



United States Senate

WASHINGTON, DC 20510-0504
<http://feinstein.senate.gov>

March 14, 2017

The Honorable John Kelly
Secretary of Homeland Security
U.S. Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Avenue, N.W.
Washington, D.C. 20528

Dear Secretary Kelly:

I write to express deep concern over comments you made confirming that the Department of Homeland Security (DHS) is considering separating children from their parents when they are apprehended at the U.S.-Mexico border. As I understand the proposal, parents who arrive with their children would be immediately separated, sending the parents to the custody of Immigration and Customs Enforcement (ICE) and the children to shelters run by the Department of Health and Human Services (DHHS). I will strongly oppose such a policy and urge you to reject proposals that would require the separation of children from their parents.

Separating children from their mothers, when they arrive in a country they do not know, is not in the best interests of the child and will likely have lasting traumatic effects on children. In fact, this view is so widely accepted that Department of Justice (DOJ) attorneys made this argument before the U.S. District Court for the Central District of California, as recently as March 2015. Specifically, DOJ attorneys argued that, “separating a child from his or her parent endangers the safety of the child, and keeping the family together is generally in the child’s best interest.”¹ If the government’s position has changed in one year, I respectfully ask for a detailed response as to how separating mothers from their children is in the best interest of the child.

¹ Defendants’ Response in Opposition to Plaintiffs’ Motion to Enforce Settlement of Class Action at 15, *Flores v. Holder*, No. CV 85-4544 (C.D. Cal. Feb. 27, 2015).

When children come into contact with federal officials, they must be afforded fair and humane treatment. We have both a moral and legal obligation to treat children humanely while they are in our custody. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a long, sweeping underline that extends to the left and then curves back up towards the right.

Dianne Feinstein
United States Senator