

PATTY MURRAY, WASHINGTON
ROBERT P. CASEY, JR., PENNSYLVANIA
TAMMY BALDWIN, WISCONSIN
CHRISTOPHER MURPHY, CONNECTICUT
TIM Kaine, VIRGINIA
MARGARET WOOD HASSAN, NEW HAMPSHIRE
TINA SMITH, MINNESOTA
BEN RAY LUJÁN, NEW MEXICO
JOHN W. HICKENLOOPER, COLORADO
EDWARD J. MARKEY, MASSACHUSETTS

BILL CASSIDY, LOUISIANA
RAND PAUL, KENTUCKY
SUSAN M. COLLINS, MAINE
LISA MURKOWSKI, ALASKA
MIKE BRAUN, INDIANA
ROGER MARSHALL, KANSAS
MITT ROMNEY, UTAH
TOMMY TUBERVILLE, ALABAMA
MARKWAYNE MULLIN, OKLAHOMA
TED BUDD, NORTH CAROLINA

United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

WARREN GUNNELS, MAJORITY STAFF DIRECTOR
AMANDA LINCOLN, REPUBLICAN STAFF DIRECTOR

www.help.senate.gov

May 16, 2024

VIA ELECTRONIC TRANSMISSION

Maria Campos
President and CEO
The Providencia Group LLC
19775 Belmont Executive Plaza, Suite 450
Ashburn, VA 20147

Ms. Campos:

I write to you today to seek information and documents concerning contracts awarded to The Providencia Group LLC (TPG) by the U.S. Department of Health and Human Services (HHS) for sponsor vetting services for unaccompanied children in the custody of the Office of Refugee Resettlement (ORR).¹ Federal law requires ORR to facilitate the safe and timely placement of unaccompanied children with suitable sponsors upon release from its custody, and thorough screening of potential sponsors is imperative given that these children are highly susceptible to abuse, exploitation, and human trafficking if placed with unsuitable sponsors.² I am concerned that TPG's limited experience and questionable ties to a defense contractor known to have mistreated migrant children in the past resulted in significant gaps in the sponsor vetting process. These gaps, in turn, have led to unaccompanied children being placed with unsuitable sponsors and put them at serious risk of exploitation. As a government contractor directly responsible for providing these sponsor vetting services to ORR, you must be held jointly responsible for any and all program failures.

Reports of unaccompanied children becoming victims of human trafficking, including forced labor, call into question the effectiveness of the laws, policies, and procedures governing their treatment.³ The *Flores* settlement agreement sets out a nationwide policy for the treatment of minors in U.S. government custody, including its agents, employees, and government contractors.⁴ While the *Flores* settlement established a general policy favoring the expeditious release of

¹ Contract Summary, *The Providencia Group LLC*, USASPENDING.GOV, https://www.usaspending.gov/award/CONT_AWD_75ACF121C00089_7590_-NONE_-NONE- (last viewed May 13, 2024); Contract Summary, *The Providencia Group LLC*, USASPENDING.GOV, https://www.usaspending.gov/award/CONT_AWD_140D0422C0037_1406_-NONE_-NONE- (last viewed May 13, 2024).

² E.g. Hannah Dreier, *Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.*, THE NEW YORK TIMES (Feb. 25, 2023), <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

³ *Id.*

⁴ Stipulated Settlement Agreement, *Flores v. Reno*, No. 85- CV-4544 (C.D. Cal. 1997).

unaccompanied children from ORR custody, it requires the U.S. government to follow certain requirements, including an order of preference for release to sponsors based on familial status as well as a suitability assessment prior to release.⁵

ORR policy requires case managers to follow set procedures, including a timeline for completing the screening process based on the category of sponsor, ranging from ten to twenty-one calendar days.⁶ ORR's process for screening sponsors includes: identifying and contacting a sponsor, review of an application for releasing the child into the sponsor's care (including verifying documentation of the sponsor's identity and relationship to the child), a sponsor assessment, safety checks which require review of the prospective sponsor's criminal history, and a home study, if warranted.⁷ If ORR field specialists decide a home study is necessary, that study may include interviews, a home visit, and a written report of the field specialist's findings.⁸ All this information is inputted into ORR's online case management system.⁹

