

July 22, 2026

Dear Members of Congress,

The 115 undersigned child welfare, legal, faith-based, medical, public health, humanitarian, immigration, and community organizations and nine academics write to express our support for the Children's Safe Welcome Act. The Children's Safe Welcome Act ensures that children are in federal immigration custody for the least amount of time necessary, and while in custody, are treated with dignity in a manner consistent with child welfare principles. We urge you to support this legislation and codify a comprehensive framework of legal protections for these children.

Over the past decade, immigrant children – both unaccompanied children and children arriving with parents or legal guardians – have continued to arrive at the southern border of the United States, despite changes in presidential administrations and increasingly punitive policies intended to deter migration. These children constitute one of the world's most vulnerable groups. In many cases, they have fled to the United States in search of safety from war, persecution, abuse, and extreme violence. Yet too often after surviving their journey, children routinely experience significant harm while in U.S. government custody.

That reality has never been more starkly apparent than in this moment – as the government subjects children to abhorrent conditions in border facilities, detains families for months on end, and attempts to secretly put children on midnight flights to Guatemala in violation of the law.¹

It is past time to ensure that children in our care are protected from such dangers.

The Children's Safe Welcome Act:

- Increases minimum health and safety standards for children and families in U.S. Customs and Border Protection (CBP) facilities and places strict limits on children's time in CBP detention.
- Prohibits family separations, with extremely narrow exceptions, tailored to safety.
- Creates a process for keeping families together by allowing unaccompanied children who arrive at the border in the care of grandparents, adult siblings, or aunts or uncles (nonparent/non-legal guardian family members) to stay together.
- Prohibits the use of family detention facilities, without exception.
- Prohibits information sharing about unaccompanied children, with narrow exceptions.
- Requires sponsor vetting requirements to be tailored to children's safety and not discriminate against children or prospective sponsors.
- Significantly limits the placement of children in harmful restrictive facilities.
- Guarantees legal representation for unaccompanied children at every stage of removal proceedings.

¹ See *LGML v. Noem*, Order Granting Plaintiffs' Motion to Certify Class and Motion for Preliminary Injunction, Case 1:25-cv-02942-TJK, September 18, 2025, <https://youthlaw.org/sites/default/files/2025-09/48%20-%20Grant%20of%20PI%20and%20Class%20Cert.pdf>; see also Endnotes 2-6.

- Requires an independent Ombudsperson Office to monitor compliance with the Act's provisions.

The United States immigration system was designed with only adults in mind. While children in other government systems have an established set of safeguards, immigrant children in government custody have only a patchwork of modest and rudimentary protections. These gaps have profoundly harmed thousands of children for decades. For instance, CBP facilities were initially designed to detain single men and are fundamentally inappropriate for children. CBP's failure to provide safe conditions for children has been extensively detailed in federal investigations, congressional hearings, litigation, and numerous advocacy organization's reports.² In June 2025, litigators filed evidence documenting the government's prolonged detention of children in unsafe and unsanitary CBP facilities, inadequate medical care in CBP custody, and the separation of families while detained.³ This Children's Safe Welcome Act substantially increases minimum health and safety standards for children and families in CBP facilities and places strict limits on children's time in CBP detention.

The Children's Safe Welcome Act also ensures that children who arrive with parents or legal guardians are not detained in restrictive ICE family detention centers for months or years on end. Research shows that the incarceration of children, even with parents, has long-lasting negative psychological, developmental, and physical effects.⁴ In March 2025, the Trump Administration re-opened the ICE Dilley Family Residential Center to detain families. *Flores* site visits reveal that children and families detained at Dilley consistently report harsh, prison-like conditions, including lack of access to legal counsel or Know Your Rights trainings, undrinkable water and inadequate food, constant lighting that prevents sleep, insufficient hygiene supplies, clothing and bedding, and inadequate medical care for emergencies and children with disabilities or serious illnesses.⁵

² See, e.g., Office of the Inspector General, U.S. Department of Homeland Security, *Capping report: CBP struggled to provide adequate detention conditions during 2019 migrant surge*, June 2020, <https://www.oig.dhs.gov/sites/default/files/assets/2020-06/OIG-20-38-Jun20.pdf>; House Comm. on Oversight & Reform, *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment*, July 2019, <https://oversight.house.gov/legislation/hearings/the-trump-administration-s-child-separation-policy-substantiated-allegations-of->; Human Rights Watch, *In the freezer: Abusive conditions for women and children in US immigration custody*, February 2018, <https://www.hrw.org/report/2018/02/28/freezer/abusive-conditions-women-and-children-us-immigration-holding-cells-#>; Americans for Immigrant Justice, *Do my rights matter? The mistreatment of unaccompanied children in CBP custody*, October 2020, <https://aijjustice.org/wpcontent/uploads/2020/10/Do-My-Rights-Matter-TheMistreatment-of-Unaccompanied-Children-in-CBPCustody.pdf>.

