

## United States Senate

June 27, 2018

### VIA ELECTRONIC DELIVERY

The Honorable Alex Azar  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

The Honorable Kirstjen Nielsen  
Secretary  
U.S. Department of Homeland Security  
301 7th Street SW  
Washington, DC 20528

Dear Secretary Azar and Secretary Nielsen:

I am writing to express my outrage over the cruel and unnecessary Trump Administration “Zero Tolerance” policy that has separated families and inflicted great trauma on parents and children, including infants. As a mother of two and as the daughter of an immigrant, I share the outrage my constituents have expressed over this inhumane policy of ripping children away from their parents and purposefully separating families. It is wrong and runs counter to our nation’s values.

I am also writing in alarm over the Trump Administration’s failure to effectively and efficiently reunite separated family members, and its inability or unwillingness to provide detained parents with information on the location and status of more than 2,500 children who were forcibly separated from their parents. I urge you to immediately create, implement and communicate a comprehensive plan to reunite every family, in accordance with the June 26, 2018 order issued by the Honorable Dan Sabra, United States District Judge for the Southern District of California.

Alarming, it remains unclear whether the Trump Administration is adequately caring for separated children and whether the U.S. Department of Homeland Security (DHS) and the U.S. Department of Health and Human Services (HHS) are keeping proper documentation necessary to reunite separated families and ensure families are able to regularly communicate while in custody of DHS or HHS. Given the lack of transparency and clear communication, I request that you provide the following information in writing by July 3, 2018:

1. Please provide the following information about reunification efforts to date for children who have been separated from their family, specifically as a result of the Administration’s “Zero Tolerance” policy:
  - a. The total number of children who have been separated from their parents as a result of this policy to date;
  - b. Confirm whether HHS is still receiving children separated from their parents as a result of this policy;

- c. How many children separated as a result of this policy have been reunited with their parents to date;
  - d. How many of these children have been reunited with other relatives;
  - e. How many children are currently in HHS or DHS custody as a result of this policy; and
2. Please provide a detailed plan for care for children separated from their family that addresses:
- a. The type, quality and frequency of nutrition services, education, health care, socialization, recreation, mental health services, and access to legal services and case management the children are receiving;
  - b. The frequency and type of physical or electronic contact children have with family members; and
  - c. How HHS is conducting oversight of care provided to children in custody.

Despite Secretary Azar's recent testimony that the HHS can locate any child under their custody within seconds, reports indicate that the Trump Administration's approach of directing parents or family members to call a hotline to locate their children is failing. Callers appear to face long wait times and operators who are unable to provide timely and accurate information. This is unacceptable.

It is clear that your departments are not prioritizing the coordination of information sharing to reunite separated children with their parents. Accordingly, I urge DHS and HHS to immediately develop and report a comprehensive and detailed plan of action within 72 hours on how the Administration will guarantee that every parent in or released from ICE detention with a separated child will be informed as to the location of their child and given specific information about the steps needed to establish immediate and regular communication with their child.

Moving forward, DHS and HHS must also develop and implement a plan to reunite families in a humane manner. The Trump Administration must not seek to use children as bargaining chips to compel parents to abandon claims for humanitarian protection and accept deportation as a condition of being reunited with a child, or seek to establish mass camps to enable indefinite family detention. Instead of wasting resources on inhumane indefinite family detention, DHS and HHS should prioritize enrolling family members in alternatives to detention programs.

DHS and HHS should establish a memorandum of agreement to execute a strategic plan that will ensure each of the separated children are reunited with their parents, or in certain instances where that is not possible, other family members. This interagency initiative must be a priority effort that is fully resourced and results in each individual separated child being given a case plan, with concrete timelines, to achieve safe reunification with parents or family members in the most efficient and effective manner possible. In addition, DHS and HHS should make sure and certify

that every separated child is in a safe and appropriately-licensed setting while awaiting reunification with parents or placement with family.

Thank you in advance for your consideration of my request and I look forward to reviewing your prompt response addressing both of my requested interagency initiatives.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Duckworth". The signature is written in a cursive, flowing style.

Tammy Duckworth  
United States Senator