

# United States Senate

July 23, 2019

The Honorable Kevin K. McAleenan  
Acting Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20016

Dear Acting Secretary McAleenan:

Last month, I placed holds on two Department of Homeland Security (DHS) nominees, Chad F. Wolf and Troy D. Edgar, until a non-governmental third party certifies that detention conditions for children in DHS custody have improved significantly. Shortly after I placed the holds, your office assured my staff that the supplemental funding bill Congress passed would alleviate the overcrowding at DHS detention facilities and thus improve the inhumane conditions in which children were held.

Nearly a month later, conditions for migrant children do not appear to be sufficiently improving. An official from DHS's Office of Inspector General testified before Congress last week that inspectors traveled to the Rio Grande Valley and found "serious overcrowding" at four of the five Border Patrol facilities inspected and "prolonged detention" at all five. There is no evidence that *any* amount of time in prison-like detention conditions is safe for children. Every day that goes by without progress, sick and scared children remain in those conditions at Customs and Border Protection (CBP) facilities, which risks severe, long-term physical and psychological harm.

To ensure that children in U.S. custody are properly protected and cared for, DHS needs to make the following reforms recommended by child health and welfare experts:

1. **Access to Pediatric Care**: All children arriving at DHS facilities must receive prompt and comprehensive medical screening and treatment by pediatricians, with follow-up examinations on a regular basis and as necessary. Every single DHS facility where children are or could be processed or detained must be staffed with at least one certified medical professional with pediatric training, with immediate consultation available from a pediatrician if one is not physically present.
2. **Child Welfare Professionals at DHS Facilities**: In addition to medical personnel, DHS must hire licensed child welfare professionals to be present at CBP facilities during any time a child is held on site. Licensed social workers, child psychologists, or other professionals with training in interviewing children and trauma-informed best practices must conduct all credible fear screenings of children and ensure that CBP facilities meet minimum safety standards for children. Child welfare professionals should have regular access to and interaction with children on site.

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3. **Access to DHS Facilities for NGOs:** Border Patrol agents and other CBP personnel are not trained in providing child welfare services. Revelations of a secret Facebook group, recordings of Border Patrol agents, and other reports call into question the agency's capacity to prioritize child safety and welfare. DHS must negotiate or contract with one or more non-governmental organizations to provide safe access so that NGOs can ensure children are receiving medical treatment, food, and other appropriate care and are not being neglected or abused. Non-profit humanitarian organizations should be able to receive scheduled access to provide direct services for children on a regular basis, along with unscheduled visits for at least one pre-approved humanitarian organization with expertise in child welfare.

I will not lift the holds on DHS nominees Chad Wolf and Troy Edgar unless these reforms are made and a third-party NGO certifies that conditions have improved. I am committed to using any tool available to me to ensure the safety and care of migrant children at the southern border. I stand willing to work with you and my colleagues in Congress in a bipartisan manner to develop long-term immigration policy solutions, in addition to addressing the immediate concern of the safety and welfare of these vulnerable children. Every hour that goes by for children in these conditions creates further trauma that is completely preventable and absolutely unacceptable.

If you have any questions or if you would like to discuss further, please have your office contact Bryn McDonough on my staff at (202) 224-6244.

Sincerely,



Jacky Rosen  
United States Senator