

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

September 16, 2021

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

Dear Secretary Becerra:

We write today to express our continued concern with the Department of Health and Human Services' (HHS) use of massive, no-bid contract awards to handle the ongoing unaccompanied child crisis and whether HHS is adequately supervising those contractors. In light of multiple whistleblower complaints received by the Committee alleging disturbing conditions at HHS Emergency Intake Sites (EIS) housing unaccompanied children, there are serious questions about HHS's use of and failure to adequately oversee multiple contractors with no childcare experience. We are concerned that this has led to gross mismanagement and abuse.

HHS opened more than a dozen emergency intake shelters in recent months to house unaccompanied children on sites ranging from army bases to convention centers.¹ The Committee received multiple whistleblower complaints on July 7, July 28, and September 8, from four federal employees who were detailed to the Fort Bliss EIS and one additional federal employee who was detailed to two other now dormant EIS sites as well as Fort Bliss.² They describe poor conditions, poor management, and poor training for contractors and support personnel. The most recent complaint indicates that HHS has continuously failed to remedy these issues, which are "ongoing, systemic, and repeated EIS-wide."³ It is discouraging that children are being subjected to such appalling conditions.

Specifically, the complaints detail that multiple private contractors were awarded massive servicing contracts in a no-bid process even though they had no childcare experience whatsoever.

¹ Hackman, Michelle & Alicia A. Caldwell, U.S. *Reduces Migrant Children in Border Patrol Custody, but Emergency Shelters Pose New Concerns*, WALL STREET JOURNAL (May 5, 2021), available at <https://www.wsj.com/articles/u-s-reduces-migrant-children-in-border-patrol-custody-but-emergency-shelters-pose-new-concerns-11620234355>.

² Letter from Government Accountability Project to U.S. House of Representatives, Committee on Oversight and Reform, et. al. (Jul. 7, 2021), *on file with committee staff*; Letter from Government Accountability Project to U.S. House of Representatives, Committee on Oversight and Reform, et. al. (Jul. 28, 2021), *on file with committee staff*; Letter from Government Accountability Project to U.S. House of Representatives, Committee on Oversight and Reform, et. al. (Sept. 8, 2021), *on file with committee staff*.

³ Letter from Government Accountability Project to U.S. House of Representatives, Committee on Oversight and Reform, et. al. (Sept. 8, 2021), *on file with committee staff*.

The whistleblowers, who are federal government employees, reported that contract staff were on the job around children before background checks were complete. On site, lines of communication and chains of command were unclear. The complaints allege that HHS leadership was “invisible on site.” Contractors reported that they received little to no training. Detailees—many of whom have specialized skills, licenses, or have management and logistics experience—were not assigned based on their experience or skill, leading to detailees being paid six-figure salaries to babysit or perform clerical tasks on the taxpayer dime.

Given these serious management failures by HHS, it is no wonder that the whistleblowers report poor conditions at the EIS sites. Lice were a rampant problem at multiple facilities. At Fort Bliss in particular, the whistleblowers report that children were housed in tents with between 1,000 and 1,500 beds in each tent. Bedding was never washed even though some children remained in custody for months. Children frequently pleaded for clean underwear so they could shower and have something clean to wear. Contractors played extremely loud music at intolerable volumes early in the morning to wake up the children and yelled at them through a bullhorn. Contractors resisted the whistleblowers’ requests for medical attention on behalf of children in medical emergencies, and some children were made to wait for hours before being escorted to the medical tent for care. The whistleblowers were discouraged from providing feedback about these problems, and complaints made to HHS went unanswered.