³ See *Flores v. Bondi*, Notice of Motion to Enforce the Flores Settlement Agreement, Case No. 85-4544-DMG-AGRx, Dkt. 1575, June 17, 2025, <https://youthlaw.org/sites/default/files/2025-06/Dkt.%201575%2C%20Notice%20of%20Motion%20and%20Motion%20to%20Enforce%20Flores%20Settlement%20Agreement.pdf>.

⁴ See Women's Refugee Commission, *Locking Up Family Values, Again: The Detention of Immigrant Families*, October 2014, <https://www.womensrefugeecommission.org/resources/document/1085-locking-up-family-valuesagain>; *Flores v. Johnson*, No. cv-85-04544-DMG, Declaration of Dr. Luis Zayas, ECF 101-7, at ¶¶ 1-6 (C.D. Cal. Dec. 10, 2014); Children's Defense Fund-Texas, *From Guards to Guardians: Healthy Community Alternatives to Immigrant Detention*, May 2021, <https://cdf-texas.org/protecting-immigrant-communities/guards-to-guardians/>.

⁵ See *Flores v. Bondi*, Plaintiffs' Response to Supplemental Juvenile Coordinator Reports and Data, Case No. 85-4544-DMG-AGRx, Dkt. 1656, September 15, 2025,

For unaccompanied children in the Office of Refugee Resettlement (ORR) custody, new information-sharing and sponsor vetting policies have made it nearly impossible for unaccompanied children to be released from government custody – undermining ORR’s core mandate under federal law.⁶ Children’s average time in custody has skyrocketed since January 2025, increasing from approximately one month in early 2025 to six months in August 2025.⁷ The Children’s Safe Welcome Act prohibits information sharing between ORR and DHS about unaccompanied children, with narrow exceptions. It requires ORR’s sponsor vetting requirements to be tailored to children’s safety and not discriminate against children or prospective sponsors.

Additionally, children continue to be separated from family members in federal custody, causing long-lasting harm. A child should almost never be separated from a parent, with rare exceptions. Any decision to separate a child from a parent should be made by trained professionals, not law enforcement. Yet, separations continue today with little oversight or accountability for mistakes. At the same time, children arriving in the care of family members – such as grandparents, aunts or uncles, or siblings – are routinely separated, and the child sent to federal custody. This practice is not mandated under law and is grossly out of step with child welfare principles, which show that children who are not in the care of their parents do best when kept with kin whenever possible. The Children’s Safe Welcome Act would ensure that never again could children be separated from parents for political purposes, and that kids arriving in the care of loving relatives would be kept together unless the family member is determined to be unsafe.

The Children’s Safe Welcome Act strengthens and complements existing protections for immigrant children, such as the 2008 Trafficking Victims Protection Reauthorization Act (“TVPRA”) and the 1997 *Flores* Settlement Agreement. It ensures that protections will remain in place regardless of the status of the *Flores* Settlement Agreement so that immigrant children in federal custody are not vulnerable to losing protections currently only provided in the Settlement. This is especially critical as the Trump Administration’s latest bid to terminate the *Flores* Settlement – while rejected by the district court in August 2025 – has been appealed to the Ninth Circuit.⁸

As organizations composed of pediatric health care providers, social workers, lawyers, child welfare specialists, community leaders, public health leaders, and human rights advocates, we urge you to seize this opportunity to enact the Children’s Safe Welcome Act which prioritizes

<https://youthlaw.org/sites/default/files/2025-09/Dkt.%201656%2C%20Plaintiffs%20Response%20to%20Supplemental%20Juvenile%20Coordinators%20Report%2C%209-15-25.pdf>.

