

United States Senate

WASHINGTON, DC 20510

April 27, 2023

VIA ELECTRONIC TRANSMISSION

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
Washington, D.C. 20528

Dear Secretary Becerra:

As I expressed when you appeared before the Senate Finance Committee last month, I am deeply concerned regarding the recent reports that the Department of Health and Human Services (HHS) has mishandled unaccompanied migrant children by placing them with unvetted sponsors, leading to their exploitation and forced labor.

President Biden's border crisis has placed illegal immigrants in dangerous—and often deadly—situations, and the over 250,000 unaccompanied minors who have crossed our southern border over the last two years are no exception.¹ As you know, many of these children who have been placed with sponsors have been forced to work dangerous jobs across the country in violation of child labor laws. By losing contact with over 85,000 children, your Department has failed to uphold its basic obligation to ensure that these children are placed with sponsors who will protect them. Even more troubling, initial reporting indicated that case management officers were aware of children in exploitative situations, yet the Department did not act.² Democrats have spent years telling the American people that their immigration policies are compassionate and humane, but there is nothing compassionate about turning a blind eye to the victimization of children.

When questioned at the hearing, you indicated that you were not aware that children were being forced to work in dangerous jobs for long hours, nor were you familiar with the fact that 85,000 children had gone missing under your watch. While you claimed you were uninformed about this situation, reporting following your testimony indicates a grave dereliction of duty. According to the *New York Times*, staffers and outside contractors informed HHS multiple times that migrant children appeared to be at risk of exploitation, and they even presented evidence that allegedly reached your desk. Not only were these individuals ignored, but they were punished for daring to challenge you.³ This reporting directly contradicts your previous testimony.

These allegations of the Department ignoring these concerns are deeply troubling, but even if they are untrue, the Department is clearly guilty of gross incompetence. I am requesting answers

¹ Hannah Dreier, *Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.*, N.Y. TIMES (Feb. 28, 2023), <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

² *Id.*

³ Hannah Dreier, *As Migrant Children Were Put to Work, U.S. Ignored Warnings*, N.Y. TIMES (April 17, 2023), <https://www.nytimes.com/2023/04/17/us/politics/migrant-child-labor-biden.html>.

regarding the abuse and exploitation of these children that were entrusted to your Department, and I am committed to holding accountable every individual responsible for this dereliction of duty.

Please respond to the following questions by May 4, 2023.

1. When did you learn of the mishandling and exploitation of migrant children who were released by HHS to unvetted sponsors?
2. Are you aware that, under federal law, it is a crime to “knowingly and willfully” make a “materially false” statement to Congress?⁴
3. Please provide any reports, correspondence, or other documentation that you received regarding the potential exploitation of these migrant children.
4. The Department’s Office of the Inspector General released a report indicating that several demotions and dismissals of individuals who raised concerns about migrant child safety “may have risen to the level of whistleblower chilling.”⁵ Did you personally approve these demotions and dismissals?
5. An employee of the office of Homeland Security Investigations, an investigative arm of the U.S. Department of Homeland Security, stated, “As the government, we’ve turned a blind eye to [the] trafficking [of migrant children].”⁶ Have you turned a blind eye to your department’s role in child trafficking?

I look forward to your prompt and honest response.

Sincerely,



Marsha Blackburn
United States Senator

⁴ 18 U.S.C. § 1001(a)(2).

⁵ U.S. DEP’T OF HEALTH AND HUMAN SERVICES, OFFICE OF INSPECTOR GENERAL, OPERATIONAL CHALLENGES WITHIN ORR AND THE ORR EMERGENCY INTAKE SITE AT FORT BLISS HINDERED CASE MANAGEMENT FOR CHILDREN (2023), <https://oig.hhs.gov/oei/reports/OEI-07-21-00251.pdf>.

⁶ Hannah Dreier, *Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.*, N.Y. TIMES (February 28, 2023), <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.