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ENERGY AND COMMERCE COMMITTEE
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SUBCOMMITTEE ON COMMERCE, TRADE
AND CONSUMER PROTECTION

SUBCOMMITTEE ON HEALTH

Congress of the United States
House of Representatives
Washington, DC 20515-4329

July 6, 2018

The Honorable Alex M. Azar, II
Secretary
U.S. Department of Health and Human Services
330 C Street SW
Washington, DC 20416

Dear Secretary Azar:

As Ranking Member of the Oversight and Investigations Subcommittee of the House Energy and Commerce Committee, I am writing to demand additional information about the Department of Health and Human Services' (HHS) plan to reunite children in the Office of Refugee Resettlement's (ORR) custody who were forcibly separated from their parents by the Department of Homeland Security (DHS) with their parents.

President Donald Trump's ill-defined and poorly planned policy of "zero tolerance" prosecutions for unauthorized border crossing and family separation has caused a humanitarian catastrophe. The impact of these inhumane policies was made significantly worse by HHS' and DHS' apparent complete disregard for establishing any sort of system for eventually reuniting families.

As you know, on June 26, United States District Court for the Southern District of California granted a preliminary injunction, ordering the federal government to reunite children under the age of 5 with their parents by July 10 and all other children who have been separated from their parents by July 26.

Based on the lack of planning and concern for children's welfare displayed in implementing the family separation policy, I am concerned HHS will be unable to appropriately manage this reunification. Furthermore, I have not received a response to the letter I joined 47 of my colleagues in sending June 28 to you, Attorney General Sessions, and DHS Secretary Nielsen, asking basic questions about your plan to comply with the June 26 injunction. Press reports since that letter compel me to ask additional questions about your family reunification effort.

You have reportedly asked for volunteers to help with the family reunification effort. I am concerned that this may indicate an unacceptably haphazard approach to staffing and organizing the reunification effort. HHS has approximately 80,000 employees and as Secretary you have broad discretion to allocate resources to meet the Department's objectives.

- How many HHS employees are currently involved in the family reunification effort?
- Does HHS require additional resources or authorities to reunite separated families?

- Will HHS meet the timeframes required by the injunction? If not, can you commit to a specific date for completing the reunifications?

You have reportedly called the reunification timeframe called for the injunction “extreme.” That comment shows a startling lack of understanding about the physical, emotional, and psychological harm being separated from a parent can cause a child.

- What steps is HHS taking to address the effects of family separation on children in your custody?
- From a medical perspective, do you agree that reuniting children with their parents is the most effective way of stopping the ongoing harm to children who have been separated?
- Regardless of the injunction, is it HHS’s policy to reunite children with their parents as quickly as possible?

One of the reported challenges you face is identifying which children were removed from their parents by U.S. immigration authorities and those who were separated by other means. Although the injunction may only apply to the former category, the consequences of family separation are just as real for those in the latter category. There are also reported circumstances in which children were separated from adult family members other than their parents.

- Will HHS make an effort to reunite children in its custody with their parents even if the family was not separated by U.S. immigration authorities?
- Will HHS work with DHS to maintain records of family connections among those in their custody even if they do not fall under the scope of the injunction issued by the Southern District of California?

It defies understanding that your Department would participate in separating children from their parents with no plan for ever reunifying them. Even without a plan in place, keeping adequate records could have made the current reunification efforts much simpler and faster. As the children in your care continue to suffer, it is well past time for you to show public accountability for your plan to fix this crisis.

I look forward to your prompt reply.

Sincerely,



Diana DeGette
Member of Congress