

**Congress of the United States**  
Washington, DC 20515

February 23, 2022

The Honorable Ron DeSantis  
Governor of Florida  
400 S. Monroe Street  
Tallahassee, FL 32399

Governor DeSantis:

We write regarding your September 28 Executive Order and the Department of Children and Families (DCF's) subsequent December 10 emergency rule to end the care of children in licensed facilities.<sup>1,2</sup> As members of the Florida Congressional Delegation, we echo the calls of hundreds of Florida organizations and Floridians across the state urging your Administration to consider restoring its support for the care of unaccompanied children. The September 28 EO and December 10 rule harm children, their families, and the community organizations that serve them, many of whom reside in our districts. We urge you and your Administration to consider rescinding these harmful policies and instead work with providers and the federal government to ensure that all children in government custody are safe, housed, and cared for in licensed facilities.

All children, regardless of their country of origin, deserve to be treated with dignity. Florida has a proud history of doing just that. Sixty years ago, parents and caregivers in Cuba made the impossible choice to send their children, unaccompanied, to the United States. Faith leaders in Florida partnered with the federal government to assist over 14,000 unaccompanied children fleeing to the U.S., many of whom were eventually reunited with their parents and are a part of our communities today. Today's unaccompanied children have similarly fled persecution, trafficking, and abuse in their home countries and require trauma-informed, culturally competent, and developmentally appropriate care that licensed shelters and foster families provide.<sup>3</sup> Subverting Florida providers' ability to house unaccompanied minors needlessly exposes children to greater risks and creates unnecessary barriers to family reunification.

DCF's December 10<sup>th</sup> emergency rule denies the issuance of new licenses or renewals of current licenses to care for unaccompanied children, denies any licensed provider the ability "to add to their existing unaccompanied child population," and increase burdens for families seeking to reunify with children. Limiting the licensed national shelter capacity is liable to result in more unaccompanied

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<sup>1</sup> Office of the Governor, EXECUTIVE ORDER NUMBER 21-223 (n.d.). Retrieved from [https://www.flgov.com/wp-content/uploads/2021/09/EO\\_21-223.pdf](https://www.flgov.com/wp-content/uploads/2021/09/EO_21-223.pdf).

<sup>2</sup> FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs (n.d.). Retrieved from <https://www.flrules.org/gateway/ruleNo.asp?id=65CER21-3>.

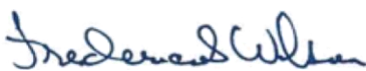
<sup>3</sup> UNHCR. (2020, December 17). Families on the run - families on the run: UNHCR: UNICEF. Families on the Run. Retrieved from <https://familiesontherun.org/>

children being placed in unlicensed facilities, which have a poorer track record of providing safe and humane treatment. As the Florida Chapter of the American Academy of Pediatrics recently stated in response to your EO, “stable environments create better health outcomes for children, families, and communities. By threatening the future of Florida’s shelters and foster homes, this emergency order directly threatens the health and safety of vulnerable children.”<sup>4</sup>

In providing appropriate care for unaccompanied children, the federal government must adhere to federal immigration laws and child well-being best practices. The William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA), which was signed into law by President George W. Bush, sets standards of care for unaccompanied children based on principles of well-being. We are concerned that your September 28 EO would undermine the government’s faithful adherence to this law. We are also troubled that your EO charges DCF with amending Florida administrative code “to require, as a condition of licensure, the residential child-caring agencies or child-placing agencies, as applicable, to conduct in-person welfare checks of the unaccompanied alien children that they place with sponsors in Florida.” This requirement is harmful and redundant, as federally funded community organizations provide follow up services of unaccompanied children once they are released.

Endangering unaccompanied children’s access to care from providers who are trained to ensure the safety and welfare of children in their custody and subject to rigorous oversight is needlessly cruel. Child advocates, faith and business leaders, and community organizations have publicly stated their opposition to your Administration’s policies based on the potential harm to which they needlessly expose children.<sup>5,6,7,8</sup> We urge you to consider rescinding these policies and work with us to uphold Florida’s proud legacy of ensuring the safety, welfare, and dignity of all children. Thank you for your full and fair consideration of this matter.

Sincerely,



FREDERICA S. WILSON  
Member of Congress



LOIS FRANKEL  
Member of Congress



CHARLIE CRIST  
Member of Congress

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<sup>4</sup> FCAAP Condemns Governor’s Emergency Order Targeting Vulnerable Children. (2021, December 13). Retrieved from <https://fcaap.org/posts/news/fcaap-condemns-governors-emergency-order-targeting-vulnerable-children/>.

<sup>5</sup> Ibid.

<sup>6</sup> 200 Florida Faith Leaders Urge Governor DeSantis to Reconsider Executive Order Blocking Organizations from Caring for Vulnerable Children. (2022, January 21). Retrieved from <https://bethany.org/news-room/200-florida-faith-leaders-urge-governor-desantis-to-reconsider-executive-order-blocking-organizations-from-caring-for-vulnerable-children>.

<sup>7</sup> American Business Immigration Coalition and Immigration Partnership & Coalition Fund letter regarding FL EO. (2022, February 2). Retrieved from <https://abic.us/wp-content/uploads/2022/02/FloridaExecutiveOrderLetter-1.pdf>.

<sup>8</sup> Hispanic Federal Letter Re. Withdrawal of Emergency Rule: 65CER21-3-Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs under the Florida State Department of Children and Families Division of Family Safety and Preservation Program. (2022, January 25).

*Kathy Castor*

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KATHY CASTOR  
Member of Congress

*Sheila Cherville*

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SHEILA CHERFILUS-MCCORMICK  
Member of Congress

*Ted Deutch*

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TED DEUTCH  
Member of Congress

*Al Lawson*

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Member of Congress

*Darren Soto*

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DARREN SOTO  
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*Debbie Wasserman Schultz*

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