

Congress of the United States
Washington, DC 20515

July 3, 2018

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health and Human Services
330 C Street SW
Washington, D.C. 20528

The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Secretary Azar and Secretary Nielsen:

We write to express our deepest alarm about the mental and physical harm inflicted on immigrant children and families caused by the Administration's recent "zero tolerance" policy requiring separation of immigrant youth from their caregivers. The cruel nature of the separation policy coupled with reports of restrictions on physical touch, psychotropic drugging, and a lack of funds and services for children in care give us profound concern that the standards of care for these children set by the Departments of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Health and Human Services, and the Office of Refugee Resettlement (ORR) could exacerbate the trauma from separation by denying developmentally-appropriate care to children. Given our nation's commitment to humanitarian behavior, we ask for your immediate response and regular updates to detail: (1) the funding and parameters of the contracts with service providers caring for youth and separated families and how you have adjusted these contracts from typical contracts for unaccompanied minors entering the country without parents; (2) the demographic characteristics of the populations served and the nature of the living conditions of the youth broken out by site (including both DHS/ICE detention centers and ORR child shelters); (3) the health, mental health, and educational services provided to the thousands of separated children and their parents while separated, and (4) the health, mental health, and educational services provided after reunification.

Parental attachment is a fundamental cornerstone of healthy development. The Society for Research in Child Development – national experts on child development - issued a Statement of Evidence detailing: "*The science is clear: policies that separate immigrant families upon entry to the U.S. have devastating and long-term developmental consequences for children and their families.*" The science is conclusive. When children experience traumatic events, stress alters the developing brain that can result in severe and lifelong harm – physically, emotionally, behaviorally, and mentally. A parent's presence provides a psychological buffer from adverse effects of toxic stress, helping reduce the physiological and psychological responses to stress of their children. These immigrant children already were escaping terrifying conditions for which they sought asylum and experienced harsh and physically-challenging circumstances on their path here. Rather than supporting parent-child attachments to help children cope with these stresses, your Administration deliberately removed the best protective factor and imposed one of the most severe toxic stressors a child can experience - parental separation.

In addition to immediately reuniting these children with their parents, it is necessary to provide trauma-informed health and mental health services to help heal and limit the harm caused by the traumatic experiences. We must ensure that government invests in appropriate, high-quality

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services to meet the needs of these traumatized children and their parents to help them heal and to mitigate to the greatest extent possible the developmental harm caused by the Trump Administration forced-separation policy. We are concerned that the current DHS, ICE, HHS, and ORR contracts related to unaccompanied minors who entered the country without parents fail to meet the reunification, health, and mental health needs of these children traumatized by parental separation and the funding levels needed to serve this population. For example, the current ORR unaccompanied minor contracts would not appropriately focus on the added trauma caused from intentional, unexpected separation from parents nor adjust the reunification protocol for reuniting children separated from their parents by the government compared to youth who entered the country without any adult. Further, the funding levels from existing ORR contracts likely do not meet the needs of the forcibly-separated children and families nor the costs of the service providers.

To help us understand your policies and guide Congressional action, we ask for the following information.

