

EQUITY FORWARD

Secretary Azar And His Department Of Health and Human Services (HHS) Repeatedly Lied About Its Handling Of The Child Separation Crisis It Manufactured

Secretary Azar's HHS Did Not Preemptively Set Up A Plan To Intake And Reunify Children When The Family Separation Policy Was Implemented

HHS Had “No Interagency Plan In Place To Reunite Children With Their Parents

Trump Administration Officials Told Lawmakers It Had “No Interagency Plan In Place To Reunite Children With Their Parents When Attorney General Jeff Sessions Announced President Trump’s ‘Zero Tolerance’ Policy In April.” “Yesterday, Trump Administration officials made a startling confession—they had no interagency plan in place to reunite children with their parents when Attorney General Jeff Sessions announced President Trump’s ‘zero tolerance’ policy in April. Even if they believed their new policy was the right one, how could they have been so heartless not to have planned to reunite these children with their parents? Their admissions demonstrate a new low in the Trump Administration’s cruelty, inhumanity, and utter incompetence.” [[House Oversight Committee Press Release, 7/19/18](#)]

- **HHS Had A “Contentious” Call With Reporters Where Officials Couldn’t Even Answer If Children Were Still Coming Into Its Care Because Of Parental Separations.** “During a conference call with reporters, Health and Human Services officials declined to give specific details on the reunification process for children separated from their parents at the border and whether the government is still separating families.” [[CNN, 6/27/18](#)]

According To A May 2017 Email From An ORR Field Specialist HHS And DHS Had “No Formal Memoranda Of Understanding” For Releasing Children To Their Parents After Separation

From:	De La Cruz, James (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2EBA95D119AB4CD6A77B34616DC3366C-DE LA CRUZ,>
To:	(b)(6);(b)(7)(C); (b)(6);(b)(7)(C) @ice.dhs.gov"; (b)(6);(b)(7)(C) [CTR] (b)(6);(b)(7)(C) @associates.ice.dhs.gov"
CC:	"Brooks, Teresa (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a2883a19e184fffb906bb06591b568a-Brooks, Ter>"
Subject:	FW: Procedures for Release of Children to Parents after DHS Separation
Date:	2017/05/30 17:21:00
Priority:	Normal
Type:	Note

Hello,

Last September this information was socialized with the ORR FFS Field Supervisors and their assigned FFS. The Draft ORR Notification to DHS Family Case Management Program guidance was intended to help the field attend to a trend of UC being separated from their parents. Though we worked out a process to handle such cases with the DHS Alternative to Detention program, there was no formal MOU between ORR and DHS. (Copying Teresa who is a on leave.)

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
Washington, DC 20201
Office: 202-690-8477
Cell: 202-(b)(6);(b)(7)(C)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

[Equity Forward Public Records Production]

HHS Has Been Unable To Meet Mandatory, Court-Ordered Deadlines To Reunite Children With Their Parents, And Had "Improvise Reunification "On The Fly"

HHS Blamed Congressional Visits To ORR Facilities On Its Delay In Reuniting Children. After HHS asked lawmakers to send advance requests to visit ORR facilities, it blamed these very visits on delaying reunification. HHS wrote a letter to lawmakers saying "nearly 500 work hours" have been used up to facilitate congressional visits which has placed "resource constraints" that threatened to "impact ORR's ability to quickly reunite the children in our care." [[HHS Letter to Congress, 7/2/18](#)]

The ORR Official Deputized To Reunify Children Called It A "Novel Process." "This is a novel process,' said Cmdr. Jonathan White, a social worker and top HHS emergency-response official working in the bunker...This time he has been deployed deep into the federal bureaucracy, figuring out how the government can quickly confirm parental relationships and run criminal background checks before delivering children to their mothers and fathers at immigration jails scattered along the border." [[Washington Post, 7/19/18](#); [Jonathan White LinkedIn, accessed 6/25/18](#)]

- "HHS Had To Improvise A Parent-Child Reunification System On The Fly Because The Trump Administration Didn't Have One Until A Few Weeks Ago." [[Washington Post, 7/19/18](#)]

HHS Did Not Have A Way To Determine If A Child Was Separated From Their Parent Until Weeks After Secretary Azar Claimed He Could Locate A Child “Within Seconds”

According To ORR Officials, Prior To July 6, 2018, The UAC Portal Did Not Have A Systematic Way To Indicate Whether A Child Was Designated As Unaccompanied As A Result Of Being Separated From A Parent At The Border... “ORR updated the UAC Portal to include a check box to indicate a child was separated from a parent. According to ORR officials, ORR made these changes on July 6, 2018, after the June 20 executive order and June 2018 court order to reunify families. According to ORR officials, prior to July 6, 2018, the UAC Portal did not have a systematic way to indicate whether a child was designated as unaccompanied as a result of being separated from a parent at the border. The updates allow those Border Patrol agents with direct access to the UAC Portal to check this box if a child was separated from a parent.” [GAO Report, Agency Efforts to Reunify Children Separated from Parents at the Border, page 18]

