



Fact Sheet: Keep Families Together Act

On June 19, 2018, House Judiciary Committee Ranking Member Jerrold Nadler (D-NY) led more than 190 House Democrats in introducing the *Keep Families Together Act*, H.R. 6135, legislation to end family separation at the U.S. border. Senator Diane Feinstein (D-CA) introduced the Senate version of the bill earlier this month.

Keep Families Together: The bill promotes family unity by prohibiting Department of Homeland Security (DHS) officials from separating children from their parents, except in extraordinary circumstances. In these limited circumstances, separation could not occur unless parental rights have been terminated, a child welfare agency has issued a best interest determination, or the Port Director or the Chief Border Patrol agent of Customs and Border Protection (CBP) have approved separation due to trafficking indicators or other concerns of risk to the child. It requires an independent child welfare official to review any such separation and return the child if no harm to the child is present. It imposes financial penalties on officials who violate the prohibition on family separation.

Limit Criminal Prosecutions for Asylum Seekers: The majority of the parents separated at the border are being criminally prosecuted for illegal entry or re-entry. This bill restricts the prosecution of parents who are asylum seekers by adopting the recommendation of the DHS Office of Inspector General. The bill delays prosecutions for illegal entry or re-entry for asylum seekers and creates an affirmative defense for asylum seekers. It also codifies our commitment to the Refugee protocol prohibiting the criminal punishment of those seeking protection from persecution.

Increase Child Welfare Training: The bill requires all CBP officers and agents to complete child welfare training on an annual basis. Port Directors and Chief Border Agents, those who are authorized to make decisions on family separations, must complete an additional 90 minutes of annual child-welfare training.

Establish Public Policy Preference for Family Reunification: The bill establishes a preference for family unity, discourages the separation of siblings, and creates a presumption that detention is not in the best interests of families and children.

Add Procedures for Separated Families: The bill requires DHS to develop policies and procedures allowing parents and children to locate each other and reunite if they have been separated. Such procedures must be public and made available in a language that parents can understand. In cases of separation, it requires DHS to provide parents with a weekly report containing information about a child, and weekly phone communication.

Establish Other Required Measures: In order to inform Congressional oversight and promote public understanding of the use family separation, the bill requires a report on the separation of families every six months.

Organizations Support Keep Families Together Act: The House version of the *Keep Families Together Act* is endorsed by the ACLU, Kids in Need of Defense, Human Rights First, Washington Office on Latin America, Women's Refugee Commission, Lutheran Immigration and Refugee Service, Latin American Working Group, NETWORK Lobby for Catholic Social Justice, New York Immigration Coalition, Third Way, Young Center for Immigrant Children's Rights, Indivisible, Public Counsel's Immigrants' Rights Project, MomsRising, America's Voice, Legal Aid Justice Center, Al Otro Lado, Amnesty International USA, Anti-Defamation League, Center for Gender & Refugee Studies, UnidosUS, Hispanic Federation, The Leadership Conference on Civil and Human Rights, Church World Service, Main Street Alliance, Asylum Seeker Advocacy Project, Kino Border Initiative, National Immigrant Justice Center, The Children's Partnership, SchoolHouse Connection, Mexican American Legal Defense and Educational Fund, National Hispanic Leadership Agenda and more.