

Why More Brands Aren't Helping Out With the Humanitarian Crisis on the US Border

Companies face difficult choices—and the government isn't exactly making it easy

By [Robert Klara](https://www.adweek.com/contributor/robert-klara/) | 57 mins ago



Conditions at the U.S. Border Control station in McAllen, Texas, on June 10.

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When it comes to socially-progressive companies, it's hard to find one more progressive than Vista, Calif.-based [Dr. Bronner's soap](https://www.adweek.com/brand-marketing/how-dr-bronnens-is-taking-over-soap-dishes-across-america/).

Family-owned, B Corporation certified, the top-selling brand of organic personal care products in the country, Dr. Bronner's gives 10% of its revenues to charitable causes, maintains strict fair-trade policies globally and insists that "we must realize our transcendent unity across religious and ethnic divides or perish."

So when the news broke several weeks ago about the conditions (<https://www.apnews.com/46da2dbe04f54adbb875cfbc06bbc615>) endured by immigrant children in shelters run by the U.S. Customs and Border Patrol (CBP)—such as children sleeping on bare cement floors and doing without necessities like soap, toothpaste, blankets and even food—customers of Dr. Bronner's (who tend to be as progressive as the brand) began clamoring for the company to do something to help. After all, if kids were in need of soap, wouldn't it make sense for a soap company to give them some?

Company president Michael Bronner thought so. "When it comes to our soap, [and] when it comes to a catastrophe, we're the first company people go to," he said.

And indeed, Dr. Bronner's has an established track record of donating its products to people affected by natural disasters.

But in the case of donating goods to government-run immigrant shelters, Dr. Bronner's hit a brick wall. "Basically, we looked into it, and it was difficult," Bronner said. "I knew they weren't accepting [donations]—so we didn't try."

The experience of Dr. Bronner's is a partial answer to a question that's been looming behind the innumerable news stories about the dire conditions in CBP-run border facilities in recent weeks: If there's such a desperate need for basic supplies like bedding and toiletries, why aren't American companies that make those goods stepping forward to donate them?

It's a reasonable question to ask. After all, legion is the stories of brands going to impressive lengths (<https://www.adweek.com/brand-marketing/after-hurricane-florence-made-landfall-these-brands-quietly-helped-the-relief-effort/>) to assist with any number of humanitarian crises in the country. In the wake of the disastrous hurricane seasons of 2017 and 2018, for instance, Airbnb hosts opened their homes as shelters, Uber and Lyft offered free rides, Walmart sent breakfast bars and Anheuser-Busch dispatched trucks full of canned water, to name just a few.

So where are these altruistic brands when it comes to woefully undersupplied shelters? Why aren't trucks full of supplies pulling up at the front doors? It turns out, there are several answers to that question, but the predominant one is this: The government itself will not let it happen.

A 149-year-old obstacle

It may come as a surprise to civic-minded citizens, but the obstacle standing in the way of ameliorating this 21st-century problem is a 19th-century law.

The Antideficiency Act, (<https://www.gao.gov/legal/appropriations-law-decisions/resources>) which has been on the books since 1870, prohibits federal agencies from spending monies that Congress has not allocated, a prohibition that includes “accepting voluntary services for the United States, or employing personal services not authorized by law.”

Translated to everyday circumstances, it means that CBP cannot accept donated goods, either.

“You’ve nailed the primary factor on why [brands] can’t deliver supplies—they’re not allowed to,” affirmed Mary Jo Albinak, development director for the Young Center for Immigrant Children’s Rights, a nonprofit advocacy group based in Chicago. “Customs and Border Protection can’t accept [donations], and they can’t use things they had funding [already] allocated to pay for.”



The intent of the law was—and remains—a noble one: It’s designed to prevent abuse and keep federal agencies fiscally accountable. But the inadvertent effects of the Antideficiency Act can feel heartless and absurd. Residents of Clint, Texas (site of the shelter whose dire conditions first made headlines last month) recently found this out after dropping off toys and diapers in front of the CBP facility there. As reported by the Texas Tribune, which broke the story, the group was dismayed to find the facility’s front doors locked and their donations left outside, ignored.



Migrant children held in dismal conditions at CBP's Clint, Texas, facility turned into a major news event.

Getty Images

The Antideficiency Act's uncompromising edge was something Ryan Berman felt, too. Berman, an author and consultant, also runs a company called Sock Problems, and as its name suggests, the brand sells socks. It also gives at least 30% of its revenues to benefit a variety of charitable causes. So when the need for basic supplies at government-run border shelters hit the news, Berman was among the entrepreneurs who took note.

“One of the big items asked for were socks,” he said, “and I have a company called Sock Problems. So I wanted to explore how I could do more.”

