

Congress of the United States
Washington, DC 20515

June 4, 2021

Secretary Xavier Becerra
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Secretary Becerra:

We write to follow-up on our prior letter of April 23, 2021, regarding the Unaccompanied Alien Children (UAC) program administered by the Department of Health and Human Services (HHS), Administration for Children and Families (ACF), Office of Refugee Resettlement (ORR). New information has come to light that raises additional concerns about how the Administration is handling the crisis at our southern border and the influx of unaccompanied children that have crossed the border this year. The most recent data we have indicates that approximately 18,000 unaccompanied children are currently in the care of HHS.

On May 15, 2021, press reports indicated that HHS has diverted about \$2.1 billion allocated by Congress for other health initiatives to cover the cost of caring for unaccompanied children that have crossed the border this year.¹ These redirected funds include \$850 million that Congress allocated to rebuild the Strategic National Stockpile, which was strained by the response to the Covid-19 pandemic. Another \$850 million was apparently taken from money allocated to expand coronavirus testing. Our understanding is that the \$2.1 billion diverted from other programs exceeds the annual budget for the UAC program in each of the last two years. This massive cost demonstrates the expense involved in caring for approximately 18,000 unaccompanied children, illustrates the scope of the crisis at the border, and raises serious concerns about the damage done to the programs for which the money was initially allocated.

We understand that the Administration has sought volunteers from across the federal government to be deployed to the border to help manage the ongoing crisis.² As just one example, press reports suggest that 500 U.S. Department of Agriculture employees are being deployed to the border to assist with the UAC program.³ We are concerned about the total cost of this effort and the potential impact on core government functions in the agencies losing employees and are concerned about how long these federal employees may be away from their primary duties.

¹ Adam Caryn, *Biden admin reroutes billions in emergency stockpile Covid funds to border crunch*, POLITICO (May 15, 2021), <https://www.politico.com/news/2021/05/15/hhs-covid-stockpile-money-border-migrants-488427>.

² Eric Katz, *Biden Asks Feds Across Government to Volunteer to Assist at the Border*, GOVERNMENT EXECUTIVE (Mar. 26, 2021), <https://www.govexec.com/workforce/2021/03/biden-asks-feds-across-government-volunteer-assist-border/172953/>.

³ Amber Athey, *Exclusive: Biden admin sending 500 USDA employees to assist with border crisis*, SPECTATOR (Apr. 28, 2021), <https://spectator.us/topic/leaked-documents-biden-administration-usda-border-crisis/>.

Meanwhile, this strain on the agency comes at a time when the American foster care system is already struggling. Last month in Texas, for example, 282 children spent consecutive nights with child protective services workers at offices, hotels, or churches, because no foster care provider had an open bed.⁴ Over the last 18 months, state-contracted placements in Texas have lost a net of more than 1,000 beds for the traditional foster care system, apparently due to insufficient reimbursement rates.⁵ This is just one example of the strain on the foster care system that existed prior to this current border crisis. We are extremely concerned that the influx of unaccompanied children, if not handled appropriately, will have a negative impact on American children in foster care. It is essential that HHS set forth a clear and effective plan to manage the UAC program.

We request that you respond either in writing or with a staff-level briefing to answer the following questions:

- Following the diversion of \$2.1 billion, what is the agency's plan to compensate for that loss of funds allocated for critical pandemic-related expenses?
- Please provide detailed information on the number of federal personnel deployed, from which agencies they have been deployed, and the total estimated cost to the federal government to pay for these deployments.
- Please provide data on how many unaccompanied children, if any, have been placed in facilities that are eligible entities under Title IV-E of the Social Security Act typically used to house American foster children.
- Please provide details on the reimbursement rate paid to child welfare providers that house unaccompanied children.
- Does the agency have a plan to ensure that unaccompanied children without sponsors are able to be placed with a family while not displacing or negatively impacting American foster children? If yes, please provide the details of that plan.

We are committed to ensuring that both American foster children and unaccompanied children crossing the border are safe, secure, and properly cared for. Answers to our questions are essential to help Congress understand how HHS is managing the approximately 18,000 unaccompanied children in its care and what impact the agency's decisions will have on American foster children, federal government operations, and Congressional appropriations. We ask that you respond in writing or with a briefing no later than June 11, 2021.

Sincerely,



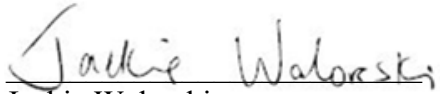
Kevin Brady
Republican Leader
Committee on Ways and Means



James Comer
Republican Leader
Committee on Oversight and Reform

⁴ Robert T. Garrett, *Number of Texas foster children without placement rising, even as in San Antonio provider quits*, THE DALLAS MORNING NEWS (May 11, 2021), <https://www.dallasnews.com/news/politics/2021/05/11/texas-foster-children-without-placement-keeps-growing-even-as-lead-contractor-in-san-antonio-quits/>.

⁵ *Id.*

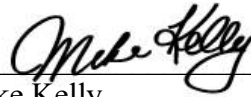


Jackie Walorski

Republican Leader

Subcommittee on Worker & Family Support

Committee on Ways and Means



Mike Kelly

Republican Leader

Subcommittee on Oversight

Committee on Ways and Means