

ONE HUNDRED SIXTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927

Minority (202) 225-3641

July 22, 2019

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

Dear Secretary Azar:

On June 24, 2019 President Trump signed into law Public Law No. 116-22, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019. This bipartisan legislation strengthens the nation's health security infrastructure and improves preparedness and response efforts in the wake of public health emergencies.

Notably, the legislation also includes a requirement that you submit to Congress within 14 days of enactment a formal strategy and report regarding the oversight of, and care for, unaccompanied alien children (UACs) within the care of HHS, including those children forcibly separated from their parents or guardians pursuant to the zero tolerance immigration policy instituted by the Trump Administration on April 6, 2018.

Pursuant to Section 704 of this Act, July 8, 2019 was the deadline for you to submit this formal strategy and report to the House Committee on Energy and Commerce and the Senate Committee on Health, Education, Labor and Pensions. However, at this point, I have not received this mandated report, nor any formal correspondence from you in response, and it appears that HHS has chosen to ignore the statute.

HHS's failure to comply with this requirement is especially concerning given the ongoing crisis at our southern border, as new reports surface each day regarding the horrific conditions faced by migrant children in U.S. custody as they await transfer into the Office of Refugee Resettlement (ORR).<sup>1</sup> By including Section 704 in this Act, Congress made clear its bipartisan intent to exercise its oversight function to the fullest extent of the law.

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<sup>1</sup> New York Times, *U.N. Rights Head 'Shocked' by Treatment of Migrant Children at U.S. Border*, July 8, 2019 ([www.nytimes.com/2019/07/08/world/americas/michelle-bachelet-unhcr-migrants-border.html](http://www.nytimes.com/2019/07/08/world/americas/michelle-bachelet-unhcr-migrants-border.html)).

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I expected a response from HHS pursuant to Section 704 by the deadline included in the Act. Please provide me with an update on the status of this mandate and when HHS intends to deliver the formal strategy and report to the Committees. This formal strategy and report is critical to ensuring the safety and security of the migrant children at the border, and I strongly urge you to take every step necessary to comply with the law immediately.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." with a stylized flourish at the end.

Frank Pallone, Jr.  
Chairman