

United States Senate

WASHINGTON, DC 20510

September 25, 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 in March and again in my letter to you in April, I am appalled by reports that the Department of Health and Human Services (HHS) has mishandled unaccompanied minors by placing them with unvetted sponsors, leading to their exploitation and forced labor.

Your agency's written response to my inquiry, which you did not even take the time to write yourself, was completely inadequate and an insult to the duty of oversight entrusted to the United States Senate. I asked you specifically about your knowledge of this crisis and your involvement in the alleged whistleblower retaliation that has taken place under your watch, yet your Assistant Secretary declined to answer a single question. Additionally, I asked you to provide the documents you received regarding the potential exploitation of these migrant children, but Assistant Secretary Hild failed to produce a single document. Instead, over five months later, my inquiry was met with general information about your failed policies. Your department's lack of urgency on this matter, and your continued refusal to provide information about the amount of time you spent in California instead of fulfilling your duties in-person, speaks volumes regarding your mishandling of this crisis.

Democrats on the Senate Judiciary Committee, who refused to call any government witnesses at a hearing entitled "Ensuring the Safety and Well-Being of Unaccompanied Children," seem content distracting and deflecting from this administration's border crisis. In fact, they are doing anything but ensuring the safety and well-being of these children, and I will not join them in turning a blind eye to your negligence. The American people, and the families of the 85,000 migrant children that this administration lost, deserve answers about your role in this grave dereliction of duty. I will allow you the opportunity to respond to the questions I posed in April, and I expect to see you before the Senate Judiciary Committee as soon as possible.

Please respond to the following questions by October 2, 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?¹

¹ 18 U.S.C. § 1001(a)(2).

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.”² 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].”³ Have you turned a blind eye to your department’s role in child trafficking?
6. Please provide copies of your schedule, travel expense reports, and any other relevant documents since the beginning of your tenure as Secretary that you committed to sharing with Senate Finance Committee members.

I look forward to your personal, prompt, and honest response.

Sincerely,



Marsha Blackburn
United States Senator

² 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>.

³ 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>.