Recently, however, significant deficiencies have come to light with ORR's oversight of the sponsor vetting process. In February 2024, the HHS Office of Inspector General (OIG) released a report titled "Gaps in Sponsor Screening and Followup Raise Safety Concerns for Unaccompanied Minor Children."¹⁰ During its investigation, HHS OIG reviewed a random sample of 342 case files for children released to sponsors between March and April 2021 to determine whether all sponsors were screened according to ORR policy and applicable field guidance.¹¹ HHS OIG found that 16 percent of unaccompanied children's case files lacked any documentation that safety checks were conducted; 19 percent were never updated with the results of fingerprint, child abuse, or neglect registry checks; and 35 percent included illegible sponsor-submitted identification information. In other cases, ORR failed to conduct mandatory home studies or well-being follow-up calls.¹²

On August 26, 2021, four months after the end of HHS OIG's audit period, HHS awarded TPG a \$191.3 million contract for "case management services, sponsor assessments and verification, as well as timely UC reunification."¹³ Then, on September 19, 2022, HHS awarded TPG a contract worth up to \$524.3 million for "sponsor services."¹⁴ All in, TPG has been awarded over \$715 million in contracts by HHS to assist ORR with sponsor vetting and the placement of

⁵ *Id.* ("[T]he [Federal government] shall release a minor from its custody without unnecessary delay, in the following order of preference, to: (A) a parent; (B) a legal guardian; (C) an adult relative . . . (E) A licensed program willing to accept legal custody; (F) an adult individual or entity seeking custody . . . [if] there is no other likely alternative to long term detention and family reunification does not appear to be a reasonable possibility.").

⁶ *Dep't of Health and Human Serv., Off. Of Inspect. Gen., Gaps in Sponsor Screening and Followup Raise Safety Concerns for Unaccompanied Children*, 5 (Feb. 2024), <https://www.borderreport.com/wp-content/uploads/sites/28/2024/02/OEI-07-21-00250.pdf>.

⁷ *Id.* at 5-6.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Dep't of Health and Human Serv., Off. Of Inspect. Gen., Gaps in Sponsor Screening and Followup Raise Safety Concerns for Unaccompanied Children* (Feb. 2024), <https://www.borderreport.com/wp-content/uploads/sites/28/2024/02/OEI-07-21-00250.pdf>.

¹¹ *Id.* at 9.

¹² *Id.*

¹³ Contract Summary, *The Providencia Group LLC*, USASPENDING.GOV, https://www.usaspending.gov/award/CONT_AWD_75ACF121C00089_7590_-NONE_-NONE- (last viewed May 13, 2024).

¹⁴ Contract Summary, *The Providencia Group LLC*, USASPENDING.GOV, https://www.usaspending.gov/award/CONT_AWD_140D0422C0037_1406_-NONE_-NONE- (last viewed May 13, 2024).

unaccompanied children with sponsors. According to TPG’s website, these “sponsor services” include:

“the identification of sponsors; sponsor application; interviews; the assessment (evaluation) of sponsor suitability, including verification of the sponsor’s identity and relationship to the child (if any), background checks, and in some cases home studies; and post-release planning.”¹⁵

TPG was established in June 2020 as a limited liability company based in Virginia,¹⁶ and it is unclear what prior experience TPG leadership or any of its employees had in providing sponsor vetting or child welfare services. However, TPG appears to be closely related to MVM, Inc., a defense contractor previously accused of abusing unaccompanied children and hiring transportation employees with criminal records.¹⁷ For example, in 2023, HHS OIG found that ORR did not require its transportation services contractor, at the time MVM,¹⁸ to conduct background checks on its employees as required by ORR minimum standards.¹⁹ And, in 2018, “[v]ideos shot by an alarmed neighbor show children dressed in sweat suits being led—one so young she was carried—into a 3,200-square-foot building in early June.”²⁰ According to reports, this building, which was leased by MVM President and CEO Kevin Marquez, did not have a kitchen and had few toilets, yet MVM found it suitable to house migrant children.²¹

