

June 16, 2020

Chad Wolf
Acting Secretary
Department of Homeland Security
301 7th Street, S.W.
Washington, D.C. 20528

Re: Recent DHS Measures That Threaten the Safety and Family Unity of Vulnerable Immigrant Children

Dear Acting Secretary Wolf:

The undersigned 122 organizations strongly oppose recent Department of Homeland Security (DHS) measures that threaten the safety and family unity of vulnerable immigrant children. DHS appears to have disregarded the lessons of 2018, when its family separation policy split thousands of children from their parents, inflicted enduring damage on separated kids, and spurred bipartisan outrage. Under cover of the COVID-19 pandemic, the Department has redoubled its efforts to undo legal protections that keep kids safe and families together. By expelling arriving unaccompanied children, deporting unaccompanied children already living within the U.S. without required court proceedings, and reviving family separation at detention centers, it is once again causing kids profound suffering and disturbing the nation's conscience. We urge DHS to end these destructive policies immediately.

Since March, DHS has expelled over 1,000 unaccompanied children who arrived at the U.S. southern border.¹ These summary returns violate the bipartisan Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) by depriving kids of protection screenings, court hearings, and referrals to Office of Refugee Resettlement custody—of any meaningful opportunity, in other words, to seek protection from danger. Expelled children face the risk of human trafficking, persecution, and other grave harm. Though DHS has used COVID-19 as a pretext for its actions, medical experts have made clear that this policy lacks a valid public health rationale.² Indeed, DHS has full authority to exempt unaccompanied children and asylum seekers, as it has other populations, from the entry restrictions underlying such returns. But the Department has refused to do so.

During this same period, DHS has deported certain unaccompanied children living within the U.S. without according them the legal safeguards that Congress plainly intended. Among other actions, it is truncating these kids' access to counsel and stripping them of court proceedings.³ In particular, DHS is targeting unaccompanied children sent with their parents to dangerous conditions in

¹ Human Rights First, "Pandemic as Pretext: Trump Administration Exploits COVID-19, Expels Asylum Seekers and Children to Escalating Danger" (May 2020); <https://www.humanrightsfirst.org/sites/default/files/PandemicAsPretextFINAL.pdf>.

² Priscilla Alvarez, "Health experts slam Trump administration's use of public health law to close border" *CNN* (May 18, 2020); <https://www.cnn.com/2020/05/18/politics/border-closure-public-health/index.html>.

³ *See, e.g.*, Lomi Kriel, "The Trump Administration Is Rushing Deportations of Migrant Children During Coronavirus" *ProPublica* (May 18, 2020); <https://www.propublica.org/article/the-trump-administration-is-rushing-deportations-of-migrant-children-during-coronavirus>.