... But Weeks Earlier, HHS Secretary Alex Azar Claimed That There Was “No Reason Why Any Parent Would Not Know Where Their Child Is Located” And Claimed He Could Locate “Any Child Within Seconds” Through An Online Portal. “Questions have swirled as to whether the agency is capable of handling the challenge of reuniting the children with their families. Azar defended the administration’s response. He said public health service officers are working with parents to put them in touch with their children. ‘There is no reason why any parent would not know where their child is located,’ Azar said, adding he could locate ‘any child within seconds’ through an online government portal. But Sen. Ron Wyden (D-Ore.), the committee’s ranking member, said Azar’s comments don’t align with firsthand accounts, and said an online system won’t help. ‘Portals are not part of the daily existence of these people,’ Wyden said. Media reports from the border show a confusing situation with parents unable to locate their children, often being given wrong or misleading information.” [[The Hill, 6/26/18](#)]

HHS Lied About Being Able To Immediately Locate Children In Its Custody...

On June 26, 2018, Azar Claimed To Senators That He Could Find Every Child In HHS Custody In “Seconds.” Azar told senators: There is no reason why any parent would not know where their child is located...I could...at keystrokes i’ve sat on the ORR portal with just basic keystrokes within seconds could find any child in our care for any parent.” [[CNN, 6/26/18](#)]

... But On July 6, 2018, As The First Court-Ordered Deadline Loomed, Trump Administration Lawyers Asked For More Time Because Of Difficulty Locating Some Parents Because The Government Apparently “Lacked A System To Monitor Everyone’s Whereabouts.” “Lawyers for the Trump administration on Friday asked a federal judge for more time to reunite immigrant children with their parents, the latest signal that the government is struggling to bring families back together after separating thousands as they crossed the U.S.-Mexico border earlier this year. U.S...Officials say they have deployed hundreds of government employees and opened a command center usually reserved for natural disasters to match parents and children. But the massive effort is complicated by difficulty in locating some parents and, in other cases, uncertainty about the parents’ identities. Some parents have been deported and others have been freed in the United States, apparently without a system to monitor everyone’s whereabouts.” [[Washington Post, 7/6/18](#)]

HHS Also Lied To The Public About Having A “Central Database” With The Department Of Homeland Security

HHS Claimed It Had A Central Database On Minors’ Locations When In Fact No Such Database Existed

June 2018: HHS Claimed It Had A Central Database With DHS To Share Information On Minors And Their Parents. “There is a central database which HHS and DHS can access and update when a parent(s) or minor(s) location information changes.” [[HHS Press Release, 6/23/18](#)]

October 2018: It Was Revealed That HHS And DHS Did Not It Have A “Central Database” To Share Child Information “On June 23, three days after the executive order halting the separations, DHS announced it had developed a “central database” with HHS containing location information for separated parents and minors that both departments could access to reunite families. The inspector general found no evidence of such a database, the report said. ‘The OIG team asked several [Immigration and Customs Enforcement] employees, including those involved with DHS’ reunification efforts at ICE Headquarters, if they knew of such a database, and they did not,’ it states. ‘DHS has since acknowledged to the OIG that there is no ‘direct electronic interface’ between DHS and HHS tracking systems.’ Inspectors said they continue to have doubts about the accuracy and reliability of information provided by DHS about the scope of the family separations.” [[Washington Post, 10/2/18](#)]

- **HHS Software Does Not Have A Dedicated Data-Entry Section For Officials To Note That A Child Had Been Separated Or Who The Child’s Parents Are.** “HHS software...lacks a data-entry field to label children who are separated minors. Unless the U.S. border agents who took the families into custody included such details in the ‘notes’ field of a child case file, there was nothing to distinguish the separated children from the much larger group of underage migrants who arrived in the United States without a parent. The data system was designed to process such “Unaccompanied Alien Children,” and place them with sponsors, agency spokesman Mark Webber said. ‘What it wasn’t designed to do is the quick match’ with parents.” [[Washington Post, 7/19/18](#)]
- **HHS Was Unable To Locate 38 Parents For Its First Court Ordered Deadline To Reunited Children Under 5.** HHS could not find 19 parents because “ have been released from custody into the U.S. and their whereabouts are unknown” and admitted that 19 other parents “have been deported.” [[NBC News, 7/6/18](#)]
- **HHS Officials Said They Couldn’t “Provide Complete Numbers Because They Are Focused On Reuniting Families.”** “The number of migrant children in custody after being separated from their parents barely dropped since last week, even as Trump administration said it’s doing everything possible to expedite family reunification. Health and Human Services Secretary Alex Azar told senators at a hearing Tuesday that his agency currently has 2,047 migrant children — or six fewer than the total HHS count last week. Confusion reigned, with officials later telling reporters on a conference call they couldn’t provide complete numbers because they are focused on reuniting families. [[Associated Press, 6/26/18](#)]

November 2018: Federal Judge May Order Government To Create A Better Database System for Tracking Migrant Children. “Pointing Friday to a recent government watchdog

report on family separations that further detailed bad record-keeping and poor communication among different agencies, [U.S. District Judge Dana] Sabraw suggested in court that he might eventually consider ordering the government to create a better database system. For now, Sabraw said he wants attorneys on both sides to continue discussing the matter as part of their regular negotiations in the case and reporting to the court.” [\[ABC, 11/30/18\]](#)