Congress of the United States

Washington, DC 20515

November 10, 2026

Secretary Markwayne Mullin
Department of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Secretary Robert F. Kennedy Jr.
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Mullin and Secretary Kennedy,

We write to express deep concerns regarding reports that U.S. Immigration and Customs Enforcement (ICE) detained an eight-year-old Haitian child at a scheduled immigration hearing in San Diego, California, on November 5, 2026. An ICE officer reportedly invoked the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 while taking him into custody, apparently placing the child in restraints[1] and separating him from the person who brought him for his hearing. Video footage[2] appears to show the use of restraints on a child who seemed to pose no threat to those around him, raising serious questions about the handling of this incident. We express concerns about the basis for this action and the harm it may cause a young child who appeared for his required hearing before the Executive Office for Immigration Review (EOIR).

Our September 22, 2026, letter concerning ICE enforcement activity around school and educational institutions addressed the fear and disruption these actions cause in our communities. House Members of the San Diego congressional delegation also wrote to both the Department of Homeland Security (DHS) and Department of Education on October 14, 2025, highlighting concerns from twenty-five San Diego County school district superintendents. The superintendents requested DHS to adopt clear consistent enforcement policies and coordination between the departments to keep schools safe places to learn. This reported detention underscores those concerns. Following this third-grade student's detention, San Diego Unified School District reportedly sent crisis counselors to Fay Elementary School to support his classmates, who expressed fear and distress. The effects of this action extend far beyond one child and his family.

With this letter, we emphasize that the safety and well-being of children and families in San Diego County must remain the highest priority. We will continue to monitor this situation closely and expect timely updates on the child's well-being and your agencies' response to these concerns. We also request confirmation on the child's whereabouts, whether his family is aware of his location, and what steps your agencies are taking to ensure he can be reunited with them**.** We ask that you promptly review this child's case and give it your full and fair consideration based on its merits, consistent with all applicable laws, rules, and regulations. Please provide our offices with an update regarding your findings from this review by December 1, 2026.

Sincerely,

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[1] KPBS, "Haitian boy, 8, detained during scheduled immigration appointment," November 6, 2026. https://www.kpbs.org/news/border-immigration/2026/11/06/haitian-boy-8-detained-during-scheduled-immigration-appointment

[2] NBC, "ICE takes 8-year-old boy into custody in San Diego," November 6, 2026. https://www.nbcsandiego.com/video/videos/ice-takes-8-year-old-boy-into-custody-in-san-diego-2/4098570/

Juan Vargas
Member of Congress

Alex Padilla
United States Senator

Adam B. Schiff
United States Senator

Sara Jacobs
Member of Congress

Mike Levin
Member of Congress

Scott H. Peters
Member of Congress