

MICHAEL F. BENNET
COLORADO

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE

INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:
261 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5852

COLORADO:
CESAR E. CHAVEZ BUILDING
1244 SPEER BOULEVARD
DENVER, CO 80204
(303) 455-7600
<http://www.bennet.senate.gov>

August 2, 2019

The Honorable Kevin K. McAleenan
Acting Secretary
Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, D.C. 20528

Dear Acting Secretary McAleenan,

I write to urge the Department of Homeland Security (DHS) to stop the recent expansion of its expedited removal policy. I am deeply concerned that DHS began to implement this policy without allowing time for public input. This is especially troubling given the serious concerns regarding due process and implementation errors.

On July 23, 2019, DHS expanded expedited removals to include any undocumented person who entered the United States without inspection and who has insufficient documentation to prove that they have been present in the country continuously for two years. Before the expansion, expedited removal was limited to individuals apprehended within 14 days of entry and within 100 miles of the border. The expanded policy will force individuals to provide proof of their continuous presence throughout the interior of the country or face immediate deportation.

This misguided policy authorizes DHS to act as both prosecutor and judge, deporting individuals without due process protections granted to others, including the right to a hearing before a judge. Allowing immigration officers who are untrained in enforcement to serve as both arresting officers and final adjudicators subjects individuals to erroneous removal. Furthermore, the proposed rule will deprive individuals of other procedural protections such as an opportunity to appeal the decision by the immigration officer. This could unnecessarily rip apart families and upend people's lives.

Finally, requiring individuals to show proof of continuous presence is incredibly burdensome. The policy will affect U.S. citizens and other individuals who are not the subjects of this policy. The current expedited removal policy disproportionately impacts people of color and we can expect that the expansion of the policy will affect individuals at a similar rate.

I urge you to end the implementation of this policy immediately. Thank you for your attention to this urgent matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Bennet". The signature is fluid and cursive, with a prominent horizontal stroke at the end.

Michael F. Bennet
United States Senator