of humanitarian parole to keep families together when doing so would not pose a risk to public safety. Additionally, I request a written response or briefing addressing the following questions by June 6, 2025:

1. How many individuals held in DHS custody this year have had children under the age of five living in the United States?
 - a. Of these children, how many were:
 - i. Held in DHS custody with their parents?
 - ii. Placed in the care of other family members? Please provide the familial relationships between the children and the adults assuming their custody.
 - iii. Placed in the care of the Office of Refugee Resettlement or in foster care?
2. How many individuals removed from the United States since January 2025 have children under five who were living with them in the U.S.?

⁶ Guan, *supra* note 2.

⁷ *Id.*

⁸ *Id.*

⁹ Silvia Foster-Frau, *As Trump rushes to deport migrants, many worry children’s rights are being violated*, WASH. POST (May 5, 2025), <https://www.washingtonpost.com/immigration/2025/05/03/trump-deportation-children-separation/>.

¹⁰ *Id.*

¹¹ Colleen Kraft, *AAP Statement Opposing Separation of Children and Parents at the Border*, AM. ACAD. OF PEDIATRICS (May 8, 2018), <https://www.aap.org/en/news-room/news-releases/aap/2018/aap-statement-opposing-separation-of-children-and-parents-at-the-border/>.

¹² SENATE JUDIC. COMM. SUBCOMM. ON HUMAN RIGHTS AND THE LAW, *Abuse and Neglect of Children in Georgia’s Foster Care System* (Apr. 9, 2024), https://www.judiciary.senate.gov/imo/media/doc/230414_HRL_Foster%20Care_Report_final.pdf.

- a. Of these children, how many were:
 - i. Removed with their parents? Please provide the total number of U.S. citizen children removed with their parents, as well as the number of noncitizen children removed with their parents.
 - ii. Placed in the care of other family members? Please provide the familial relationships between the children and the adults assuming their custody.
 - iii. Placed in the care of the Office of Refugee Resettlement or in foster care?
- 3. Please provide copies of any internal ICE guidance, memos, or policies concerning:
 - a. Whether to detain primary caretakers of young children;
 - b. Whether to remove primary caretakers of young children;
 - c. When to grant humanitarian parole to primary caretakers of young children; and
 - d. How to determine custody arrangements for both citizen and noncitizen children when one or both of their parents are either detained or removed.

Thank you for your attention to this matter. I look forward to your swift reply.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Ossoff", written over a horizontal line.

Jon Ossoff
United States Senator

Cc: Todd Lyons, Acting Director, Immigrations and Customs Enforcement