



Recommendations for the Biden Taskforce to Address Family Separation and Reunify Families

In 2018, the Trump Administration's Zero Tolerance policy forcibly separated more than 2,800 children from their parents--and shocked the nation's conscience. These separations, and the thousands more that occurred before and after the policy's end and that continue to date, have caused lifelong trauma and placed children and their family members in harm's way. Parents of more than 600 children have yet to be reached by a court-created Steering Committee charged with accounting for these families—a stark reminder of the Trump Administration's staggeringly cruel and haphazard policies, and of the urgent work that lies ahead to address the wrongs done and to ensure they never happen again.

In its first days, the Biden Administration must act immediately to protect families impacted by the government's devastating family separation policies and to prevent future harm.

KIND strongly supports the Biden Administration's commitment to establishing a Taskforce to reunify separated families. We offer the following recommendations to inform the Taskforce's work, along with additional recommendations for ensuring that families are never wrongfully torn apart.

The new Biden Taskforce should:

- Ensure that every relevant piece of contact information for separated families in the government's records is turned over to the nongovernmental Steering Committee established by a federal court to help reunify families so that this work can continue;
- Provide funding, as appropriate, through grants to support the Steering Committee in carrying out its work, conducting outreach, and increasing capacity;
- Work with the Steering Committee and civil society organizations in countries where parents are located to find families outside of the U.S.;
- Put in place policies and procedures to help parents return quickly and safely to the U.S. to reunify with their children;
- Make immediate immigration reprieve options available for separated families to ensure their stability and prevent deportation, and work with Congress to create a pathway to permanent lawful status for separated parents and children;
- Ensure that all parents and children, either in the U.S. or abroad, are compensated for the pain and suffering they have endured and that they have access to mental health and other critical support services needed to begin healing from such harm;
- Identify and implement policies to ensure that family separation never happens again.

KIND further recommends that the Administration:

- Consider and prioritize the best interests of the child in all processing, custody, removal, and repatriation decisions related to children and families.

- Hire licensed child welfare professionals to oversee the care and screening of all children in Customs and Border Protection (CBP) custody and facilities.
- Terminate the Migrant Protection Protocols and expulsions of unaccompanied children and asylum seekers under Title 42, and restore processing of unaccompanied children at the border pursuant to Trafficking Victims Protection Reauthorization Act of 2008.
- Halt parent-child and guardian-child separations, and create procedures to guide assessments by child welfare professionals and to protect families' rights in exceptional cases in which human trafficking or other child welfare concerns are present.
- Discontinue the practice of demanding that parents in immigration detention choose between keeping their families together in detention or separating through the child's release to ORR custody. The government should instead place families in an alternatives to detention program.