

Congresswoman Escobar
2448 Rayburn House Office Building
Washington, DC 20515

January 6, 2023

Dear Congresswoman Escobar,

We thank you for your service and for your commitment to immigrants and immigrant communities. We have been impressed with your advocacy, including your [recent success in getting FEMA funds to El Paso](#) to help with migrant costs, and persuading Secretary Mayorkas to expedite that funding. Having recently learned of President Biden's upcoming trip to El Paso, we wanted to share with you our main priorities for immigrant children. We would be happy to discuss any of these issues with you further and appreciate your attention to these concerns.

Our recommendations are drawn from our experience working directly with immigrant children and their families. [Save the Children](#) works through a network of 30 shelter partners and social service agencies along the entire length of the border, plus more than 10 facilities in Mexico. Our technical experts on child protection, social and emotional learning, early childhood and infant-and-young-child feeding equip border communities and respite shelters with expertise to address the unique needs of families seeking their help. Since 2004, the [Young Center for Immigrant Children's Rights](#) has served as [independent Child Advocate](#) for unaccompanied and separated children in federal custody. As Child Advocate, the Young Center advocates for the best interests of unaccompanied immigrant children, seeking to reunite them with their families as quickly as possible, and ensuring that during their time in custody their rights are respected. Our recommendations are to:

Keep families together by bringing the Department of Health and Human Services to the border.

As you have argued, the Biden administration should establish reception centers at the border, ideally run by NGOs, where people seeking protection can receive humanitarian support. Such centers would also allow for the Department of Health and Human Services to locate its child protection staff alongside CBP officers to ensure that children arriving with adult relatives who are not their parents or legal guardians, such as grandmas, big brothers, aunts or uncles (category 2 sponsors), can be quickly evaluated, screened for trafficking or abuse risks, and processed for joint release. Not only would this minimize trauma to children and families, who often unnecessary separation from loved ones, but also it would reduce the strain on federal resources, ensuring fewer children were transferred to the Office of Refugee Resettlement where they often must wait from weeks to months to be reunited with family.

Prioritize the expansion of licensed bed capacity away from the border to end the need for large congregate care facilities. It is past time for the federal government to meaningfully plan for seasonal increases in arrivals of unaccompanied children. You have been a [strong advocate for children](#), pushing [back against the government's use of Emergency Intake Sites](#), such as Fort Bliss in El Paso. If children must be held in custody, they should be housed in small facilities or family-like settings that are state licensed to ensure rigorous oversight of staffing and conditions, and to provide accountability for licensing violations. Texas' move to unlicensed childcare facilities holding immigrant children removed a key oversight mechanism for keeping kids safe while in federal custody. Until Texas changes its laws, ORR needs to develop new mechanisms for holding child care providers accountable while recruiting state licensed providers to serve unaccompanied children in small and family-like placements.

End the separation of children from families caused by policies like Title 42, and restore access to asylum. We know from first-hand experience that Title 42 separates families. In the last two years, the Young Center has been appointed to hundreds of children who have separated from their parents to avoid

being expelled back to danger under Title 42. Families should never be forced to send children to the U.S. alone to keep them safe. The [recent Supreme Court order keeping Title 42 in place](#) and the administration's recent announcement that it plans to expand its use to people from Nicaragua, Haiti and Cuba are devastating reinforcements of these failures which will hurt children.

Provide representation to all unaccompanied children facing removal proceedings and expand access to independent child advocates wherever children are detained or appear in immigration court. Children should have access to government-funded attorneys throughout their immigration proceedings. These attorneys should be able to both represent a child's claims for protection and to challenge the conditions of a child's custody or denial of release. The government should also expand access to independent child advocates wherever children are detained or appear in immigration court.

Thank you for being a champion for immigrant children and for [the NGOs and border communities](#) who rise to the occasion and welcome people. U.S. immigration law requires our government to guarantee people the right to seek asylum in the United States regardless of their national origin, race, ethnicity, manner of entry, or socioeconomic class. Ending Title 42 is the first step towards fulfilling our minimum obligations under the law. It is also a way to keep families together.

Sincerely,

Save the Children
Young Center for Immigrant Children's Rights