



September 29, 2020

## **LAWG Vote Recommendation: Vote NO on Nomination of Chad Wolf as Secretary of Homeland Security**

**In advance of the Senate Homeland Security and Governmental Affairs Committee's scheduled vote on the nomination of Chad Wolf as Secretary of the Department of Homeland Security (DHS) on Wednesday September 30, the Latin America Working Group (LAWG) strongly urges senators to vote NO on the nomination.**

As an organization whose mission is to advocate for just and rights-based U.S. policies towards Latin America and the Caribbean, including the protection of migrant and refugee rights, we are gravely concerned with the human rights violations that have been committed against migrants, refugees, and asylum seekers under the leadership of Chad Wolf as Acting Secretary of DHS and during his previous tenure at the department, when he [supported the implementation](#) of the "zero tolerance" family separation policy with then-DHS Secretary Kirstjen Nielsen.

Throughout his time as acting secretary, the U.S. asylum system has been decimated. The Remain in Mexico or so-called "Migrant Protection Protocols" (MPP) policy was expanded under his leadership, returning over 60,000 asylum seekers to wait in Mexico throughout their U.S. immigration proceedings. Asylum Cooperative Agreements (ACAs) or "[safe third country agreements](#)" were negotiated with Guatemala, Honduras, and El Salvador throughout 2019. Though only the one with Guatemala was implemented, an estimated 1,000 Salvadoran and Hondurans were forcibly returned to Guatemala and denied the right to seek protection at the U.S.-Mexico border. Chad Wolf traveled frequently to Central America to promote partnerships to deter migration and to unlawfully pressure those governments to stop their citizens from fleeing. According to allegations in a [complaint](#) submitted to the DHS Office of the Inspector General (OIG), under the watch of Chad Wolf, Acting Deputy Secretary of Homeland Security Kenneth Cuccinelli ordered (although it was not carried out) the illegal firing of DHS intelligence staff and the adjustment of intelligence reports on conditions in Central America to justify the administration's anti-asylum policies.

Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) have committed grave rights violations with impunity under his leadership. Most recently, a whistleblower [submitted a complaint](#) to the DHS Office of the Inspector General alleging that immigrant women were subject to hysterectomies without their consent and that medical care was negligent for detainees in an ICE detention facility in Georgia.

Throughout the pandemic, DHS has continued to expose detainees and asylum seekers to COVID-19, [expelling and deporting](#) them without testing them for the virus—exporting the virus to more than 11 countries in Latin America and the Caribbean, including countries with extremely fragile health systems. To date, of the individuals who have been tested for the virus in ICE custody, over 6,000 immigrants have already [tested positive for COVID-19](#) in more than 50 facilities, demonstrating the extent of the coronavirus outbreak in ICE detention facilities.



Expulsions under the Title 42 CDC border order implemented on March 20<sup>th</sup> have now [surpassed 150,000](#), including [over 8,800](#) unaccompanied children who have been expelled to Mexico or their home country in violation of international and U.S. law, specifically the Trafficking Victims Protection Reauthorization Act (TVPRA).

The Government Accountability Office (GAO) recently found that Chad Wolf had been illegally appointed to his current role as Acting Secretary of DHS and has been unlawfully serving in that role.

To conclude, the policies implemented throughout Acting Secretary Wolf's tenure at DHS have had grave transnational impacts on families, individuals and children seeking protection from Mexico and Central America and on immigrant communities in the United States. His nomination should not move forward.

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