

United States Senate

WASHINGTON, DC 20510

July 2, 2018

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

The Honorable Kristjen M. Nielsen
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Azar and Secretary Nielsen:

We are deeply concerned by reports of chaotic attempts to reunify parents and children that have been separated at the border. We are writing today to request information from the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS) on the status of efforts to reunify these families.

Since the President's Executive Order was signed on June 20, 2018, the Administration has repeatedly indicated that families would be reunited, claiming that "Department of Homeland Security (DHS) and Health and Human Services (HHS) have a process established to ensure that family members know the location of their children and have regular communication after separation to ensure that those adults who are subject to removal are reunited with their children for the purposes of removal." The Administration claims that "the United States government knows the location of all children in its custody and is working to reunite them with their families," and that to do so, "[t]here is a central database which HHS and DHS can access and update" containing information on the location of separated parents and their children.¹

However, the hastily-signed order provided no clarity on how to reunify families, or how to handle families that have already been separated or new families that cross the border seeking asylum. According to reports, the "Department of Homeland Security ... Department of Justice and the Department of Defense...remain uncertain how to carry out an order they aren't sure is legal in the first place."² Furthermore, we are concerned that even as the Administration works to

¹ Department of Homeland Security, "Fact Sheet: Zero-Tolerance Prosecution and Family Reunification," press release, June 23, 2018, <https://www.dhs.gov/news/2018/06/23/fact-sheet-zero-tolerance-prosecution-and-family-reunification>

² Politico, "Hasty immigration order gives way to West Wing tensions," Eliana Johnson, Annie Karni, and Nancy Cook, June 22, 2018, <https://www.politico.com/story/2018/06/22/trumps-quick-fix-on-family-separations-unleashes-internal-tensions-667175>

reunify families, it continues to deport adults and family members who had children taken from them—reducing their chances of reunification even further.³

HHS currently has over two thousand children in its care who have been separated from their parents, and HHS and DHS are responsible for reuniting these families. To help us better understand the current status of reunification efforts, as well as your agencies' plans to improve and hasten reunification, we request that you provide us with the following information by July 6, 2018, with weekly updates and briefings on your progress until all families are reunited.

1. An anonymized, de-identified list of all children who were separated from a parent or adult family member pursuant to the Administration's "Zero Tolerance" policy. For each child, please also provide the following information:
 - a. The total number of days the child has been separated from their parent or adult family member;
 - b. Whether or not HHS' Office of Refugee Resettlement (ORR) has identified the parent or adult family member from whom they were separated;
 - c. Whether or not ORR has successfully contacted the parent or adult family member from whom they were separated; and
 - d. Whether the child is currently under the care of ORR, has been deported, or has been released to a sponsor.

2. An anonymized, de-identified list of all parents and adult family members separated from their children pursuant to the Administration's "Zero Tolerance" policy, and their relation to the child. For each parent or adult family member, please also provide the following information:
 - a. The total number of days the parent or adult family member has been separated from their children;
 - b. Whether or not ORR has identified the child from whom they were separated;
 - c. Whether or not ORR has successfully contacted the parent or adult family member to notify them of their child's location; and
 - d. Whether the parent or adult family member is currently being detained, has been deported, or has been released.


3. An anonymized, de-identified list that connects the parents and adult family members listed in (2) with their children, as listed in (1); and

³ Vox, "500 migrant kids have been reunited with their parents. More than 1,000 are still caught in the system," Jen Kirby, June 23, 2018, <https://www.vox.com/2018/6/23/17494084/trump-administration-separated-kids-reunification-process>

4. A detailed briefing for Members of Congress from DHS and HHS officials providing information on how the agencies are currently working to connect parents and adult family members listed in (2) with their children listed in (1).

In order to protect the identity of migrants and their children, please do not share their names or any identifying personal information in your response. We urge DHS and HHS to work as swiftly as possible to reunite these families.

Sincerely,



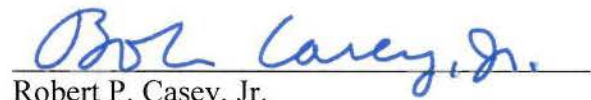
Elizabeth Warren
United States Senator



Bill Nelson
United States Senator



Bernard Sanders
United States Senator




Robert P. Casey, Jr.
United States Senator



Kirsten Gillibrand
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Edward J. Markey
United States Senator


Cory A. Booker
United States Senator


Tammy Duckworth
United States Senator


Tina Smith
United States Senator