

# Congress of the United States

Washington, DC 20515

October 3, 2025

The Honorable Kristi Noem  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

The Honorable Linda McMahon  
Secretary  
U.S. Department of Education  
Washington, DC 20202

Dear Secretary Noem and Secretary McMahon,

As we begin a new school year, we write to express profound concern about the pattern of U.S. Immigration and Customs Enforcement (ICE) targeting K-12 public school students throughout the country. Here in New York City, school communities have been shaken by the arrest and deportation of school children as young as six years old. ICE's targeting of not only adults without criminal convictions, but also children and families, negates the administration's stated policy of going after the "worst of the worst" for deportation proceedings<sup>1</sup>. Many do not even have open orders of removal in their family's immigration proceedings. We demand answers to the questions below regarding why ICE has prioritized K-12 students, what conditions these students are being held in, and how the Department of Education is meeting its obligations to them during their indefinite detention.

There are at least five cases of K-12 student arrests that have been publicly reported in New York City. Many more educators and loved ones have come to our offices for help, but fear retaliation from this administration if they were to tell their story publicly.

1. Dylan, a Bronx high school student, was arrested by ICE on May 21st outside his court hearing.<sup>2</sup> He is currently at Moshannon Valley Processing Center, from which there have been reports of insufficient medical care and use of solitary confinement.<sup>3</sup> These conditions are especially concerning given his severe medical needs. He is also hundreds of miles away from his loved ones in New York City.
2. Last month your administration arrested and quickly deported 6-year-old Dayra and her mother, separating a family.<sup>4</sup> Dayra's brother, a recent graduate, was also detained, and he remains in adult ICE detention. Two of Dayra's siblings remain in New York without their mother, including one who is also a K-12 student.
3. Mamadou Mouctar is a Brooklyn high school student and asylum seeker from Guinea who was detained in August outside immigration court.<sup>5</sup> He should be at home in Brooklyn, learning

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<sup>1</sup> U.S. Immigration and Customs Enforcement, "Worst of the Worst," <https://www.ice.gov/WoW>

<sup>2</sup> Chalkbeat, "Bronx High School Student Detained by ICE Agents," May 26, 2025.

<https://www.chalkbeat.org/newyork/2025/05/27/bronx-high-school-student-detained-by-immigration-ice-agents/>

<sup>3</sup> ACLU of Pennsylvania, "Why we filed a federal complaint over unnecessary and cruel immigration detention at Moshannon Valley," July 23, 2024 <https://www.aclupa.org/news/why-we-filed-federal-complaint-over-unnecessary-and-cruel-immigration-detention-moshannon/>

<sup>4</sup> The CITY News, "6-Year-Old NYC Elementary School Student and Her Mom Deported," August 19, 2025. <https://www.thecity.nyc/2025/08/19/elementary-school-deportation-mom-ps-89-family-separation-queens/>

alongside his classmates, while awaiting his immigration court process. NYC educators, including Mamadou Mouctar's teachers, rallied to demand his release.

4. Derlis, a high school student who was arrested in June outside his immigration court hearing, was finally released from ICE custody in Texas on an exorbitant \$20,000 bond after over one month in detention.<sup>6</sup>
5. Joselyn, a Queens student, was detained in June, spent 10 days in 26 Federal Plaza, and was eventually released in Louisiana, weeks after her initial arrest outside of her immigration court hearing.<sup>7</sup>

Not only did these students have no criminal convictions, they made every attempt to comply with their immigration hearings and ICE check-ins. Despite that, they were held in unsafe and unsanitary conditions, and were transported far away from their families, lawyers, and school communities. Joselyn shared:

"We had to beg the people working there that they gave us something to eat, they didn't even give us water. Sometimes a few cookies they'd throw in there. A human being doesn't deserve to be treated that way...it was a horrible thing I wouldn't wish on anyone. They had us in there like animals."<sup>8</sup>

The cases above are just the ones the public knows about. Close to 2,000 children were arrested by ICE in the interior of the country between January 20<sup>th</sup> and July 31<sup>st</sup>.<sup>9</sup> Poor conditions and inadequate care in immigration detention not only cause immediate harm to a child's health, they can have long-term physical and mental consequences, impacting their studies and their adult life.<sup>10</sup> There is no doubt that these experiences are deeply traumatic for the children and young people detained, but also for their classmates and educators, regardless of immigration status. Exposing K-12 students to the trauma of immigration enforcement is certain to have social and economic consequences for their entire communities.

All students in the United States are entitled to equal access to education, regardless of their immigration status, race or nationality, or the language they speak. This right is guaranteed by the Fourteenth Amendment and has been upheld by the Supreme Court in *Plyler v. Doe*.<sup>11</sup> The Department of Education is responsible for ensuring equal access to education. We demand transparency on how the Department of Education is fulfilling its obligations to students in ICE detention, as well as how it is looking after the mental health impact of student arrests and detentions to the broader school community, including to the U.S. citizen classmates of detained students.

