

Congress of the United States
Washington, DC 20515

June 24, 2021

The Honorable Xavier Becerra
Secretary of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Secretary Becerra,

We write to follow up on the two previous letters we have sent you regarding your Department's management of unaccompanied alien children (UACs) in federal custody and the use of East Tennessee as a central location for resettling UACs in the United States. Both letters requested additional information and transparency regarding these resettlement efforts. In light of revelations last week that (1) a 16-year-old boy went missing on June 14 from a Chattanooga facility housing UACs in Department of Health and Human Services (HHS) custody and (2) the same HHS-contracted Chattanooga facility is under state and federal investigation based upon recent child abuse allegations, we expect to receive more information from you on these matters right away.

More generally, as additional information emerges regarding the Biden Administration's systematic resettlement of UACs across the United States, questions continue to arise regarding the steps being taken to ensure their well-being and their compliance with requirements to appear for immigration proceedings. For example, a recent *Axios* report titled "Biden Administration mum on tracking migrant kids" notes: "Thousands of migrant children have been released by the Biden administration to caretakers in the U.S. as part of the government's program for unaccompanied minors — but there's little-to-no visibility about what's happened to them."

Rather than securing the border, it appears that the Biden Administration's strategy for addressing the border crisis is to take as many steps as possible to simply accelerate processing of migrants into the interior of the United States. Policies adopted by the Biden Administration have become the root cause for the collapse of our southern border and the influx of record numbers of illegal crossers and the flow of illicit and deadly drugs.

The practice of pushing UACs into the interior of the U.S. and often releasing them to sponsors—and then neglecting to track these minors' whereabouts or compliance with immigration requirements—raises numerous questions regarding the well-being of these minors, as well as the impact on American communities.

In the hope of increasing transparency regarding this situation, we recently introduced the *Migrant Resettlement Transparency Act*, which would require that the Secretaries of Health and Human Services and Homeland Security: (1) consult with governors and mayors of affected jurisdictions before any federally directed, administered, or funded

resettlement, transportation, or relocation of non-detained illegal aliens; and (2) submit a monthly, comprehensive, state-specific report regarding federal resettlement, transportation, or relocation of non-detained illegal aliens. We stand ready to discuss this legislation and the information we are seeking.

During the roughly two-month period between March 23 and May 26, 2021 for which specific public data is currently available, the Department of Health and Human Services (HHS) discharged 18,342 UACs to sponsors in the United States (this number does not include the tens of thousands of UACs that remain in HHS custody). After their release to sponsors, it is unclear what, if anything, the Department does to ensure their safety, security, and compliance with their immigration obligations. It seems clear that HHS, given its silence, is ignoring the impact on schools, hospitals, and law enforcement agencies that will bear the burden of this massive resettlement.

Given the massive influx of migrants and UACs resulting from the ongoing border crisis, we request that you answer the following questions immediately:

- Before releasing UACs to sponsors, does HHS consider the burden on schools, hospitals, law enforcement agencies, and other public services in the affected communities?
 - How does HHS propose to convey this information?
- Does HHS conduct follow-up visits to ensure the location and well-being of all UACs placed with sponsors, and if so, how often?
 - In how many such cases has HHS been unable to reach the UAC or sponsor to determine the child's location or well-being?
- Are all sponsors to whom UACs are released lawfully present in the United States, and how does HHS verify their lawful status?
 - If not, in cases where a UAC is released to a sponsor who is illegally present in the United States, what steps are taken in coordination with Immigration and Customs Enforcement (ICE) regarding that sponsor's illegal status?
 - How many UAC releases to illegally present sponsors have occurred this year?
- Does HHS determine whether sponsors are legally authorized to work in the United States and thus able to support the UACs being placed in their custody?
- Does HHS verify sponsors' identities by conducting a background check and requiring a social security number or utilizing other similar government-identification-based vetting mechanisms?

- Does HHS work with federal law enforcement to ensure that UACs are not being placed with sponsors who funded, coordinated, or induced their dangerous journey and illegal entry into the United States?
 - How many cases of proposed sponsors funding, coordinating, or inducing a UAC's dangerous journey and illegal entry into the United States has HHS discovered?
- What steps has HHS taken to ensure that its ongoing efforts to place of tens of thousands of UACs with sponsors are not abused by criminal elements, including gangs like MS-13?
- How many immigration hearing dates have been set for the 18,342 UACs discharged to sponsors in the United States between late March and late May?
 - Have any such hearings occurred?
 - What steps does HHS take to ensure that UACs appear for their hearings?
 - In approximately what percentage of cases do UACs appear for their hearings?
- In cases in which UACs do not appear for their hearings, what steps does HHS take to determine the location and well-being of the child?
 - In such cases, does HHS terminate the sponsor's continued custody of the child?
- Since January 20, 2021, how many UAC cases have been adjudicated as valid claims of asylum entitling the UAC to lawfully remain in the United States and apply for a Social Security card and lawful permanent resident status?
- Since January 20, 2021, how many removal orders have been issued for UACs?
 - In how many such cases was the child present for the hearing?
 - How many such removal orders have been successfully executed?

Thank you for your attention to this letter and these important questions. We look forward receiving your answers as soon as possible.

Sincerely,

Bill Hagerty
United States Senator

Marsha Blackburn
United States Senator

Chuck Fleischmann
United States Representative