

**Congress of the United States**  
**Washington, DC 20515**

June 18, 2014

The Honorable Sylvia Burwell  
Secretary of Health and Human Services  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Secretary Burwell:

As you are aware, the Southern Border is currently ground-zero for a growing humanitarian crisis. Since October, nearly 50,000 unaccompanied children have been apprehended at the Southern border after making a treacherous journey from Central America through regions of Mexico controlled by drug cartels like the Zetas. The children who have made this journey are alone and vulnerable—facing the threat of murder, kidnapping, rape, sexual slavery, and forced labor at the hands of these savage criminal organizations. Last year, *Time* magazine reported that “Cartels control most of Mexico’s smuggling networks through which victims are moved, while they also take money from pimps and brothels operating in their territories.” Human rights organizations and academics estimate that as many as six in 10 women and girl migrants experience sexual violence during the journey through Mexico. This is especially troubling given the recent increase in the number of unaccompanied alien children who are girls and who are under the age of 13.

The Department of Health and Human Services (HHS) has an important role to play in helping to resolve this humanitarian crisis. As the agency designated by statute with maintaining custody of unaccompanied alien children after initial processing by the Department of Homeland Security (DHS), your Department must help ensure that these children are kept safe, treated fairly, and remain in compliance with our immigration process and laws.

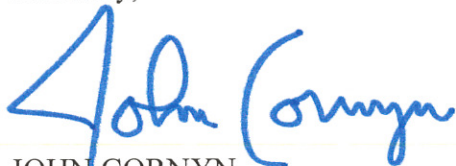
As Ranking Member of the Senate Judiciary Subcommittee on Immigration, Refugees, and Border Security and as a member of the House Appropriations Subcommittee on Homeland Security, we ask that you work with us to ensure the American people that your Department is mitigating this growing humanitarian crisis in the most efficient and effective way possible. To help us conduct oversight of the Administration’s response to this crisis, we would appreciate your prompt response to the following questions:

1. Does HHS conduct criminal background checks and national security checks on guardians prior to releasing unaccompanied alien children to their custody? If so, what databases are queried during these checks? Do these checks involve the collection or verification of biometric information? How does HHS verify the claim of a prospective guardian that they are biologically related to the unaccompanied alien child of which they wish to take custody?

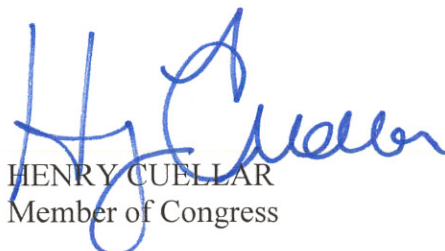
2. What measures does HHS take to rescreen unaccompanied alien children being placed in its custody for evidence of human trafficking or sexual exploitation? During this Fiscal Year, how many unaccompanied alien children in HHS custody has the Department determined were victims of these crimes during their journey to the United States? During this Fiscal Year, how many unaccompanied alien children placed in HHS custody have received a T-visa, U-visa, asylum, or refugee status?
3. In the past Fiscal Year, has HHS released any unaccompanied alien children into the custody of a person with a criminal record? If so, how many of these children have been released to such individuals? What types of crimes have these individuals committed?
4. Does HHS have any measures in place to regularly verify the safety of unaccompanied alien children who have been released into the custody of guardians? How often is this information verified? Does HHS re-take custody of the child if evidence suggests the child is living in unsafe conditions? During the past Fiscal Year, how many unaccompanied alien children placed in the custody of a guardian by the Department have been the victims of crime or exploitation subsequent to such placement? How many of these cases involve abuse or exploitation by the guardian themselves?
5. Does HHS currently have any policy preventing the release of an unaccompanied alien child to a guardian who was involved in smuggling the child into the United States? Does HHS screen for this information, and if so, how?
6. What measures does HHS take to ensure that unaccompanied alien children in the custody of the Department or a guardian designated by the Department comply with our immigration laws and respond to Notices to Appear in immigration court? Does HHS share records with DHS concerning the whereabouts of unaccompanied alien children who have been released to the custody of a guardian? Does HHS ensure that persons taking guardianship of an unaccompanied alien child are fully informed about the child's immigration status, including any Notices to Appear in immigration court that have been issued to the child?

We appreciate your cooperation and respectfully request your responses by July 2, 2014.

Sincerely,



JOHN CORNYN  
United States Senator



HENRY CUELLAR  
Member of Congress

Cc: The Honorable Jeh Johnson, Secretary of Homeland Security