



STATE OF FLORIDA

**ASHLEY MOODY
ATTORNEY GENERAL**

April 17, 2023

The Honorable Kevin McCarthy
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Washington, D.C. 20515

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
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The Honorable Hakeem Jeffries
Minority Leader
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The Honorable Mitch McConnell
Minority Leader
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The Honorable Jim Jordan
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The Honorable Dick Durbin
Chair, Judiciary Committee
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The Honorable Jerrold Nadler
Ranking Member, Judiciary Committee
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The Honorable Lindsey Graham
Ranking Member, Judiciary Committee
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The Honorable Mark Green
Chair, Homeland Security Committee
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The Honorable Gary Peters
Chair, Homeland Security & Governmental
Affairs Committee
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The Honorable Bennie G. Thompson
Ranking Member, Homeland Security Committee

The Honorable Rand Paul

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Ranking Member, Homeland Security &
Governmental Affairs Committee
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295 Russell Senate Office Building
Washington, D.C. 20510

**RE: The Departments of Health and Human Services' and Homeland Security's
Trafficking of Unaccompanied Alien Children**

Dear Speaker, Majority Leader, Minority Leaders, Chairs, and Ranking Members:

I write each of you today to call upon you to exercise Congress's investigative and oversight authority over the Department of Homeland Security ("DHS") and the Department of Health and Human Services ("HHS") with respect to the handling and placement of unaccompanied alien children in the United States. A Florida Grand Jury recently released a presentment that details how the federal government is facilitating and allowing unaccompanied alien children to be placed with unrelated individuals and in situations where they are subject to abuse, including rape, molestation, and effectively forced to work to pay for their travel to the United States in violation of child labor laws. Congress should convene hearings and act to prevent any child from being assaulted or exploited.

After the murder of a Floridian by an illegal alien who falsely claimed to be an unaccompanied minor¹ and the uncovering of secret flights into a Jacksonville, Florida airport, containing what appeared to be children,² Governor Ron DeSantis petitioned the Florida Supreme Court to empanel a grand jury to investigate criminal or wrongful activity relating to the smuggling or endangerment of unaccompanied alien children in the State of Florida.³ On or about June 29, 2022, the Florida Supreme Court granted Governor DeSantis's petition and empaneled a statewide grand jury, which has been investigating for about six months. On March 29, 2023, the grand jury released its third presentment, which shockingly details how the HHS's Office of Refugee Resettlement ("ORR") is trafficking children throughout the United States to be sexually abused or forced into unlawful child labor.⁴ The Grand Jury found that, instead of protecting children, ORR was "fully focused on maximizing the number of children they can process, heedless of the downstream consequences to either the children or the communities into which they are jettisoned."⁵

The Grand Jury found that ORR and other federal entities encourage unaccompanied alien children "to undertake and/or be subjected to a harrowing trek to our border, ultimately abandoning significant numbers of those who survive the journey to an uncertain fate with persons who are largely unvetted."⁶ The Grand Jury noted that unaccompanied alien children were exposed "to

¹<https://nypost.com/2021/11/04/illegal-immigrant-who-posed-as-minor-while-crossing-border-charged-with-murder/>.

² <https://www.nytimes.com/2022/06/24/us/ghost-flights-migrant-children.html>.

³ *In re Statewide Grand Jury #21*, case no. SC2022-0796 (June 17, 2022).

⁴ *In re Statewide Grand Jury #21*, case no. SC2022-0796 (March 29, 2023) (Dkt. #93). A copy of the Grand Jury's Third Presentment is enclosed with this letter.

⁵ *Id.* at 4.

⁶ *Id.* at 2.

horrifying health conditions, constant criminal threat, labor and sex trafficking, robbery, rape, and other experiences not done justice by mere words.”⁷ The Grand Jury faulted DHS and HHS for not cross referencing each other’s databases to detect whether someone is falsely claiming to be a minor or had entered the United States before.⁸ The Grand Jury also faulted ORR for hiring case managers who typically come to that job with no experience, are provided little to no training, and “are actively discouraged from independently investigating” things like the safety or legitimacy of addresses where a child is being sent.⁹ Some case managers testified that they were ordered and directed by ORR not to do so.¹⁰ In FY 2021, HHS released 108,246 children to sponsors, but only conducted 25,413 digital fingerprint checks of sponsors and checked 9,885 sponsor names on child abuse and neglect registries. Criminal background checks were not run on sponsors and one child testified that a sponsor had been to prison in Florida for beating another child prior to that child’s placement with the sponsor.¹¹ Under the Biden Administration, HHS has also eliminated the proof of address requirement for potential sponsors.¹² Case managers reportedly testified that they do not often do site visits or home studies (5,468 in FY 2021 or 4.5% of placements) of addresses and only sometimes verify addresses on the internet.¹³ A case manager also apparently testified that a placement was approved to a sponsor who gave an address of a Jacksonville, Florida strip club.¹⁴ The Grand Jury also found from witness testimony that one address had 100 children sent to it, another had 44 children sent to it, yet another had 25, and one sponsor in Florida had multiple children sent to multiple different addresses. One Florida organization responded that it had placed 598 children with only 132 sponsors (4.5 children per sponsor).¹⁵ These are clear red flags for human trafficking, but those signs are being ignored. The Grand Jury had unaccompanied alien children testify that they were “pimped out” by their “aunt,” who was someone that the child did not know. Others testified about being left with unknown males. Other children testified that they were forced to drop out of school and, instead, work to pay off the debt owed to smugglers. The Grand Jury also found that ORR’s follow up after placement was a joke, consisting of three phone calls over thirty days with action only being taken if a problem is reported and unanswered phone calls not triggering additional review.¹⁶

Given the Grand Jury’s findings and Congress’s previous investigations, one might question why Congress should conduct another investigation. The answer is that HHS refused to provide documents or produce witnesses before the Grand Jury and apparently actively encouraged Florida entities with which it has contracted not to cooperate with the Grand Jury. The American people do not fully know what is going on at ORR since the Biden Administration took over, and, while it looks bad, there is more to uncover. Presumably, HHS and DHS will not be as flippant and obstructive to Congress as they were with the Grand Jury.

⁷ Id.

⁸ Id. at 5.

⁹ Id. at 6.

¹⁰ Id. at 7.

¹¹ Id. at 21.

¹² Id. at 19.

¹³ Id. at 19-20.

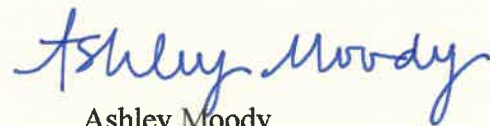
¹⁴ Id. at 20.

¹⁵ Id. at 22.

¹⁶ Id. at 25.

Regardless of whatever your political affiliation or position on illegal immigration in this country is, surely, we all can agree that facilitating sexual assault and child labor is reprehensible. I call for Congress to fully investigate ORR and exercise oversight over that agency to end this abhorrent abdication of responsibility. ORR needs to do its job and only place minors with fully vetted, actual relatives, who live in suitable and safe homes. When it comes to placement of children, States need greater transparency in what ORR and the Biden Administration are doing as States in the end will be left to respond when placements fail. Conducting these activities in the dark of night or otherwise keeping the States in the dark, in the end, just harms the children involved and that is inexcusable and disgraceful.

Sincerely,



Ashley Moody
Florida Attorney General

Enc.

cc:

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