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United States Senate  
COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

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July 11, 2018

**VIA ELECTRONIC SUBMISSION**

The Honorable Mazie K. Hirono  
United States Senator  
730 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Hirono and Democratic Colleagues:

Thank you for your letter on July 10, 2018. I appreciate hearing your thoughts and views on the need for a full Senate Judiciary Committee hearing on the Administration's family reunification efforts. I share your commitment to ensuring that families remain together, and I hope we can all work together to achieve that goal while also ensuring we retain integrity in our nation's *lawful* immigration system. However, I've found in my over 35 years of oversight work that hearings normally come near the end of an inquiry after substantial groundwork has been completed. Simply throwing oversight hearings together, without doing the necessary background work, may make good press headlines but rarely accomplishes what is needed.

I understand your concerns regarding the "Senators Only" call with Secretary Azar. You are right to be frustrated with the lack of an opportunity to ask meaningful questions to Secretary Azar. As a constant and consistent supporter of congressional oversight and accountability, I want to ensure that all Members of this Committee have a meaningful opportunity to engage with Administration officials and receive detailed, specific answers to their questions and concerns.

Accordingly, my staff is working with the Departments of Homeland Security and Health and Human Services to schedule an all Judiciary Members briefing. This briefing—which will hopefully include both subject matter experts and political appointees in both agencies—will provide members a quick, timely opportunity to receive specific answers to their questions and concerns. It is my sincere hope that such a briefing will better inform us as we consider long-term, legislative solutions to the issue of family separation and border enforcement.

I would also note, as I did in my June 19 letter to Ranking Member Feinstein, the simplest and easiest way to address this crisis is to repeal the *Flores* decision so that family units can remain in residential centers and receive adequate care pending the outcome of their criminal or civil cases. This is an easy, common-sense solution that doesn't require a hearing.

When families remain in federal custody their cases are prioritized on the “detained” docket and are generally resolved within 40-50 days. In contrast, when the federal government engages in the ‘catch and release’ policies made popular by the Obama Administration, families are placed on the “non-detained” docket. Such individuals can wait anywhere between 2 to 3 years for their *first* hearing, and it can take in some cases anywhere from 8-10 years to reach a final adjudication.

As recent statistics from the Department of Justice show, only approximately 15% of individuals found to have a claim of credible fear actually file an asylum application and total asylum grant rates at the conclusion of a case are roughly 20%. This suggests that most claims are not, in fact, meritorious. Given these facts, it simply does not make sense to release *all* real or perceived family units and then wait in some cases up to 10 years before reaching a conclusion that could easily have been reached within 40-50 days.

My Republican colleagues and I have drafted legislation that would end the crisis of family separations while also ensuring continued enforcement of our nation’s immigration laws. This very week conversations are ongoing between myself, my Republican colleagues, and Ranking Member Feinstein’s office on a potential bipartisan path forward that would accomplish all these goals. I would note that, to the best of my knowledge, your offices have not engaged with my office on this subject. I hope that all of your staffers will reach out and start working with us on finding a bipartisan solution.

Again, thank you for your letter and your concerns. I hope you will continue to stay engaged on this subject and will work with us to find a legislative solution to this very difficult issue.

Very Truly Yours,

A handwritten signature in blue ink that reads "Chuck".

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Charles E. Grassley  
Chairman, Senate Judiciary Committee