

United States Senate

WASHINGTON, DC 20510

March 27, 2025

Sirce E. Owen
Acting Director
Executive Office for Immigration Review
U.S. Department of Justice
5107 Leesburg Pike, Suite 2600
Falls Church, VA 22041

Dear Acting Director Owen:

We write with deep concern over Executive Office for Immigration Review's decision to rescind the Director's 2023 Memorandum on Children's Cases in Immigration Court (DM 24-01) and reinstate the 2017 Guidelines. This decision weakens critical protections for unaccompanied children, increases inefficiencies in the immigration court system, and risks greater trafficking and exploitation.

The 2023 memorandum established specialized juvenile dockets with dedicated judges, child-appropriate court practices, and stronger safeguards against trafficking. It also improved address verification to reduce procedural errors that often lead to removal orders for children who never received proper notice of their hearings. At the same time, the Department of Homeland Security committed to training government attorneys to identify trafficking indicators and assess legal relief options for children.

Reverting to the 2017 guidelines undermines these safeguards, increases case backlogs, and weakens protections under the *Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008*. It also reintroduces a tone of suspicion toward unaccompanied minors rather than recognizing their vulnerabilities and need for fair proceedings.

EOIR must ensure that immigration proceedings for unaccompanied children remain fair, efficient, and protective against trafficking. This includes maintaining specialized juvenile dockets, strengthening interagency coordination, and preserving procedures that prevent unnecessary delays and due process failures.

Congress has long recognized the need for reforms that balance efficiency with fairness. That's why we introduced the Immigration Court Efficiency and Children's Court Act, a bipartisan bill to establish a dedicated Children's Court within EOIR. This legislation would ensure trained judges oversee these cases with the expertise and resources they require. We urge EOIR to consider these principles moving forward.

Sincerely,



Michael F. Bennet
United States Senator



Lisa Murkowski
United States Senator