But after making a few inquiries about shipping socks down to Texas, Berman learned that he wouldn't be doing more. “The problem is there's a law in the way,” he said.

It's possible that the law might not be in the way forever. At press time, Congressman Chip Roy (D-Texas) had just introduced a House bill called the Charitable Donations Freedom Act, which would amend the Antideficiency Act to permit CBP to accept the goods that people want to give. In a statement, Roy explained, “When Americans want to donate goods—diapers, toys, toothbrushes or anything else—they should be allowed to do so.”

It's anyone's guess how Roy's bill will ultimately fare in a deeply divided Congress, but in the meantime, the stock of supplies in CBP-run shelters may improve in light of the \$4.59 billion supplemental spending bill signed by the president on July 1. For all that money, however, only \$905 million of it is destined for the CBP to build more housing facilities and provide for

essentials like food and clothing. And given the sheer scope of the immigration crisis (in recent weeks, upward of 4,000 people a day have crossed the border), the need for supplies in shelters is likely to endure.

How companies are helping—very quietly

Since the doors to those shelters remain closed to donations, a number of companies sensing the need for intervention have gotten involved in other ways—notably, quiet ones that are not announced in press releases. A number of NGOs with longstanding experience in helping immigrants have received donations of late from brands. Some of them are household names, most of them are not.

For instance, the Young Center, which provides trained child advocates to help children in detention with needs including finding housing placement and navigating immigration court, has received support from packaged-goods giant Unilever, Chicago-area brewery 5 Rabbit Cervecería and a number of other companies—mostly smaller, local ones—that it is not at liberty to name.

According to Albinak, “there is a willingness on the corporate level” to donate much-needed supplies directly to shelters, but since “that’s not something that’s possible,” the companies make financial contributions to groups like hers instead.

For its part, Procter & Gamble has been working with groups like Save the Children and Matthew 25: Ministries to “provide an increased level of humanitarian aid,” says P&G vp of global communications Damon Jones.

Granted, supporting an advocacy group won’t deliver soap, bedding and toothpaste to the front doors of the CBP shelters so obviously in need of it, but it’s the sort of aid that companies can give. And the attitude seems to be that some help is better than no help.

What’s more, as Bronner pointed out, a financial contribution to an NGO is likely a more efficient way to do the greatest good.

Dr. Bronner’s supports a group called the Refugee and Immigrant Center for Education and Legal Services (RAICES), and Michael Bronner believes that, in a case like this, it makes more logistical sense. For all the money that his company would theoretically spend on

shipping soap and then figuring out how to distribute it, “let’s give the money [instead] and they can buy necessities,” he said.

And while poorly stocked, government-owned shelters are the ones that have made the news of late, there are privately run migrant shelters that will accept help.

When Berman learned that the Migrant Family Shelter run by the Jewish Family Service of San Diego, which serves migrants who are released into the country after processing, was in need of socks for the 200-plus people it serves daily, he sent them a shipment. Even though dropping off supplies at a CBP shelter won’t work, Berman said, “brands can still get involved.”



Why aren't more brands stepping up?

Indeed they can get involved, but the fact that the effort has been both limited and quiet—certainly compared to the media blitzes that accompany the relief efforts for natural disasters—raises the issue of why more brands aren’t involved, and for the ones that are, why they are keeping it quiet.

Granted, not every brand has flown below the radar. As the immigration crisis began heating up last year, apparel brands like Supreme and 3sixteen took to Twitter to denounce the practice of separating immigrant children from the parents. Both brands also made public their pledges to donate a portion of sales to related charities.

“The treatment of immigrants by our current administration has been breaking out hearts,” 3sixteen said on Twitter.

More recently, on July 25, Highlights magazine CEO Kent Johnson took to Twitter to denounce (<https://twitter.com/Highlights/status/1143572539358240774>) the separation of immigrant children from their families, a practice that child welfare advocates say has continued despite the executive order.

“This is not a political statement about immigration policy,” Johnson’s tweet read in part. “This is a statement about human decency, plain and simple.”



Highlights Stands Up for Immigrant Childr

As a company that helps children become their best selves—curious, creative, caring, and confident—we want kids to understand the importance of having moral courage. Moral courage means standing up for what we believe is right, honest, and ethical—even when it is hard.

Our company’s core belief, stated each month in *Highlights* magazine, is that “Children are the world’s most important people.” This is a belief about ALL children.

With this core belief in our minds and hearts, we denounce the practice of separating immigrant children from their families and urge our government to cease this activity, which is unconscionable and causes irreparable damage to young lives.

This is not a political statement about immigration policy. This is a statement about human decency, plain and simple. This is a plea for recognition that these are not simply the children of strangers for whom others are accountable. This is an appeal to elevate the inalienable right of all children to feel safe and to have the opportunity to become their best selves.

