



## U.S. Customs and Border Protection

Commissioner

December 4, 2025

The Honorable Ron Wyden  
Ranking Member  
Committee on Finance  
United States Senate  
Washington, DC 20510

Dear Senator Wyden:

Thank you for your November 4, 2025, letter to U.S. Customs and Border Protection (CBP) voicing concerns about the voluntary return of unaccompanied alien children (UAC) to their countries of origin.

CBP's hard-working agents and officers are committed to the safety of every individual they encounter. Since UACs are particularly vulnerable to human trafficking and other grave abuses, our procedures ensure they are processed expeditiously, appropriately, and in a way that prioritizes their safety and security. The language in Section 100051(8) of the *One Big Beautiful Bill Act (OBBA)* (Pub. L. 119-21) makes it permissible to allow certain UACs who are screened and determined to be eligible – including those from noncontiguous countries – the opportunity to withdraw their application for admission and voluntarily return to their country of origin, if they choose to do so.

The processing procedures involved for UACs from non-contiguous countries are the same as they are for UACs who are nationals or habitual residents of Canada or Mexico. All UACs encountered by CBP are screened and processed in accordance with the *Trafficking Victims Protection Reauthorization Act of 2008*. All UACs encountered by CBP are screened for their ability to make an independent decision, as well as trafficking or fear concerns, using Form CBP-93, and all are provided with their Notice of Rights using Form I-770. UACs who are not able to make an independent decision, who are identified as being potential trafficking victims, or who are afraid to return to their home countries, are not amenable to a voluntary return.

UACs who are able to withdraw their application for admission and voluntarily return, and who choose to do so, are repatriated from the United States at a port of entry (for voluntary returns to Mexico or Canada) or by a U.S. Immigration and Customs Enforcement flight (for voluntary returns to noncontiguous countries) as soon as operationally feasible. UACs encountered by CBP and who are awaiting voluntary return will remain in a short-term holding facility for the appropriate duration and will be provided with the required provisions and amenities in accordance with Department of Homeland Security and CBP policies, as well as applicable legal settlement agreements and court orders. Depending on the timing of the next available flight for a UAC's repatriation to a noncontiguous country, the UAC may be transferred to the U.S.

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Department of Health and Human Services, Office of Refugee Resettlement (ORR), consistent with CBP's obligation to transfer UACs to ORR within 72 hours, absent exceptional circumstances.

Should you need additional assistance, please contact me or have a member of your staff contact Matthew Eagan, Assistant Commissioner, Office of Congressional Affairs, at 202-344-1760.

Sincerely,

A handwritten signature in blue ink, appearing to be "R. Scott", with a large, stylized initial "R" and "S".

Rodney S. Scott  
Commissioner