Despite there being no outward acknowledgment from TPG about its close relations with MVM, the companies’ filings tell a different story. TPG’s sole controlling member, KG&P Strategies, Inc., is a corporation in which Mr. Marquez is also the President and CEO.²² In November 2020, Mr. Marquez—acting as KG&P’s President—amended TPG’s articles of organization to provide that the company be manager-managed.²³ Subsequent filings, including as recently as August, 2023, list Mr. Marquez as TPG’s “manager.”²⁴ Furthermore, while serving as President and CEO of TPG, it appears that you have also been serving as the Vice President of MVM since at least

¹⁵ *Sponsor Services Program*, PROVIDENCIA, <https://theprovidenciagroup.com/support-services/> (last viewed Apr. 12, 2024).

¹⁶ Articles of Organization of The Providencia Group, LLC, <file:///C:/Users/csoto/Downloads/BE14314751-14590561-FI.pdf>.

¹⁷ *Biden Showers Cash on Ex-CIA Contractor to Transfer Migrants*, DAILY BEAST, <https://www.thedailybeast.com/biden-showers-cash-on-ex-cia-contractor-mvm-inc-to-transfer-migrants>.

¹⁸ *USA Spending, Contract Summary, MVM, LLC*, https://www.usaspending.gov/award/CONT_AWD_75ACF121C00023_7590_-NONE_-NONE- (last viewed Apr. 12, 2024).

¹⁹ *Dep’t of Health and Human Serv., Off. Of Inspect. Gen., A-06-21-07003: The Office of Refugee Resettlement Needs to Improve Its Practices for Background Checks During Influxes* (May 2023), <https://oig.hhs.gov/oas/reports/region6/62107003.pdf>.

²⁰ *Activist Question Tie Between Ex-ICE Contractor and Virginia Democrats*, VPM (July 18, 2019), <https://www.vpm.org/news/2019-07-18/activists-question-ties-between-ex-ice-contractor-and-virginia-democrats>; Aura Bogado, et al., *Defense contractor detained migrant kids in vacant Phoenix office building*, REVEAL (July 6, 2018), <https://revealnews.org/article/defense-contractor-detained-migrant-kids-in-vacant-phoenix-office-building/>.

²¹ *Id.*

²² On file with Committee staff. Based on publicly available records, Maria Campos and Kevin Marquez appear to reside at the same address in Virginia. While not the subject of this inquiry, Campos’ relationship to Marquez calls into question the legitimacy of TPG as an organization.

²³ On file with Committee staff.

²⁴ On file with Committee staff.

March 2023.²⁵ Your close ties to MVM and Mr. Marquez’s ties to TPG call into question the ability of TPG to sufficiently vet potential sponsors and ensure that unaccompanied children are being released into safe environments, given MVM’s reprehensible past handling of unaccompanied children.

This apparent corporate shell game came in the face of mounting criticism regarding MVM’s past conduct, and calls from activists demanding that certain Democratic politicians dissociate themselves from Mr. Marquez in the summer of 2019—a year before TPG was created.²⁶ The formation of TPG as an entity still fully under the control of Mr. Marquez, suggests that he simply rebranded MVM, spun off a new corporate entity, and placed you—a professional with little-to-no apparent experience in immigration, child welfare services, or experience placing children with suitable sponsors²⁷—at its helm to shield it from ongoing scrutiny in the aftermath of MVM’s past treatment of unaccompanied children.

Over the last year, I have sounded the alarm with the Biden administration—including ORR and the Department of Labor’s Wage and Hour Division (WHD)—as well as numerous private companies that unaccompanied children are being placed with unsuitable sponsors, and forced into the labor market, where they work long hours in hazardous conditions around the country.²⁸ A group of 22 Attorneys General also raised similar concerns with the administration in February.²⁹ However, despite promising to fix the border crisis, the Biden administration awarded over \$715 million in contracts to vet potential sponsors to TPG, a corporation with virtually no experience caring for unaccompanied children, but one with close ties to another contractor with a history of abuse of these vulnerable children.³⁰ This is inherently problematic, and puts unaccompanied children in unspeakable danger.

