

# United States Senate

WASHINGTON, DC 20510

April 26, 2016

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

Dear Secretary Burwell:

We are deeply concerned that an unaccompanied alien minor, Edwin (a.k.a. "Eswin") Mejia, was released by the Department of Health and Human Services (HHS) to a sponsor who was reportedly in the United States illegally. We would appreciate a better understanding of what happened in light of the fact that Mejia, now almost 20 years old, has since been charged with a crime resulting in the death of a U.S. citizen, absconded from authorities, and remains a fugitive at-large.

According to U.S. Immigration and Customs Enforcement (ICE), Mejia entered the country illegally on May 14, 2013, near Nogales, Arizona. At that time, Customs and Border Protection arrested Mejia and served him a Notice to Appear. On May 17, 2013, Mejia was placed by HHS, via the Office of Refugee Resettlement (ORR), at the David and Margaret Youth and Family Services facility in Los Angeles, California. On June 28, 2013, Mejia was released into the custody of his brother, Santos Jesus Romero-Mejia, who resided in Madison, Tennessee. According to ICE, the ORR reunification packet includes information stating that "Edwin Mejia claims that his brother is 'illegal.'"

Edwin Mejia was arrested on January 31, 2016, in Omaha, Nebraska, and charged with drag racing, driving under the influence, and killing 21-year old Sarah Root in a car accident. Mejia's blood alcohol limit at the time of the accident was more than three times the legal limit. Sarah Root had graduated that evening from Bellevue University with perfect grades and was on her way home.

Mejia, who had twice failed to appear in court on state charges, was released on bond and absconded. His whereabouts are still unknown.

Because Mejia was an unaccompanied minor at the time he crossed the border, HHS was in charge of his care and placement while in the United States. Given the findings by the Government Accountability Office that your Department does not adequately monitor its grantees and has failed to routinely conduct background checks, including fingerprinting all

sponsors or completing child abuse and neglect checks on relative sponsors<sup>1</sup>, we would like to know what information your Department had on Mejia's sponsor before releasing Mejia into his custody. Moreover, we would like to know whether HHS had any further contact with Mejia once he was placed with his sponsor. Therefore, we ask that your Department respond to the following questions related to this case no later than May 11:

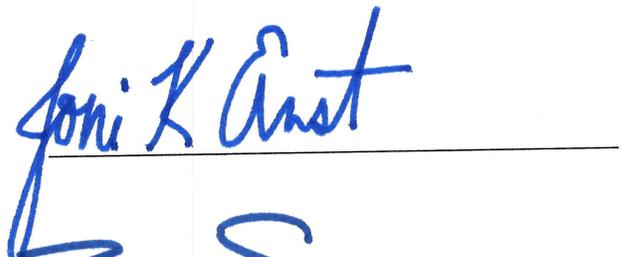
1. Why was Edwin Mejia placed at the David and Margaret Youth and Family Services facility in Los Angeles?
2. How many individuals applied to be a sponsor for Edwin Mejia? Please provide details and any document related to each applicant, including information such as name, relationship, address, and a copy of the application submitted.
3. What specific background or biometric checks were done on the sponsor applicants before Edwin Mejia was transferred to the custody of his brother, Santos Jesus Romero-Mejia?
4. Who performed the background check for Mejia's sponsor – HHS or a contractor? If a contractor, please provide the name.
5. Was Mejia released under any kind of an agreement, probation, or order of supervision?
6. How was Edwin Mejia physically transferred from California to the custody of his brother who supposedly resided in Tennessee?
7. What is the Department's current policy on fingerprinting the sponsors of unaccompanied minors? If parents and other immediate relatives are not required to undergo biometric checks, please explain why.
8. After Mejia's placement, did HHS have any further contact with him or his sponsor?

In addition to answering these questions, please provide any document related to Edwin Mejia, including all notes, documents, applications and correspondence included therein.

We appreciate your cooperation and await your response.

Sincerely,

  
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<sup>1</sup> Government Accountability Office, *UNACCOMPANIED CHILDREN: HHS Can Take Further Actions to Monitor Their Care*. (Feb. 2016); *see also*, letter from Chairman Grassley to Secretary Burwell regarding Child Abuse and Neglect waivers (Mar. 03, 2016), and letters from Chairman Grassley and Senator Cornyn to Secretaries Johnson and Burwell regarding UAC criminal sponsors (Nov. 23, 2015 and Feb. 17, 2016).