

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Sixteenth Congress

January 11, 2019

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

Dear Secretary Azar:

There remain many unanswered questions about the development and execution of the Trump Administration's family separation or "zero tolerance" policy. The latest tragic deaths in custody of young children underscore the need for oversight of Administration's policies. Members of this Committee have written repeatedly to the Department to request briefings, information, and document preservation on matters related to family separation, migrant detention, deaths in custody, and related policies on the border. The existence of any family separation pilot program, the health and safety of children in your facilities, the lack of a proper reunification strategy prior to implementation, and the legal justifications for these policies remain key issues this Committee must better understand.

To that end, I respectfully ask that you provide complete responses and produce the relevant documents and communications requested below by no later than January 25, 2019.

1. Documents and communications dated from January 20, 2017 to April 23, 2018 relating to the implementation of a "zero tolerance" policy or any other family separation policy, including any pilot program resulting in family separation along the southwest border. Please include a list of any steps taken by the Administration to separate families at the southwest border, either at ports of entry or otherwise, prior to June 17, 2018;
2. Total number of separated or unaccompanied children who reported physical or sexual abuse in the custody of Health and Human Services or the Department of Homeland Security. Please include a list of the facilities where the incidents occurred and a description of actions taken for each incident;
3. Documents and communications relating to the policy of the forced administration of medication—including, but not limited to, anti-psychotics; anti-depressants, and mood stabilizers—to individuals under the age of 18 in the custody of Health and Human Services or the Department of Homeland Security;

4. Documents or communications relating to the policies, processes, or resources needed to identify, track, and reunify family members separated between January 20, 2017 and April 23, 2018;
5. Documents or communications relating to the creation of procedures or the allocation of resources to support the reunification of families separated between April 23, 2018 and June 20, 2018;
6. Documents and communications between the Department of Homeland Security and its components, Health & Human Services, and the Department of Defense, referring or relating to the use of Department of Defense personnel or facilities to support the detention of unaccompanied minors or children separated from families under the zero tolerance or other family separation policy.

Thank you for your prompt attention on this matter. I look forward to working more closely with your office in the 116th Congress.

Sincerely,



Jerrold Nadler
Chairman
House Committee on the Judiciary

cc: Honorable Doug Collins, Ranking Member, House Committee on the Judiciary