

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Sixteenth Congress

May 29, 2019

The Honorable Kevin McAleenan
Acting Secretary
Department of Homeland Security
300 7th Street SW
Washington, D.C. 20528

Dear Acting Secretary McAleenan:

The Committee writes to once again request information from the Department of Homeland Security (DHS) regarding President Donald Trump's reported offers of presidential pardon offers to you and other DHS personnel in response to potential legal liability related to illegally closing the southern border or denying immigrants entry into the United States.

As a reminder, there were multiple reports in mid-April where President Trump allegedly said he would pardon you if you "ever went to jail for denying US entry to migrants."¹ These same reports also state that President Trump personally directed DHS personnel to not let migrants into to the country, stating "tell them we don't have the capacity. . . . If judges give you trouble, say, 'Sorry, judge, I can't do it. We don't have the room.'"² The agents were reportedly informed by senior DHS personnel that they "have to follow the law" and would incur personal liability if they followed the President's directive.³

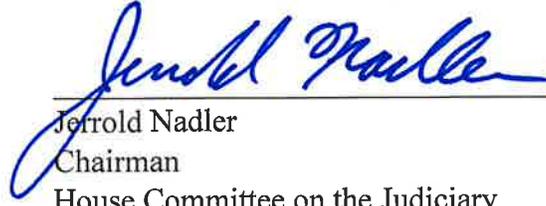
Given the Committee's continuing concerns relating to this Administration's compliance with our existing immigration laws as well as possible misuses of the pardon power, I request that you promptly respond to our April 16th letter by no later than Friday, June 7, 2019. Thank you for your prompt attention to this matter.

¹ Maggie Haberman, Annie Karni and Eric Schmitt, *Trump Urged Homeland Security Official to Close Border Despite an Earlier Promise of a Delay*, N.Y. TIMES, April 12, 2019; Jake Tapper, *Trump told CBP head he'd pardon him if he were sent to jail for violating immigration law*, CNN, April 12, 2019.

² Jake Tapper, *Trump pushed to close El Paso border, told admin officials to resume family separations and agents not to admit migrants*, CNN, April 9, 2019.

³ *Id.*

Sincerely,



Jerrold Nadler
Chairman
House Committee on the Judiciary

cc: Honorable Doug Collins, Ranking Member, House Committee on the Judiciary