It is impossible to reconcile ICE's narrative of making communities safer by going after "the worst of the worst" when the majority of those currently in ICE detention, almost 70%, have no criminal convictions, according to data published by the agency.<sup>12</sup> Students like Dylan and Dayra represent the very best of this

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<sup>5</sup> CBS News, "NYC Teachers Rally for Mouctar," August 14, 2025. <https://www.cbsnews.com/newyork/news/nyc-student-detained-by-ice-rally-for-mouctar/>

<sup>6</sup> Chalkbeat, "Student from Queens released from Detention," July 15, 2025.

<https://www.chalkbeat.org/newyork/2025/07/15/student-from-queens-grover-cleveland-released-from-ice-detention/>

<sup>7</sup> The CITY News, "Queens Student ICE Deportation Joselyn," July 16, 2025. <https://www.thecity.nyc/2025/07/16/queens-student-ice-detention-joselyn-chipantiza-sisalema/>

<sup>8</sup> Ibid., 7.

<sup>9</sup> Deportation Data Project, "Arrests," <https://deportationdata.org/data/ice.html>

<sup>10</sup> KFF, "Potential Impacts of Mass Detention and Deportation Efforts on the Health and Well-Being of Immigrant Families," February 6, 2025. <https://www.kff.org/racial-equity-and-health-policy/potential-impacts-of-mass-detention-and-deportation-efforts-on-the-health-and-well-being-of-immigrant-families/>

<sup>11</sup> Supreme Court of the United States, *Plyler v. Doe*. <https://supreme.justia.com/cases/federal/us/457/202/>

country. Their cases remind us of the irreparable harm that this administration's reckless mass deportation policies cause our students and communities.

We therefore request answers in writing to the following questions no later than October 15, 2025.

1. What is the total number of students arrested by DHS since January 20, 2025, as of the date of this letter, including K-12 and university students?
  - a. How many of them remain in ICE custody?
  - b. What is the average length of stay for K-12 students in ICE detention?
  - c. What percentage of them were detained with their families?
2. Please produce a list of all students arrested by DHS nationally and aggregated by congressional district, to be accessed only by congressional offices.
3. Please provide an explanation as to why students without removal orders or without criminal records were enforcement priorities.
4. Please produce all communications between DHS and the Department of Education regarding immigration enforcement.
  - a. Please produce copies of all written guidance DHS provides to its detention facilities to ensure that they meet requirements for custody of minors under the Flores Settlement Agreement and equal access to education under *Plyler v. Doe*.
5. The Department of Education has the responsibility under the Fourteenth Amendment of the United States Constitution to ensure that all students have equal access to education. Please provide copies of curricula, sample lesson plans, and rubrics currently in use at ICE detention facilities, processing sites, and Office of Refugee Resettlement shelters.
  - a. What qualifications, including proficiency in languages other than English, does DHS require when recruiting and hiring teachers, teaching assistants, and other education staff? Please provide copies of all educator job descriptions currently in use.
  - b. How often does DHS review and update curricula? What is the average class size and how are curricula adapted to student needs such as age, English language knowledge, and learning differences?

Sincerely,



Alexandria Ocasio-Cortez  
Member of Congress



Adriano Espaillat  
Member of Congress



Dan Goldman  
Member of Congress

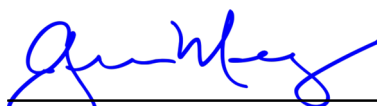
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<sup>12</sup> Newsweek, "Trump Admin Says 70% of ICE Detainees Do Not Have Criminal Convictions," August 29, 2025.  
<https://www.newsweek.com/ice-record-detainment-convictions-immigration-trump-admin-2121912>



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Paul D. Tonko  
Member of Congress



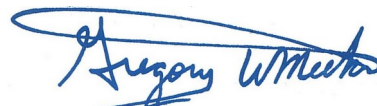
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Grace Meng  
Member of Congress



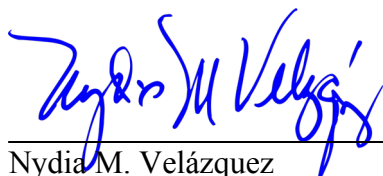
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Ritchie Torres  
Member of Congress



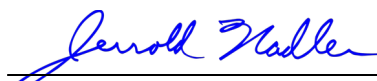
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Gregory W. Meeks  
Member of Congress



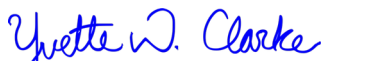
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Nydia M. Velázquez  
Member of Congress



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Jerrold Nadler  
Member of Congress



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Yvette D. Clarke  
Member of Congress



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George Latimer  
Member of Congress