

Defund Abusive Agencies That Separate Families and Imprison Kids

The treatment of immigrants and asylum-seekers at the hands of U.S. authorities has shocked the world's conscience. The agencies charged with enforcing immigration law, including Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and the U.S. Marshals, have violated U.S. and international law—separating families, pushing back asylum-seekers from ports of entry, criminally prosecuting people requesting asylum, and confining children and families.

Recent moves by the Trump administration will implicate these agencies in additional attacks on people seeking refuge from persecution. On July 16, the Trump administration published a new rule in the Federal Register that would make all migrants ineligible for asylum if they passed through Central America or Mexico on their way to the border—effectively banning asylum for the vast majority of people who seek this form of protection in the United States. Similarly, the administration has taken steps to deny asylum-seekers in detention the right to a bond hearing, attempting to hold them indefinitely in prison-like conditions.

As a result of these actions, more people are now being confined in immigration detention in the United States than ever before. In the last three years, the number of migrants locked up on average each day in U.S. custody increased from 34,376¹ to more than 52,000 today.² This is despite the fact that Congress appropriated funds for a daily detention capacity of at most 45,000 people in the last spending agreement—already a record-breaking high.³

The administration's policies have also resulted in a humanitarian crisis and overcrowding in the facilities that take custody of unaccompanied immigrant minors. Many children have been deliberately separated from their adult relatives at the border and funneled unnecessarily into Office of Refugee Resettlement (ORR) custody. Others have been blocked from reuniting with family members due to ICE raids targeting sponsors of unaccompanied minors, effectively using children as bait and keeping them in ORR "influx facilities" past legal limits. Horrific conditions have been well-documented in many of the places where children are confined.

The solution to this crisis is not to direct more funding to the same agencies that created it. Instead, Congress can protect human rights by scaling back funding for abusive agencies while passing laws to ensure migrant families are kept together and free. We urge you to:

- 1 Co-sponsor the Shut Down Child Prison Camps Act (S.397), which would end the use of emergency influx facilities, and the Families, Not Facilities Act (S.388), which would prevent the administration from interfering with family reunifications by targeting the sponsors of unaccompanied minors.
- 2 Reduce funding for ICE and CBP in the FY2020 Department of Homeland Security appropriations bill, while limiting ICE's ability to reprogram funds from other sources.
- 3 Support efforts to phase out funding for family detention and oppose the creation of any "slush fund" to address a migrant "surge" at the border in this appropriations bill.

1 "ICE Faces Migrant Detention Crunch as Border Chaos Spills Into Interior of the Country," New York Times, April 22, 2019.

2 "More than 52,000 migrants detained by ICE marks all-time high," The Hill, May 21, 2019.
<https://thehill.com/homenews/administration/444730-more-than-52000-migrants-detained-by-ice-marks-all-time-high>

3 "Congress's deal on immigration detention, explained," Vox, February 12, 2019.
<https://www.vox.com/2019/2/12/18220323/immigration-detention-beds-congress-cap>