- A copy of the contract for each servicer at each site (including both DHS/ICE detention centers and ORR child shelters) detailing the funds promised, the services required, and the nature of limitations on care provided (including but not limited to limitations on touch);
- Information on your agencies' analysis of the additional needs and funding for care of unaccompanied minors and their parents separated by the "zero tolerance" policies compared to the traditional unaccompanied minors who entered without an adult by type of site (including both DHS/ICE detention centers and ORR child shelters), including how the contracts were adjusted to reflect these differing needs and reunification requirements as well as additional funding provided to meet the added needs and number of children;
- A list of the sites (including both DHS/ICE detention centers and ORR child shelters) in which children separated by the zero-tolerance policies are housed broken out by: (a) the number of children at each site crosstabulated by key demographic characteristics including but not limited to - age, gender, parental status, language spoken, country of origin, ability status, and length of time separated from families, (b) the nature of the settings in which the children are living (e.g., tent, converted warehouse, group home, apartment, sponsor family), and (c) access to culturally and linguistically competent staff;
- The progress with reunifying these children with their caregivers by site (including both DHS/ICE detention centers and ORR child shelters) – including but not limited to (a) whether service providers know the location of the parents, (b) the frequency and nature of parental contact, (c) whether detailed reunification plans are in place and the amount of time until to reunification, (d) notice to the appropriate foreign consulates about the location and well-being of their young citizens, (e) identification and contact with other family and friends living in the U.S., (f) the barriers to reunification; and (g) access to counsel and pro-bono legal services, including bilingual attorneys;
- A list of the nature and frequency of health services provided by site (including both DHS/ICE detention centers and ORR child shelters) including but not limited to - (a) the ratio of caregivers and professional staff per child including but not limited to the professional qualifications of the staff and fluency in the language of the children; (b) the number of visits received per child broken out by age, (c) the type of medicines or drug treatments received and frequency by age of child, (d) procedures to monitor the health and appropriateness of any treatments imposed; and (e) access to culturally and linguistically competent services;

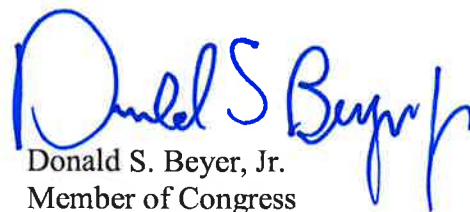
- A list of the nature and frequency of mental health services the children and parents are receiving by site (including both DHS/ICE detention centers and ORR child shelters) including but not limited to – (a) the ratio of caregivers and professional staff per child including but not limited to the professional qualifications of the staff and fluency in the language of the children; (b) the number of visits received per child broken out by age, (c) the diagnoses and frequency of interventions used by age of child with summary information allowed to protect privacy, (d) procedures to monitor the mental health and appropriateness of any treatments used, and (e) access to culturally and linguistically competent services;
- A list of the nature and frequency of educational services the children and parents are receiving by site (including both DHS/ICE detention centers and ORR child shelters), including but not limited to – (a) the ratio of caregivers and professional staff per child including but not limited to the professional qualifications of the staff and fluency in the language of the children; (b) the number of visits received per child broken out by age, (c) the frequency of interventions used by age of child, and (d) procedures to monitor the appropriateness of any services used;
- The daily academic, developmental, and social programming by site (including both DHS detention centers and ORR child shelters) and by age of child provided to separated children consistent with the best practices in the appropriate developmental fields;
- Each site's (including both DHS detention centers and ORR child shelters) policies related to sharing the health and mental health information about a separated child, including for use in court proceedings;
- Each site's compliance with 1997 *Flores* Settlement Agreement related to national standards regarding the detention, release, and treatment of both unaccompanied and accompanied children in immigration detention; and
- The services provided to children and parents after reunification to address the trauma caused by the intentional separation of children from their parents.

This Administration's policies have created a humanitarian crisis that we have a moral obligation to correct. We must reunite these children and parents immediately, ensure that government contracts with service providers adopt developmentally-appropriate policies to support the physical and psychological well-being of the children and parents traumatized by forced separation, and provide quality, evidence-based health and mental health services in a timely manner to address the trauma intentionally inflicted upon them. We look forward to a thorough and quick response.