²⁵ On file with Committee staff.

²⁶ *Activist Question Tie Between Ex-ICE Contractor and Virginia Democrats*, VPM (July 18, 2019), <https://www.vpm.org/news/2019-07-18/activists-question-ties-between-ex-ice-contractor-and-virginia-democrats>

²⁷ *Maria Campos*, LINKEDIN, <https://www.linkedin.com/in/maria-campos-tpg/> (last viewed Apr. 12, 2024).

²⁸ Press release, Ranking Member Cassidy Seeks Information from Meat Producers, Chemical Companies as Part of Investigation into Child Labor Violations (Jan. 22, 2024),

<https://www.help.senate.gov/ranking/newsroom/press/ranking-member-cassidy-seeks-information-from-meat-producers-chemical-companies-as-part-of-investigation-into-child-labor-violation>; Press release, Ranking Member Cassidy Slams Biden Administrations Failure to Address Rising Child Labor Exploitation, Demands Answers (Mar. 5, 2024), <https://www.help.senate.gov/ranking/newsroom/press/ranking-member-cassidy-slams-biden-administrations-failure-to-address-rising-child-labor-exploitation-demands-answers>; Press release, Ranking Member Cassidy Criticizes DOL’s Failure to Provide Answers on Efforts to Combat the Exploitation of Migrant Children (Oct. 19, 2023), <https://www.help.senate.gov/ranking/newsroom/press/ranking-member-cassidy-criticizes-dols-failure-to-provide-answers-on-efforts-to-combat-exploitation-of-migrant-children>; Press release, Ranking Member Cassidy, Chair Sanders Seek Answers on Child Labor Violations (Mar. 30, 2023), <https://www.help.senate.gov/ranking/newsroom/press/ranking-member-cassidy-chair-sanders-seek-answers-on-child-labor-violations>.

²⁹ Letter from Attorneys General to the Biden Administration, (Feb. 26, 2023),

<https://files.constantcontact.com/d3e83e11901/a088dfea-fbb8-421e-9b89-634ac92cd485.pdf?rdr=true>.

³⁰ CBS News, *Biden: Immigration Order Will Undo “Moral Shame” or Family Separations*, YOUTUBE (Feb. 2, 2021), <https://www.youtube.com/watch?v=ucrgVvZpv6Y>. See also *Biden Showers Cash on Ex-CIA Contractor to Transfer Migrants*, DAILY BEAST, <https://www.thedailybeast.com/biden-showers-cash-on-ex-cia-contractor-mvm-inc-to-transfer-migrants>; *USA Spending, Contract Summary, The Providencia Group LLC*, https://www.usaspending.gov/award/CONT_AWD_140D0422C0037_1406_-NONE_-NONE- (last viewed Apr. 12, 2024).

To better understand your organization and the services it provides to ORR, my staff requested a briefing with you to discuss TPG's contracts to provide sponsor services. Inexcusably, however, TPG's outside counsel communicated to my staff that ORR instructed TPG not to speak to my office and, instead, to direct any questions to HHS's Office of Legislative Affairs: the very office that has repeatedly refused to provide any meaningful responses to my inquiries. This blatant lack of transparency is reprehensible and appears to be part of a coordinated effort to shield the Biden administration from answering for its mistreatment and mishandling of unaccompanied children.

The Senate Health, Education, Labor, and Pensions Committee has direct and primary jurisdiction over HHS and its sub-agencies, including ORR, and has the constitutional authority to conduct oversight to ensure the Biden administration is adequately protecting children both within the agency and through its contractors. Therefore, it is incumbent upon this Committee to examine the integrity of any and all services you provide to ORR to ensure they are consistent with the law. As such, I ask that you answer the following questions, **on a question-by-question basis, by May 30, 2024**. All documents shall be produced in their entirety, without redactions, and electronically.

Regarding TPG's Experience and Ability to Care for Unaccompanied Children Prior to ORR's Contract Award in August 2021

1. Prior to contract award, what organizational experience did TPG have in providing sponsor vetting services?
2. Prior to contract award, what experience and/or qualifications did TPG representatives, employees, officers, or subcontractors have in providing sponsor vetting services?
3. Prior to contract award, what experience did you have in providing sponsor vetting services and/or child welfare services?

