

They Are Lying: Speaker Ryan's Anti-Immigrant Bill Does Not Solve the Family Separation Crisis

Today, Speaker Ryan announced that Republicans will take action to end family separation. To be clear, this crisis is a direct result of President Trump's "zero-tolerance" policy that is criminalizing what used to be a misdemeanor offense, putting people in jail and separating them from their children. The cruelty inherent in the "zero tolerance" policy is a deliberate policy choice, designed to deter parents from seeking asylum for themselves and their children. The President can choose to end it whenever he would like. The fact that he has not done so – and in fact continues to defend the policy – makes clear that legislation that fails to comprehensively bar the Administration from taking children from the arms of their parents will not end this inhumane, anti-family policy or ensure it cannot be resurrected in the future. In the same way that President Trump, DHS Secretary Nielsen, and Attorney General Sessions have all lied about the policy, House Republicans are now lying about what their bill does.

THE REALITY: Speaker Ryan's legislation does not solve the family separation crisis that President Trump created.

1. The bill does not prevent Homeland Security, ICE, or the Department of Justice from separating children from their parents when seeking asylum.
2. The bill addresses one very narrow set of circumstances that could lead to family separation while leaving the door wide open for the Administration to take children away from their parents in a variety of other circumstances, including:
 - Any family that seeks asylum at ports of entry (and therefore cannot be charged with illegal entry) is not covered by the bill and thus could be separated;
 - Any family that is blocked from seeking asylum at a port of entry and instead approaches the Border Patrol between ports of entry to claim asylum and is not charged with illegal entry would not be covered by the bill and thus could be separated;
 - Any family that is charged with illegal entry would no longer be covered by the bill if the Administration changes policy to secure jail time for parents convicted of illegal entry, rather than simply allowing them to be sentenced to time served
3. In the narrow circumstance where family separation is barred, the bill punishes children for the actions of their parents by providing for their indefinite detention, albeit without separating them from their parents.
4. The bill eliminates decades of court-ordered protections on how children may be housed and treated by the federal government, taking away current law guarantees of access to toilets, sinks, drinking water, food, medical assistance, adequate supervision, and adequate temperature control.

Here's what immigration experts are saying about the GOP leadership's bill:

Leadership Conference on Civil and Human Rights and 118 additional undersigned civil and immigrants' rights organizations including NAACP, AFL-CIO, Lambda Legal, National Urban League, and Unidos US: "Contrary to what some proponents of the Ryan and Goodlatte proposals have claimed, neither bill would end the inhumane treatment of children at the Southern border. This is because neither bill would bring an end to the administration's recent policy decision that has intentionally caused trauma to children. The administration has ended humane, effective, and cost-efficient policies that provide alternatives to detention. Neither bill would restore them." [Letter, [6/20/18](#)]

Kamal Essaheb, policy and advocacy director at the National Immigration Law Center: "Paul Ryan and likeminded Republicans for months have played into the Trump White House's cruel and repulsive ploy to use Dreamers as a bargaining chip to enact an extremist, anti-immigrant agenda and build his border wall. These latest efforts in the House only show Republican leadership's commitment to thwart any real solution for immigrant youth and their complicity in this administration's efforts to hurt the broader immigrant community and people of color. The Ryan and Goodlatte bills are ransom notes. And what's worse, Trump and his enablers in Congress are now taking more hostages: kids ripped away from their parents and jailed." [Statement, [6/19/18](#)]

Office of Democratic Whip Steny H. Hoyer, 6/20/2018