

# United States Senate

WASHINGTON, DC 20510-2509

August 21, 2024

The Hon. Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave SE  
Washington, D.C. 20528

Dear Secretary Mayorkas:

Unaccompanied migrant children are some of the most vulnerable individuals in America. They are routinely trafficked for sex, forced into illegal labor, burned with chemicals, and subjected to countless other atrocities by cartels. In February 2023, the *New York Times* reported that 85,000 unaccompanied children went missing on your watch.<sup>1</sup> Now, new revelations indicate that the problem may be far worse.

A recent report published by DHS's Inspector General—that is to say, an internal review of *your own agency*—has revealed catastrophic failures in your agency's ability to protect unaccompanied migrant children, right up to the present day.<sup>2</sup> This is despite your testimony in an October 2023 Senate committee hearing in response to my question on this exact topic. At the time you said, “we actually have prioritized the rescue of children who have been human trafficked.”<sup>3</sup> But according to the Inspector General, your policies are wholly exacerbating that same trafficking risk to migrant children.

Normally, unaccompanied minors released from initial intake are subsequently provided with notices to appear in immigration court, so that their case can be heard. Those notices can only be provided if your agency knows where these children are. But according to the Inspector General's report, as of May of this year, DHS had failed to provide court notices to at least 291,000 unaccompanied children. That is to say: your agency may have lost track of more than a *quarter million unaccompanied children*—a horrifyingly large number. As the report explains, your agency's failure to issue court notices to these children limits the ability to monitor their location and status. In the Inspector General's words: without such ability, there is thus “no assurance that [the children] are safe from trafficking, exploitation, or forced labor.”

But it gets worse. According to the report, your agency “was not able to account” for the location of unaccompanied children *who did receive court notices* and failed to appear in immigration court. That was at least 32,000 children. Moreover, the report found that your agency did not always inform the Department of Health and Human Service's Office of Refugee Resettlement, which places unaccompanied children with sponsors, when these

<sup>1</sup> <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>

<sup>2</sup> <https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-46-Aug24.pdf>

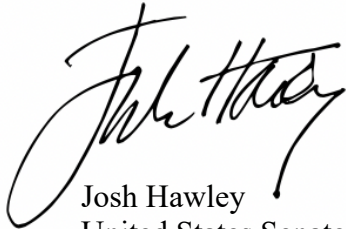
<sup>3</sup> Hearing of the Senate Committee on Homeland Security and Governmental Affairs, October 31, 2023.

unaccompanied children ultimately failed to appear in court. In other words: not only did your agency lose track of these children, it didn't even bother to tell anyone. That is unconscionable.

These new records indicate that your previous testimony to the Senate was wholly inadequate. You must immediately provide comprehensive public answers to questions concerning the impact of your permissive immigration policies on the safety of children who may now be prey to child labor criminals.

1. Where in the United States does your agency believe the more than 291,000 unaccompanied children who did not receive court notices are now located?
2. Why were hundreds of thousands of children not given appropriate court notices?
3. What is your agency doing to track down the location of these children and ensure their safety?
4. What internal policy or personnel led to your agency's failure to communicate missing unaccompanied minor children with the Department of Health and Human Services' (HHS) Office of Refugee Resettlement?

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is stylized and cursive, with a large initial "J" and "H".

Josh Hawley  
United States Senator