Regarding TPG's Sponsor Vetting Services Following the Contract Award in August 2021

4. TPG refers to case managers as "unification specialists" or "case specialists".³¹ Please produce the following information:
 - a. Current number of TPG-employed unification specialists and their geographic locations. For each unification specialist, please also identify which ORR facility(s) they work with.
 - b. Current number of TPG-employed case specialists and their geographic locations. For each case specialist, please also identify which ORR facility(s) they work with.
 - c. Current number of vacancies of TPG unification specialists and case specialists.
 - d. Ratio of unification specialists to unaccompanied minors.
 - e. Ratio of case specialists to unaccompanied minors.

³¹ *Human Services Career*, PROVIDENCIA, <https://theprovidenciagroup.com/jobs/> (last viewed Apr. 12, 2024).

5. What level of education, previous history of locating and vetting sponsors for children, and/or social work certification or experience must “unification specialists” or “case specialists” have to work for TPG on its contracts with ORR?
6. What training does TPG provide to “unification specialists” or “case specialists” before they perform work under TPG’s contracts with ORR? Please provide all documentation related to this training with your response.
7. How do TPG “unification specialists” or “case specialists” identify, process, and vet potential sponsors? Please explain.
8. How do “unification specialists” or “case specialists” communicate reunification updates to the unaccompanied minor?
9. What criteria do “unification specialists” or “case specialists” use to screen potential sponsors? Please produce the relevant TPG and ORR policies and procedures.
10. How does TPG conduct oversight of “unification specialists” or “case specialists” to ensure that they are following TPG and ORR sponsor vetting criteria?
11. Do TPG “unification specialists” or “case specialists” coordinate with ORR field supervisors when identifying and vetting sponsors? If not, why not? If yes, please produce the names and titles of all federal, state, and government officials.
12. As of today, how many unaccompanied minors are TPG “unification specialists” and “case specialists” working with to identify and vet a potential sponsor?
 - a. For 2023?
 - b. For 2022?
 - c. For 2021?
13. On average, how long do TPG “unification specialists” or “case specialists” work with each unaccompanied minor before placement with a suitable sponsor?
14. What is a “significant incident”?³²
15. How do TPG “unification specialists” or “case specialists” report “significant incidents” to ORR?
16. As of today, how many “significant incidents” have occurred? When answering this question, please also describe the nature of these incidences.
 - a. For 2023?
 - b. For 2022?
 - c. For 2021?
17. How do TPG “unification specialists” or “case specialists” interface with ORR’s case management system?

³² *Unification Specialist*, PROVIDENCIA, https://kmpk.wd1.myworkdayjobs.com/TPGCareerFair/job/Remote/Unification-Specialist_R-2300856 (last viewed Apr. 12, 2024).

18. How do “unification specialists” work with social service agencies? Please provide the name and address of these social service agencies.
19. Once placed with a sponsor, how do TPG “unification specialists” or “case specialists” confirm that unaccompanied children are receiving all required post-release services?

Documents

20. Copies of TPG’s August 2021 contract to provide ORR with sponsor assessment and verification services.
21. Copies of TPG’s September 2022 contract to provide ORR with sponsor services.
22. Copies of TPG and ORR’s policies and procedures for case files and case management.
23. Copies of TPG and ORR’s policies for unaccompanied child family and sponsor assessments.
24. Copies of TPG and ORR’s policies for identifying, processing, and vetting potential sponsors.
25. Copies of TPG and ORR’s policies for reporting “significant incident.”
26. Copies of all communications between ORR Headquarters, ORR Field Officers, and TPG unification specialists when a “significant incident” was identified.
27. Copies of TPG and ORR’s policies for maintaining its case management portal.
28. Copies of TPG and ORR’s training requirements for employees, including “unification specialists” and “case specialists,” to work under TPG’s contracts with ORR.

Thank you for your prompt attention to this important matter.

Sincerely,



Bill Cassidy, M.D.
Ranking Member
U.S. Senate Committee on Health,
Education, Labor, and Pensions