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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

August 22, 2014

The Honorable Sylvia Mathews Burwell
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Burwell:

On June 25, 2014, your staff received a request to provide information on the Department of Health and Human Services' (HHS) contracts related to unaccompanied alien minors (UAM). This request was reiterated in a letter sent July 17, 2014, which also requested answers and documents on four questions related to BCFS, a non-profit organization which sought to create a \$50 million facility for unaccompanied alien minors.

It has been over six weeks since the initial request for information and over one month since the previous letter was sent. I have received neither answers nor responsive documents.

On June 30, 2014, President Obama told Congress that it should, "do something", "drop the excuses", and "act" regarding his request for an emergency supplemental spending bill.¹ If Congress is going to appropriate funding for the department to provide care and custody for this vulnerable population, it deserves to know how taxpayer dollars are going to be spent.

In addition to the questions outlined in my July 17 letter, concerns have been raised regarding Southwest Key Programs, the recipient of \$368 million in government grants in the past six years and over \$122 million alone from the HHS Office of Refugee Resettlement in 2014.² According to Southwest Key Programs' Form 990 from 2012, it receives 98.76% of its support from taxpayer dollars.

It is concerning that despite claiming non-profit status and depending almost exclusively on taxpayer-funded government grants, Southwest Key Programs appears to be actively advocating for immigration legislation and echoing President Obama's talking points. In an interview with Your News Now Network while describing an immigration forum hosted by Southwest Key Programs, Valerie Joiner, a Southwest Key Programs Community Liaison said, "We're just trying to help the President do what's right. It's simply the right thing to do...the

¹ Remarks by the President on Border Security and Immigration Reform, Office of the Press Secretary, June 30, 2014.

² Susan Crabtree, Washington Examiner, Nonprofit that helps unaccompanied minors has seen explosive growth, July 31, 2014.

time for comprehensive immigration reform is now. Comprehension (sic) immigration reform now, iota (sic).”³

Please provide answers to the questions and requests for information from June 25, 2014 and July 17, 2014 labeled questions 1-11. Also, please respond to the additional questions and requests for information in this letter:

1. The names of the (HHS) contractors and all identifying information about them, including – their location.
2. What kinds of checks are done on relatives, parents and other guardians? Specifically, what databases are checked and what other agencies help HHS with the checks?
3. What statute, regulation or court order mentions that HHS must release minors into the custody of other non-relative guardians?
4. Why doesn't HHS report to (Department of Homeland Security) DHS about whom and where the UAMs are released to?
5. Are there any examples of sponsor shopping and what you do with that information? My staff followed up on this matter, asking about a recent report about a woman who has taken more than 800 kids into custody for people here illegally.
6. Do you have a summary of the health issues facing the UAM population?
 - a. Are kids with contagious diseases treated by HHS?
 - b. Are they released even when contagious?
 - c. What types of diseases are you seeing?
 - d. Is the Office of Refugee Resettlement coordinating with the Centers for Disease Control?
7. A copy of the reprogramming request made to appropriators about moving \$94 million from legal refugee services to the UAMs.
8. Explain in more detail why HHS is paying up to \$1,000 per day for housing unaccompanied minors and families who have entered illegally.
9. How many contracts has BCFS been awarded from 2010 to the present? What is the total cost of these contracts?
10. How many grants has BCFS been awarded from 2010 to the present? What is the total cost of these grants?

³ Your News Now Network Austin, August 16, 2013, available at: https://www.youtube.com/watch?v=F4-k_TpoDX4

11. Please provide all communications and contract documents related to BCFS' proposed contract and the Palm Aire Hotel and Suites facility, even if the contract is no longer under consideration.
12. Please provide all audits of grantees receiving HHS funds from the Office of Refugee Resettlement.
13. For fiscal year 2014, what percentage of the funds obligated to grantees by the Office of Refugee Resettlement have been used for administrative expenses? Please provide a detailed breakdown of these expenses.
14. Please provide all OMB A-133 forms for grantees receiving funds from HHS' Office of Refugee Resettlement.
15. Please provide documentation that grantees are complying with OMB A-122 standards.
16. Please provide all grantee reports to HHS on their progress towards meeting stated program goals.
17. Please provide all communications between HHS and Southwest Key Programs related to UAMs in 2014.
18. Please provide all grant and contract documents between HHS and Southwest Key Programs.

Thank you for your cooperation and attention in this matter. I would appreciate a response to these additional questions by September 5, 2014. If you have any questions, please do not hesitate to contact Chris Lucas or Kathy Nuebel at (202) 224-3744.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Judiciary