Sincerely,



Danny K. Davis
Member of Congress



Donald S. Beyer, Jr.
Member of Congress



Earl Blumenauer
Member of Congress



Tony Cardenas
Member of Congress



André Carson
Member of Congress



Judy Chu
Member of Congress



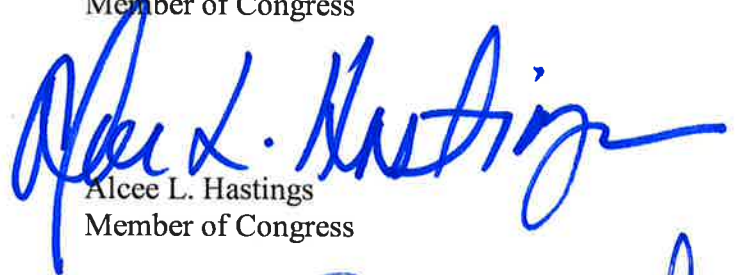
Yvette D. Clarke
Member of Congress



Steve Cohen
Member of Congress



Luis V. Gutiérrez
Member of Congress



Alcee L. Hastings
Member of Congress



Eleanor Holmes Norton
Member of Congress



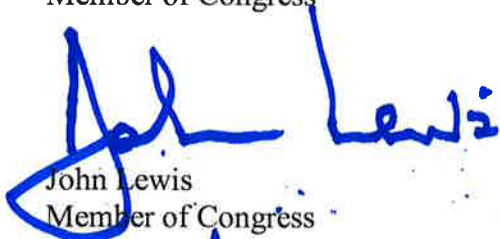
Sheila Jackson Lee
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



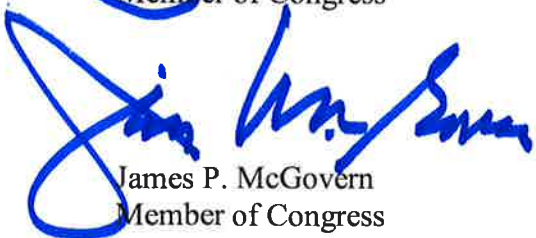
Brenda L. Lawrence
Member of Congress



John Lewis
Member of Congress



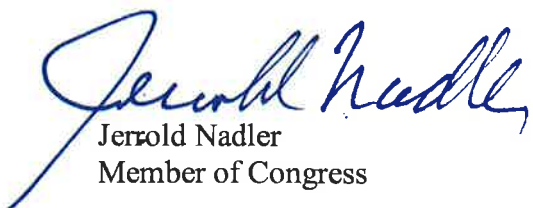
Michelle Lujan Grisham
Member of Congress



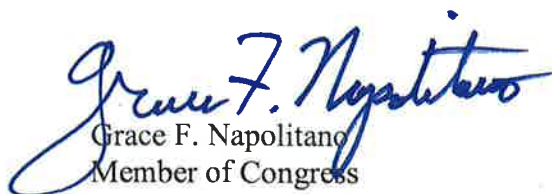
James P. McGovern
Member of Congress



Gregory W. Meeks
Member of Congress



Jerrold Nadler
Member of Congress



Grace F. Napolitano
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Bobby L. Rush
Member of Congress



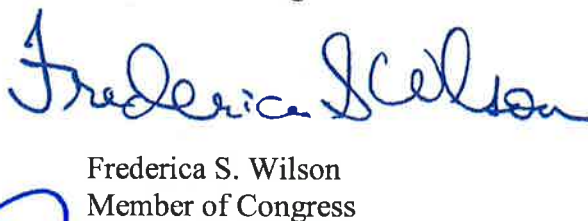
José E. Serrano
Member of Congress



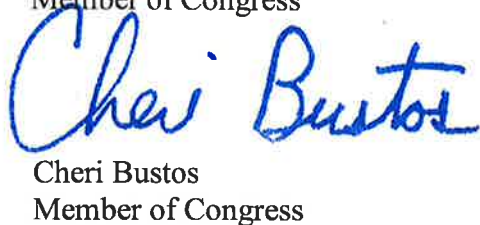
Nydia M. Velázquez
Member of Congress



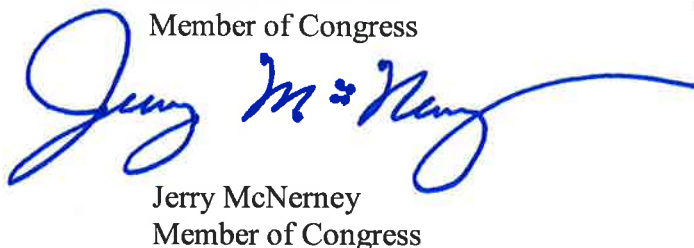
Bonnie Watson Coleman
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Frederica S. Wilson
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Cheri Bustos
Member of Congress



Jerry McNerney
Member of Congress



Karen Bass
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