Southern border: Extension of family detention

According to the most recent data published by the federal government, 473,682 family units were apprehended at the southwest U.S. border in 2019. Due to the negative health consequences of detention, the AMA opposes the expansion of family immigration detention in the United States.

- On July 16, 2020, the AMA signed into a letter urging U.S. Immigration and Customs Enforcement (ICE) to release all children together with their parents and caregivers from ICE-run Family Residential Centers (FRCs). No law, regulation or court order prevents ICE from releasing parents and children together; to do otherwise is to repeat the travesty of family separation sanctioned under the unconstitutional Zero Tolerance Policy.

- On May 21, 2020, the AMA signed onto a letter opposing the binary choice. As medical and mental health providers for children and families, we are deeply concerned by reports that the administration is forcing immigrant families at the border to choose between (1) remaining indefinitely detained with their children or (2) relinquishing custody of their children and being separated from them. This policy ignores the overwhelming evidence of harm from separating children from their parents as well as from detention. Our organizations spoke out in strong opposition to family separation under the Zero Tolerance Policy and we do so again now. Family separation can cause irreparable harm to children, and it is an act from which some families may never recover. In fact, courts have ruled the practice unconstitutional.

- On Sept. 7, 2018, DHS and the Department of Health and Human Services (HHS) released a proposed rule titled, “Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children.” In the rule, DHS/HHS proposed to expand long-term detention of migrating families. The AMA adopted policy specifically opposing the expansion of family immigration detention in the U.S. On Oct. 29, 2018, the AMA submitted a comment letter opposing the proposed rule.

- On Aug. 21, 2019, the administration announced the release of the final rule. In addition, the AMA, and others, filed an amicus brief describing the impact of the final rule on the health of migrating children and their families. On Sept. 27 a federal judge issued a permanent injunction blocking the administration from moving ahead with its final rule on indefinite detention.

URL: https://www.ama-assn.org/delivering-care/population-care/southern-border-extension-family-detention
Copyright 1995 - 2021 American Medical Association. All rights reserved.
Asylum seekers

On June 14, 2020, the AMA commented on Proposed Rule RIN 1125-AA94 and urged the administration to withdraw the Proposed Rule which would change multiple aspects of the asylum immigration system and make it harder for worthy asylum seekers to find refuge in the United States.

Additional advocacy activities

Learn about the AMA’s advocacy efforts related to:

- Health and safety conditions at the southern border
- The public charge and the presidential proclamation
- Nonmilitary deferred action
- Deferred Action for Childhood Arrivals (DACA)
- Visa and green card challenges