If these reports are true, this is unacceptable. Not only is this a gross mismanagement of taxpayer dollars, but it is inhumane treatment of children. This cannot be allowed to continue in America. HHS must do a better job of caring for these children. The Biden Administration has already awarded \$3 billion to contractors to house these unaccompanied children, the majority of which were comprised of no-bid contracts awarded to just three entities.⁴ It is imperative that Committee Republicans understand whether HHS is adequately supervising its contractors, whether the contractors caring for children are actually qualified to do so, whether those contractors are providing the services they promised in exchange for billions of dollars in taxpayer funds, and if the allegations of neglect and poor conditions are true, then what steps are HHS and the contractors taking to remedy the conditions.

To assist the Republicans on the Committee in conducting oversight of this issue, please provide the following information no later than September 30, 2021 for the timeframe January 20, 2021 to present:

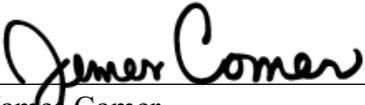
1. All contracts and related materials awarded to entities regarding the care of unaccompanied minors at the Fort Bliss Emergency Intake Site;
2. All documents and communications relating to the justification and approval required by the Federal Acquisition Regulation related to any sole-source contracts related to the Fort Bliss Emergency Intake Site;

⁴ Shaw, Adam, *Biden administration has spent \$3B on migrant facility contracts: report*, FOX NEWS (May 9, 2021), available at <https://www.foxnews.com/politics/biden-administration-border-migrant-facility-contracts-spending>.

3. All documents and communications related to the experience of contractors caring for children at Fort Bliss, including any information known to HHS prior to entering into those contracts for childcare or related services;
4. All documents and communications relating to background check requirements for contract personnel interacting with children on site at the Fort Bliss Emergency Intake Site;
5. All documents and communications relating to training for contract personnel, federal detailees, or any other persons interacting with children at the Fort Bliss Emergency Intake Site;
6. All documents and communications referring or relating to any complaints elevated to HHS by personnel at the Fort Bliss Emergency Intake Site, as well as all documents and communications responding to those complaints.

Thank you for your attention to this important request. To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



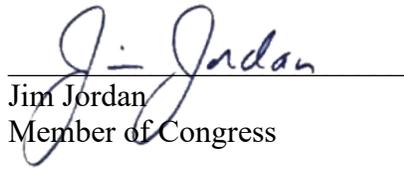
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



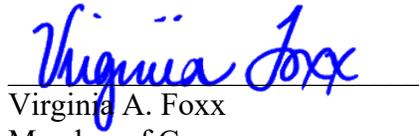
Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



Jim Jordan
Member of Congress



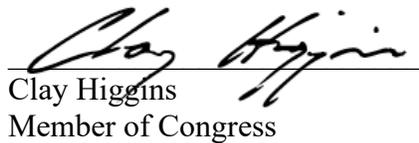
Paul A. Gosar, D.D.S.
Member of Congress



Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



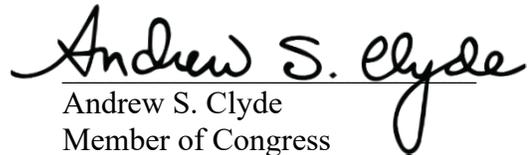
Clay Higgins
Member of Congress



Fred Keller
Member of Congress



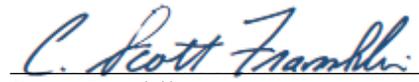
Andy Biggs
Member of Congress



Andrew S. Clyde
Member of Congress



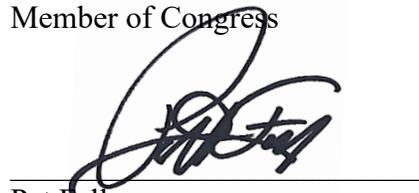
Nancy Mace
Member of Congress



Scott Franklin
Member of Congress

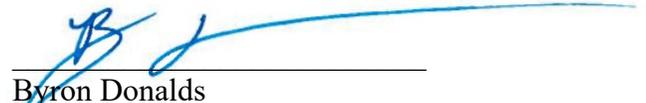


Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress


Yvette Herrell
Member of Congress


Byron Donalds
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties