

Opening Statement  
Chairman Frank Pallone, Jr.  
Committee on Energy and Commerce  
Subcommittee on Oversight and Investigations  
Hearing on “Examining the Failures of the Trump Administration’s Inhumane Family Separation Policy”  
February 7, 2019

Today, this Committee is finally holding the Trump Administration accountable for one of its worse failures. Yesterday marked 10 months since the Trump Administration’s cruel Family Separation Policy was put into action. We all heard the horror stories of how children were ripped away from their parents and have seen the unforgettable images of crying children standing alone, and mothers unable to be with their children.

These images and stories were devastating. And ten months later we still do not fully know how this all happened. We do not have a full understanding of how this policy was created within the Administration, who provided input, and what kind of planning took place. Most importantly, it will take years for us to know what long-term consequences these actions will have on the thousands of children and families affected by this policy. These children and families are the ones we should keep in mind today, because most of us cannot imagine what they have gone through.

Every parent has experienced a sudden moment of fear: in the grocery store, or at the mall, when you turn around and your child isn’t there. For most of us, we’re lucky enough to turn the corner and find our child again, and that second of panic dissipates.

But for thousands of families who were the victims of the Trump Administration’s Family Separation policy, they were forced to live their worst nightmare for months, with long-term traumatic consequences that we are only beginning to understand.

The failures of this policy were twofold. First, the policy itself was inhumane on a fundamental level. As we will hear from the child welfare experts on the second panel, family separations can never be done humanely.

There are decades of research demonstrating that parental protection is critical for child development, and that forced separations have “debilitating effects” and long-term consequences. This includes post-traumatic stress, depression, aggression, and long-term psychological and mental health problems. These problems particularly affect young children.

When you walk into the lobby of the HHS headquarters here in Washington, there is a quote on the wall from Hubert H. Humphrey. It says, in part, “the moral test of government is how that government treats those who are in the dawn of life – the children.” Well, it is indisputable that this policy failed that test. This Administration failed the children.

To be clear, it appears this policy was created by the Departments of Justice and Homeland Security. However, we still don’t know what role, if any, HHS leaders played in its creation.

Since HHS is tasked with caring for these children and ensuring their health and welfare, were HHS's leaders consulted when this policy was being considered? We need to know this answer.

The second failure of this policy was in its execution. Even after the Trump Administration decided to intentionally and forcibly separate children from their families, it was implemented with incompetence and confusion. The independent watchdogs on our first panel will testify about how the Administration did not plan for this policy – and it showed.

GAO found that the agencies had no procedures for reunifying families, and had to make processes up on the spot, often with chaotic results. In some cases, the ORR shelter caring for the children only learned a child had been separated when the child told them.

Efforts to reunify children with their parents were so chaotic that the Administration had to call in HHS's emergency response agency, the Assistant Secretary for Preparedness and Response (ASPR). This is the agency dedicated to providing health care coordination in response to disasters like hurricanes. It is telling that the Administration had to use them to clean up the mess after this self-created disaster.

Finally, I must note that the HHS witness today is not the person we asked to be here. I respect Commander White and the work he has done in response to this crisis. Our aim here today is not to tarnish ORR or the career staff who dedicate themselves to their mission of serving children. They do important work and we thank them.

But I personally invited Secretary Azar to be here today, because this Committee has questions that only he can answer. I am disappointed he declined our request to testify. However, I can announce that Secretary Azar has committed to coming before this Committee in the coming weeks on the President's budget. This will provide us an opportunity to ask questions about the role he played in the creation and implementation of the family separation policy.

Let there be no doubt that the decision by this Administration to cruelly separate children from their parents is a stain on our country. We must find out how this Administration allowed this to happen so we can ensure it is never repeated again.

I yield back.