



# News Article

## Officials Feel Heat From Both Parties on Family Separations

- Questions raised over whether consent for waivers was informed
- Officials say court decision complicates immigration process

By Avery Ellfeldt | July 31, 2018 5:41PM ET

Lawmakers from both parties pressed U.S. immigration officials today on detention policies affecting children caught in the aftermath of President Donald Trump's "zero tolerance" policy on illegal immigration.

The administration's decision to prosecute all adult undocumented migrants – whether they arrived at the U.S. border with or without children – resulted in 2,551 children placed in the care of the Office of Refugee Resettlement, Matthew Albence, executive associate director of the U.S. Immigration and Customs Enforcement, told a Senate Judiciary Committee hearing. Of those children, 1,442 were reunified with their families.

Seven hundred and eleven children remain in federal custody without their parents, according Sen. Charles "Chuck" Grassley (R-Iowa), with 431 of those ineligible for reunification because their parents had already been deported. Some were ineligible because their parents had been deemed unfit.

This is one of several problems in the current system, Albence said. Because parents have taken such a dangerous journey to get their kids into the country, they elect to leave them here, waiving their right to be reunified, Albence said.

Grassley and Sen. Christopher Coons (D-Del.) said while some parents had technically waived this right, they may have done so unknowingly.

"Public reports indicate that many of them may have not made an informed choice to leave their children behind," Grassley said. "Some of these reports suggest these parents weren't presented this information in a language they could even understand."

Sen. Thom Tillis (R-N.C.) said current policies in some ways encourage undocumented immigration.

### 'Summer Camp'

A 1997 federal court settlement determined families with children can be held in the custody of law enforcement for a maximum of 20 days, Carla Provost, the acting chief of U.S. Border Patrol, told the senators. After that time, families are released from custody with the expectation that they will eventually return for a hearing, as, according to Albence, it is impossible to conduct the necessary proceedings within the 20-day time frame. Witnesses said the hearings can take as long as 700 days to take place, and, often, migrants never show up.

Rather than separating families at the border, or releasing the entire family, Albence suggested Congress give Immigration and Customs Enforcement "the authority to hold the family as a family unit during the immigration removal procedures."

Democratic lawmakers said child welfare should be the priority.

While Albence said a better way to describe the shelters "would be as a summer camp," Sen. Richard Durbin (D-Ill.) cited reports from former Department of Homeland Security medical consultants that said otherwise.

"Medical experts tell us, that even short-term separation and detention can do permanent damage to a child," Durbin said.

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