We invite you—regardless of your political leanings—to join us in speaking out against family separation and to call for more humane treatment of immigrant children currently being held in detention facilities. Write, call, or email your government representatives.

Let our children draw strength and inspiration from our collective display of moral courage. They are watching.



Kent Johnson, CEO, Highlights for Children, Inc.



Highlights
@Highlights

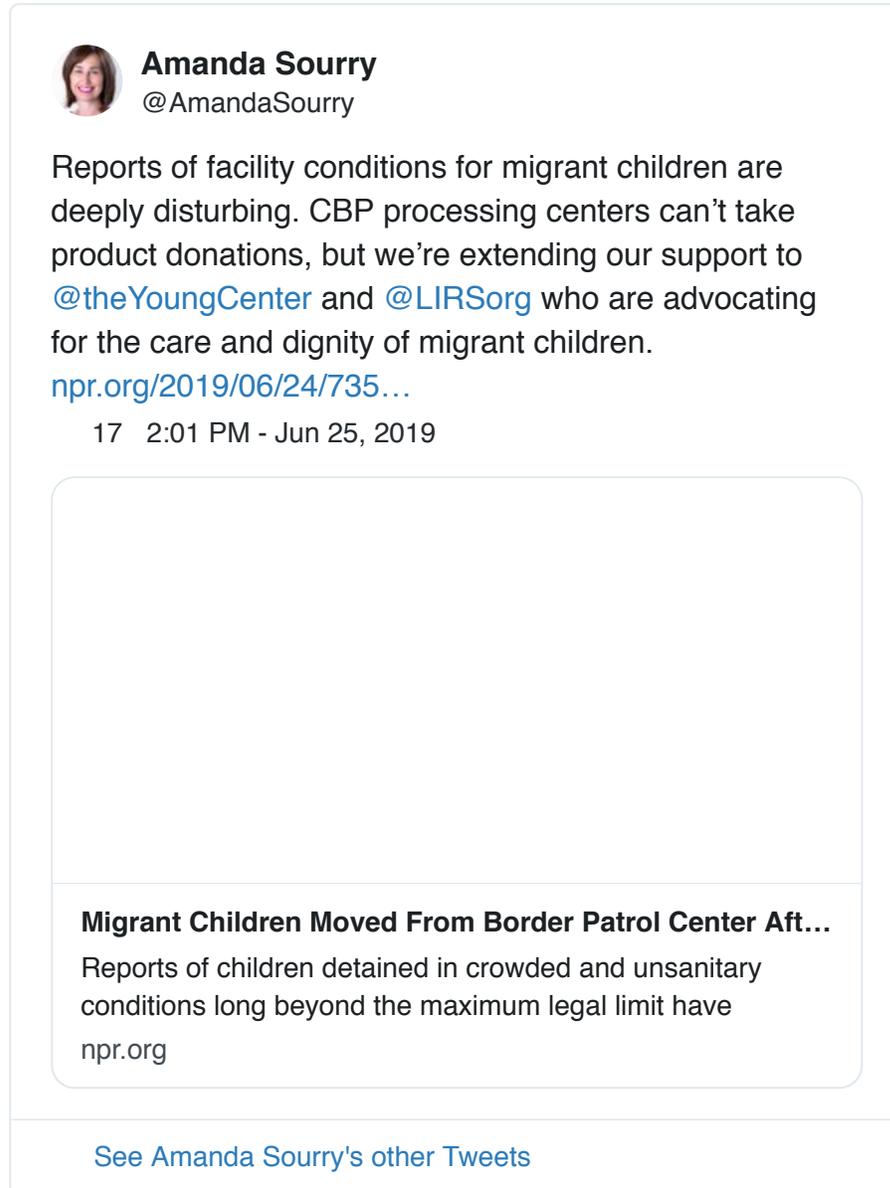
At Highlights, our core belief is that children are the world's most important people. In light of the reports of the living conditions of detained children & threats of further deportation & family separation, here is a statement from our CEO Kent Johnson.

[#KeepFamiliesTogether](#)

59.8K 1:31 PM - Jun 25, 2019

[26.2K people are talking about this](#)

That same day, Amanda Sourry, president of Unilever North America, used her personal account to tweet: “Reports of facility conditions for migrant children are deeply disturbing. CBP processing centers can’t take product donations, but we’re extending our support to @TheYoungCenter and @LIRSorg who are advocating for the care and dignity of migrant children.”



