August 3, 2022

Dear Senators Merkley, Gillibrand, Durbin and Rosen and Representative Bass:

On behalf of the more than 133,000 members and affiliates of the American Psychological Association, (APA), we are writing in support of H.R. 8349 and S. 4529, the *Children’s Safe Welcome Act*. We thank you for introducing this important bicameral legislation. As you know, this bill helps immigrant children by improving health standards for families in Customs and Border Protection facilities, prohibiting family separations and prohibiting information sharing for unaccompanied children. We sincerely hope that Congress can find a permanent solution to help and protect undocumented families, especially children.

**Family Separation**

APA has long supported keeping families together. We strongly support the inclusion of these provisions in the legislation. Decades of psychological research has determined that it is in the best interest of the child and parents to keep families together. Families fleeing their homeland to seek sanctuary in the United States are already under a tremendous amount of stress.\(^1\) Sudden and unexpected family separation, such as separating families at the border can add to that stress, leading to emotional trauma for children.\(^2\) Research also suggests that the longer parents and children are separated, the greater the reported symptoms of anxiety and depression are for children.\(^3\) Furthermore, immigration policies, such as the prior Zero-Tolerance policy, can also adversely impact those migrants who are already in the United States. These individuals can suffer from feelings of stigmatization, social exclusion, anger, and hopelessness, as well as fear for the future.\(^4\)

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There is a growing body of research showing that toxic stress (prolonged exposure to trauma and the biological stress response) and adverse childhood experiences can have a profound adverse impact on later adult health outcomes.\(^5\)\(^6\) Fortunately, research also indicates that the impact of these environmental risk factors can be reduced through early and sustained intervention.\(^7\)\(^8\)\(^9\) This vital early intervention could be achieved through access to mental health care for migrants.

**Protecting Confidential Information Sharing**

We also strongly support the provisions in the bill that protect the confidentiality of the medical information gathered during these proceedings. APA has been active in protecting these records for children and families, including advocating for such provisions in legislation and sending a letter to emphasize the importance of this practice to then U.S. Department of Health and Human Services Secretary, Alex Azar and Acting Secretary of the U.S. Department of Homeland Security, Chad Wolf.

It is a fundamental ethical value of mental health professionals to maintain the confidentiality of mental health records. The sharing of such information is only permitted under certain circumstances. Patients are entitled to informed consent and a clear explanation of the limits of confidentiality, including possible uses of information they disclose, prior to receiving services.

Many immigrant children have experienced significant trauma, which has the potential to cause long-lasting negative impacts on physical and mental health and should be treated using culturally competent, trauma informed approaches. This treatment includes understanding a patient’s life experiences in order to deliver effective care and improve patient engagement, treatment adherence and health outcomes. It is vital that children can share experiences truthfully and fully with mental health professionals in order to achieve this goal. Mental health providers sharing confidential information obtained from patient therapy sessions that could be used against the child later will cause distrust and impede children from accessing evidence-based mental health care.

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Mental Health

The mental health provisions in the bill are also strong. We fully support providing trauma training to employees and requiring that child protection professionals have direct experience providing trauma-informed care to children who have experienced trauma. We also support the provisions in the legislation that require staff trainings in the U.S. Customs and Border Protection facilities in responding to the needs of children and families exposed to trauma, including training on the principles of trauma-informed care and psychological first aid. The more individuals who are familiar with trauma the better.

We would also like to offer our expert psychologists in this field to provide any further input on the legislation and recommendations for best practices in trainings and services for immigrant families, especially those who have suffered from trauma. APA also has a series of articles on the importance of being trauma-informed.

Congressional Access

Finally, we support the legislation’s provision to mandate access for members of Congress and their staff to visit these federal immigration facilities. We believe this is a productive way to ensure that the facilities are making the locations safe and healthy for immigrant families. Members of Congress will be able to take note of anything in the facilities that warrants concern and help to assure immigrants are getting fair treatment.

Thank you again for your leadership in drafting the Children’s Safe Welcome Act, which we strongly support. We look forward to helping in any way we can to help Congress pass productive immigration legislation. If APA can be of further assistance, please contact Serena Dávila, in our advocacy office at sdavila@apa.org.

Sincerely,

Katherine B. McGuire
Chief Advocacy Officer