

U.S. Sen. Johnson: Statement on changes to Flores settlement agreement that allow families to be kept together

Posted on Friday, Aug 23, 2019

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Contact: [Austin Altenburg](#)

WASHINGTON — U.S. Sen. Ron Johnson (R-Wis.), chairman of the Senate Homeland Security and Governmental Affairs Committee, said the following after the Trump Administration issued a new rule regarding the Flores Settlement Agreement:

“The court reinterpretation of the Flores Agreement has been one of the reasons why hundreds of thousands of migrants have been able to exploit and overwhelm our broken immigration system. Through this new rule, the administration is attempting to begin reversing the harm caused by the misguided judicial reinterpretation of the Flores Agreement - I support this effort.

“The new rule will allow families to be held together while their immigration cases are processed. It will also help ensure humane standards of care while migrants are in custody.

“No one wants indefinite detention, and one of the goals of this rule is to rapidly adjudicate asylum claims to minimize time in custody. Without detention, we historically have only been able to deport 7 percent of family units who have a court order of removal. This fact has helped fuel the current crisis at our border.

“Unfortunately, this rule has already been challenged in court. As a result, Congress must step up to the plate and pass legislation to fix our broken immigration system, provide clarity, and end the overwhelming flow of illegal immigration.”

The Flores Settlement Agreement was always intended to be a placeholder. In 2001, both the government and the plaintiffs agreed the settlement would remain in place only until a new regulation was issued that established standards of care for families to remain in safe and secure conditions while the United States processes their claims.

The need for a new regulation became clear when – over the objection of the Obama Administration – Ninth Circuit judges reinterpreted the Flores Settlement Agreement to apply to families and not just unaccompanied children.

Since then, our committee has worked to advocate for such changes in Congress through [over 30 hearings](#) and in [a report on the Flores Settlement Agreement](#). The hearings and the report have highlighted how loopholes have been exploited by smugglers and been a driving force behind the increase in families illegally crossing the southern border over the last several years, pushing our immigration system into a crisis.