

July 29, 2019

The Honorable Elijah Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives
2163 Rayburn House Office Building
Washington, DC 20515

The Honorable Jerry Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
2132 Rayburn House Office Building
Washington, DC 20515

The Honorable Rosa DeLauro
Chairwoman
Appropriations Subcommittee on
Labor, HHS, Education, and Related Agencies
U.S. House of Representatives
2413 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
2056 Rayburn House Office Building
Washington, DC 20515

The Honorable Doug Collins
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
1504 Longworth House Office Building
Washington, DC 20515

The Honorable Tom Cole
Ranking Member
Appropriations Subcommittee on
Labor, HHS, Education, and Related Agencies
U.S. House of Representatives
2207 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Cummings, Ranking Member Jordan, Chairman Nadler, Ranking Member Collins, Chairwoman DeLauro and Ranking Member Cole:

National PTA is writing to express our gratitude for the House Oversight and Reform Committee, House Judiciary Committee and the House Appropriations Subcommittee on Labor, HHS, Education, and Related Agencies' recent hearing(s) on the humanitarian crisis at our nation's border and urge you to continue this much needed oversight. National PTA is comprised of over 3 million parents, teachers and other child advocates who work toward improving education, health and safety for all children regardless of immigration status. We applaud the committee for beginning a discussion on the crucial improvements needed for the treatment of children detained at our nation's border. However, continued and rigorous oversight of the emergency supplemental funding ([H.R. 3401](#)) that was provided to address overcrowding and conditions at migrant detention facilities and oversight of the federal agencies responsible for the intake, care and processing of migrants is required to ensure adherence to federal laws and standards.

National PTA [believes](#) every child—regardless of their immigration status—has the right of access to adequate food and shelter, basic health care services, and a high-quality public education. Denying these services to children, regardless of their citizenship status, creates serious health and social concerns. In his testimony to the House Committee on Oversight and Reform on July 18, 2019, Department of Homeland Security (DHS) Acting Secretary Kevin McAleenan testified that all funds appropriated in the emergency supplemental funding bill are being directly and immediately applied for humanitarian purposes to improve conditions for all demographics held in migrant detention facilities. Acting Secretary McAleenan also specifically stated that the funds are being spent to increase the capacity and capabilities of facilities to reduce overcrowding and improve care. It is imperative that Congress ensure that these funds are used solely for humanitarian purposes and that appropriate and sustained oversight of these funds is conducted.

Acting Secretary McAleenan also testified that holding children in overcrowded detention facilities for longer than 72 hours is a violation of the *Flores Agreement* and the [National Standards on Transport, Escort, Detention and Search \(TEDS\)](#) and not an appropriate placement for children. Federal agencies responsible for migrant detention and processing must adequately protect children and families and judiciously process immigration claims. In the event that an unaccompanied child is detained at the border, Acting Secretary McAleenan testified that the Department of Health and Human Services (HHS) now has the appropriate bed space to accommodate these children. Our expectation is that there be rigorous oversight to ensure that unaccompanied children are processed and transferred out of migrant detention facilities and into HHS care as required by federal law and standards. As part of your Constitutional duty, it is incumbent upon you to continue to ensure all federal detention facilities comply with federal law and standards required for operation.

National PTA remains deeply concerned about the possible use of harmful separation policies that may result in undocumented children being taken away from their families. We [believe](#) that family unity is a core principle of society and children belong with their parents, family members or legal guardian(s). Acting Secretary McAleenan testified that under current policy, child separation is rare and carefully governed by policy and operational guidance. Acting Secretary McAleenan went on to testify that DHS only takes into account a parent's criminal history, presence of a communicable disease or medical emergency or potential for abuse or neglect as a basis for separating a child from their parent. It is imperative that Congress ensure that DHS policy and operational guidance on child separation be followed with fidelity and with the best interest of the child in mind. If a child is separated from their parents during immigration detention, federal policy should ensure children are reunited as soon as possible with their parents in accordance with the *Flores Agreement* to maintain family unity while they pursue their immigration and protection claims. The separation of families for purposes of immigration enforcement, management, or detention is never in the best interest or well-being of children. Congress should ensure through oversight that children are not used as a deterrent to enter the United States.



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It is in the national interest to ensure all children, including undocumented children, have the opportunity to reach their full potential and become productive members of society. While these hearings are a step in the right direction, continued oversight of all agencies involved in the treatment of children detained at our nation's border is needed. We urge you to take the necessary steps to ensure all federal agencies responsible for the intake, care and processing of migrant children adhere to federal laws and standards. Please contact Jacki Ball, Director of Government Affairs, at jball@pta.org or (703) 518-1243 to answer any questions or provide further input as needed.

Sincerely,

A handwritten signature in black ink that reads "Leslie Carrell Boggs".

Leslie Carrell Boggs
President
National PTA

A handwritten signature in black ink that reads "Nathan R. Monell".

Nathan R. Monell, CAE
Executive Director
National PTA