A screenshot of a tweet from Amanda Sourry (@AmandaSourry) dated June 25, 2019, at 2:01 PM. The tweet text reads: "Reports of facility conditions for migrant children are deeply disturbing. CBP processing centers can't take product donations, but we're extending our support to @theYoungCenter and @LIRSorg who are advocating for the care and dignity of migrant children." Below the text is a blue link: [npr.org/2019/06/24/735...](https://www.npr.org/2019/06/24/735...). The tweet includes a media placeholder for an image. Below the placeholder is a link to an NPR article titled "Migrant Children Moved From Border Patrol Center Aft..." with a preview text: "Reports of children detained in crowded and unsanitary conditions long beyond the maximum legal limit have" and the URL "npr.org". At the bottom of the tweet card is a blue link: "See Amanda Sourry's other Tweets".

 **Amanda Sourry**
@AmandaSourry

Reports of facility conditions for migrant children are deeply disturbing. CBP processing centers can't take product donations, but we're extending our support to [@theYoungCenter](#) and [@LIRSorg](#) who are advocating for the care and dignity of migrant children.

[npr.org/2019/06/24/735...](https://www.npr.org/2019/06/24/735...)

17 2:01 PM - Jun 25, 2019

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[See Amanda Sourry's other Tweets](#)

Save for these examples, however, there’s hardly been a clarion call for shelter reform from the brands of America, through press releases or public statements about the crisis itself or announcements of the fiscal support brands are giving to NGOs. Why, for example, has Procter & Gamble not been more public?

“There are times when we draw attention to our involvement and other times when we don’t, allowing our actions to speak for themselves,” P&G’s Jones explains. “Central to this is a consideration for the impact such communication might have on those being served and wanting to avoid even the appearance of exploitation.”

Fear of a worthy cause

Given the thin line that often separates altruism from opportunism, Jones’ point is a logical one. Talk to people close to the immigration issue, however, and another reason emerges for why more companies have not gone public with statements about immigration or simply chosen not to get involved on any level: There are solid—if hard to discuss—reasons to steer clear.

Larry Chiagouris, a marketing professor at Pace University’s Lubin School of Business, pointed out that, for brands, there is a major difference between an event like a natural disaster and the current debacle at border shelters. Both qualify as humanitarian disasters, but the demographics couldn’t be further apart. A company that helps a hurricane victim might well win that person over as a customer later on. The same probably can’t be said for a kid stuck in a detention center.

“When we talk about cause marketing,” Chiagouris said, “we have to ask ourselves the question: Who are the customers? Not the folks at the border. So, No. 1, that’s a criterion that fails to be sufficiently met for a brand to get involved.”

But it’s probable that brands are asking themselves another question, too: Is courting controversy worth it? Even if a company accepts the argument that migrant children in need and in detention centers are an issue that supersedes politics, their customers may not accept that argument—and it’s hard to find a topic as polarizing right now as immigration.

“Because of that political divide, brands don’t want to touch it because they know they’ll get a lot of anger from stockholders, employees and customers—all three,” Chiagouris said. “That’s at the center of everything going on. Not for a moment would I say this isn’t a terrible tragedy. But when you dig into it, it’s not a fit for any particular brand. That’s why they’re not stepping up.”

Grace Meng, a senior researcher at Human Rights Watch, ventures that an issue like helping out immigrant kids might not be as touchy an issue as it is were it not for the uncompromising stance that the White House has taken.

“The [federal] agencies and the administration has not approached this as a humanitarian problem,” he said. “It’s approached as: We must stop these people from coming.”

Missing a chance to look good

While brands might feel that it’s safer to sit this issue out completely, it’s also the case that playing it safe also means missing an opportunity. According to Meredith Ferguson, a cause-marketing expert and managing director of consultancy DoSomething Strategic, when it comes to a topic like kids in detention, “young people don’t see this as a political issue.” While brands may seek to distance themselves from any issue likely to pop up in the upcoming presidential debates, “smart brands realize that’s not the way to do it,” she said. “Young people are expecting them to take action.”

It follows that younger consumers are also willing to punish brands that shrink from taking stands, as was recently demonstrated when employees of Wayfair walked out to protest the company’s sale of \$200,000 worth of furniture to a contractor that runs shelters for migrant children. (Recently, one advertising agency, Ogilvy, felt a similar sting (https://www.adweek.com/agencies/ogilvy-leadership-confronts-employee-upheaval-over-customs-and-border-protection-contract/?utm_content=position_1&utm_source=postup&utm_medium=email&utm_campaign=Breaking after staffers learned of its relationship with CBP.)

Back in Vista, Calif., Bronner can pretty much be assured that nobody is going to protest his brand, which he tries the run the way founder Emanuel Bronner would have done.

“Our company was founded on a philosophy my grandfather developed in response to his experiences in the Holocaust: needing to break down barriers that keep people apart and to recognize that we all share a common humanity,” he said.



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