

**Opening Statement of Ranking Member Morgan Griffith
Subcommittee on Oversight & Investigations Virtual Hearing
“A Humane Response: Prioritizing the Well-Being of Unaccompanied
Children”**

June 9, 2021

As Prepared for Delivery

Thank you, Chair DeGette, for holding this hearing.

This Committee’s oversight over the U.S. Department of Health and Human Services’ (HHS) Office of Refugee Resettlement’s (ORR) management, care, and treatment of unaccompanied children, as well as the sponsorship process for unaccompanied children, extends back to 2014 in response to the first major influx of children and family units coming across our southern border. Because of the work done by this Committee and others, reforms were made to the ORR program, including improving the medical care available to children while in HHS’ care and custody.

In the 115th Congress, our work on this issue continued after the announcement and then end of the Zero Tolerance policy. I want to be very clear, I support strong enforcement of our nation’s borders, but I do not support separating children from their parents. I care deeply about the safety and well-being of these children, and these separations caused great harm to the children and families involved.

In 2019, the U.S. Department of Homeland Security (DHS) and HHS experienced another surge of unaccompanied children and family units coming across our southern border. ORR received 69,488 referrals from DHS in Fiscal Year 2019.¹ That influx was higher than it had been in previous years, leading to capacity and resource issues at the U.S. Customs and Border Protection (CBP) and ORR facilities.

Over the past few months, the U.S. has been experiencing another surge at its southern border. According to CBP Southwest land border demographic data in Fiscal Year 2021 to date, U.S. Border Patrol has had encounters with over 64,600 unaccompanied children /Single Minors, with over 9,200 encounters in February, over 18,700 in March, and over 16,900 in April.² According to a recent article, the number of migrant children in CBP custody peaked at 5,767 on March 28.³ Further, according to ORR, on April 2, the average time in CBP custody was 133 hours, significantly over the 72-hour limit. In addition, ORR had more than 23,000 children in its care in late April.

As we have seen over the years, immigration trends can be hard to accurately predict, but the current circumstances at the border were not completely

¹ <https://www.acf.hhs.gov/orr/about/ucs/facts-and-data>.

² U.S. Customs and Border Protection, Southwest Land Border Encounters, *available at* <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last accessed on Apr. 12, 2021).

³ Priscilla Alvarez, *Number of unaccompanied migrant children in Customs and Border Protection custody falls 45%*, CNN (Apr. 12, 2021), *available at* <https://www.cnn.com/2021/04/12/politics/border-migrant-children/index.html>.

unforeseeable. President Biden campaigned on easing immigration controls, giving migrants a reason to believe that it would be easier for them to get into the U.S. if he was elected President. In fact, ORR first reached 85 percent operational capacity—also referred to as influx capacity—on February 7, 2021, less than one month after President Biden was sworn into office. This Committee does not have jurisdiction over immigration policies and that is not what we are here to discuss today. However, it is ORR’s role to care for unaccompanied children who are referred to them by immigration officials, and it is critical that ORR is prepared for surges in unaccompanied children referrals, in order to make sure that ORR can adequately care for unaccompanied children while they are in their custody, especially during a global pandemic.

Whether it is challenges with bed capacity; hiring, training, and adequately vetting personnel at ORR facilities; or ensuring that sponsors are appropriately screened before placing children in their care—all of these components are critical to ensure the safety and well-being of these children.

Over the past few months we have seen concerning reports, including the administration not requiring FBI fingerprint background checks of caregivers at its

emergency intake sites;⁴ allegations of neglect and abuse at ORR facilities;⁵ children being stuck on parked buses for days before going to family or sponsors;⁶ and inadequate living conditions at ORR facilities, including reports of girls housed at a Houston facility being instructed to use plastic bags for toilets because there were not enough staff to accompany them to restrooms.⁷ In addition, ORR has implemented policies to expedite the release of unaccompanied children to sponsors and we need to ensure these policies do not inadvertently put children in danger.

I recently visited an ORR facility in Texas, and I greatly appreciate all of the hard work of the staff, contractors, and volunteers who are helping to care for these children, but I remain concerned about some of the recent reports and ORR's processes when it comes to the management and care for these children. I look forward to the opportunity to ask questions regarding these concerns at today's hearing.

I thank Acting Assistant Secretary Chang for being here today and being part of this important discussion. I yield back.

⁴ <https://apnews.com/article/joe-biden-health-immigration-child-welfare-coronavirus-pandemic-c4c87f6e76a7fd3ab6e4850ed028c002>.

⁵ <https://apnews.com/article/greg-abbott-immigration-child-welfare-coronavirus-pandemic-san-antonio-9cb5c714c184a5e442b01a46adc6a434>.

⁶ <https://www.nbcnews.com/politics/immigration/some-migrant-children-stuck-overnight-parked-buses-going-family-or-n1267167>.

⁷ <https://abcnews.go.com/US/unbearable-conditions-push-biden-administration-close-houston-migrant/story?id=77156939>.