⁶ See Neha Desai, Melissa Adamson, Dr. Ryan Matlow, *The Unraveling of ORR: A Quick and Calculated Undoing of a System Intended to Protect Children*, September 2025,

<https://youthlaw.org/resources/unraveling-orr-quick-and-calculated-undoing-system-intended-protect-children>; Acacia Center for Justice, *Dismantling Protections: How ORR Policy Changes Trap Children in Extended Detention*, September 2025,

<https://acaciajustice.org/wp-content/uploads/2025/09/Acacia-Dismantling-Protections-2025-09.pdf>.

⁷ See U.S. Dep’t of Health & Human Services, Office of Refugee Settlement, *UAC Data*, <https://acf.gov/orr/about/ucs/facts-and-data>.

⁸ See *Flores v. Bondi*, Order re Defendants’ Motion to Terminate [1567], Case No. 85-4544-DMG-AGRx, Dkt. 1637, August 15, 2025,

<https://youthlaw.org/sites/default/files/2025-08/2025%2008%2015%20%231637%20Order%20re%20MTT.pdf>.

children's best interests, transforming how the United States ensures the safety of immigrant children in government custody.

Sincerely,

National Organizations

Acacia Center for Justice
Advocates for Human Rights
Academic Pediatric Association
AFT
American Academy of Pediatrics
American Friends Service Committee (AFSC)
American Pediatric Society
Asian Americans Advancing Justice | AAJC
Association of Children's Residential & Community Services (ACRC)
Association of Medical School Pediatric Department Chairs
Center for Gender & Refugee Studies
Center for Human Rights & Constitutional Law
Center for Law and Social Policy (CLASP)
Children's HealthWatch
Children's Rights
Child Welfare League of America
Church World Service
Coalition on Human Needs
Empowering Women Impacted by Incarceration
End SIJS Backlog Coalition
First Focus Campaign for Children
Freedom Network USA
Global Refuge
Human Rights First
Just Detention International
Justice in Motion
Kids in Need of Defense
Moreno & Associates
National Asian Pacific American Women's Forum
National Association of Counsel for Children
National Association of Pediatric Nurse Practitioners
National Center for Youth Law
National Compadres Network
National Education Association
National Immigrant Justice Center
National Immigration Law Center
National Newcomer Network
Prevention Institute
Public Counsel

Sojourners
UC Davis Immigration Law Clinic
Union for Reform Judaism
United Church of Christ
United Parent Leaders Action Network
Witness at the Border
Young Center for Immigrant Children's Rights
Youth Law Center
Youth Leadership Institute

State and Local Organizations

A Greater Love Foster Family Agency, Inc.
Anti Police-Terror Project
Asian Pacific Islander Legal Outreach
Austin Region Justice for Our Neighbors
Ayuda
Bexar County Democratic Office
California Alliance of Caregivers
California Alliance of Child and Family Services
California Newcomer Network
California Youth Defender Center
Canal Alliance
Catholic Charities CYO of the Archdiocese of San Francisco
Central American Resource Center of Northern California - CARECEN SF
CHILDREN AT RISK
Children Now
Children's Defense Fund-Texas
Coalition for Humane Immigrant Rights (CHIRLA)
Communities United for Restorative Youth Justice
Community Action Board of Santa Cruz County, Inc. (CAB)
Community Legal Services in East Palo Alto
Community Works
Corridor Community Action Network
Courage California
El Pueblo Unido- Atlantic City
End Child Poverty California powered by GRACE
First 5 California
Florence Immigrant & Refugee Rights Project
Galveston-Houston Immigrant Representation Project (GHIRP)
Hawai'i Children's Action Network Speaks!
Hawai'i Coalition for Immigrant Rights
Healing and Justice Center
Human Rights Center, University of California, Berkeley
Immigrant Children Advocates' Relief Effort (ICARE)
Immigrant Defenders Law Center (ImmDef)

Immigrant Health Equity and Legal Partnerships (ImmHELP)
Immigrant Legal Defense (ILD)
Initiate Justice
Jesse's Place Organization
Justice Teams Network
Law Foundation of Silicon Valley
Legal Services for Children
Lutheran Social Services National Capital Area
Maine Immigrants' Rights Coalition
Michigan Immigrant Rights Center
Michigan's Children
Oasis Legal Services
OneAmerica
Restoring Hope California
Rocky Mountain Immigrant Advocacy Network
Services, Immigrant Rights and Education Network (SIREN)
Starting Over, Inc.
Step Forward Foundation
The Children's Partnership
The Justice & Diversity Center of The Bar Association of San Francisco
Voices for Utah Children
Wilson Immigration
Youth Alliance
Youth Forward

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