

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

August 22, 2024

VIA ELECTRONIC TRANSMISSION

The Honorable Bernard Sanders
Chair
U.S. Senate Committee on Health,
Education, Labor, and Pensions
408 Dirksen Senate Office Building
Washington, D.C. 20510

Chair Sanders:

I write to request that the Committee hold a hearing to investigate the treatment of unaccompanied children in the care of the Office of Refugee Resettlement (ORR). As I am sure you are aware, the United States Department of Justice (DOJ) recently filed a lawsuit against Southwest Key Programs Inc., alleging that its employees have engaged in a pattern or practice of sexual abuse and harassment of unaccompanied children in its shelters since at least 2015.¹ Southwest Key operates 29 shelters that provide temporary housing for unaccompanied children in Texas, Arizona, and California, and is the largest housing provider for unaccompanied children in the United States. In total, it has been awarded more than \$5.5 billion in contracts from the federal government since 2014 to care for unaccompanied children.²

This issue is ripe for oversight. The Senate Committee on Health, Education, Labor, and Pensions (HELP) has primary jurisdiction over ORR and is therefore responsible for ensuring that the administration is doing everything possible to keep unaccompanied children in ORR custody safe from abuse and harassment.

DOJ's lawsuit alleges despicable acts of abuse towards unaccompanied children at facilities directly overseen by ORR. Specifically, it alleges that Southwest Key employees subjected children to "severe or pervasive sexual harassment" that included "sexual contact and inappropriate touching, solicitation of sex acts, solicitation of nude photos, entreaties for

¹ Press Release, U.S. Dep't of Just., Justice Department Sues Southwest Key for Sexual Abuse and Harassment of Children in Shelters (July 18, 2024), <https://www.justice.gov/opa/pr/justice-department-sues-southwest-key-sexual-abuse-and-harassment-children-shelters>.

² *Southwest Key Programs Inc.*, USASPENDING.GOV, <https://www.usaspending.gov/recipient/1820ebfc-c471-b00e-0966-63f2cc1e8c6e-C/all> (last viewed July 23, 2024).

inappropriate relationships and sexual comments.”³ It also alleges that Southwest Key took insufficient action to prevent this harassment, failed to constantly follow federal requirements for preventing, detecting, and reporting this harassment, and discouraged children from disclosing sexual harassment in violation of federal requirements.⁴

According to DOJ, ORR has “issued multiple corrective actions to Southwest Key,”⁵ but the allegations of pervasive sexual harassment for nearly a decade show that ORR did not do enough to ensure the children under its care were protected. In fact, ORR continues to give Southwest Key hundreds of millions of dollars per year to care for tens of thousands of unaccompanied children.⁶ If this harassment went undetected at its largest grantee for so many years, there are serious questions about the treatment of unaccompanied children at other ORR facilities and what steps ORR is taking to detect and prevent abuse. Furthermore, as I have learned throughout my investigation into ORR, the agency has repeatedly silenced whistleblowers and punished those who have come forward to report abuse. ORR has also been extremely reluctant to provide substantive answers to my oversight inquiries, or those from other congressional offices.

This lawsuit adds to a long list of failures by ORR to keep unaccompanied children safe, and the time has come for this Committee to hold a hearing with ORR officials to learn more about the steps the agency is taking to protect the children in its care and prevent abuse. It is also necessary to ensure both ORR and its contractors are remaining accountable to Congress and not stonewalling oversight efforts into their practices. Accordingly, I implore you to hold a hearing with ORR officials and representatives from Southwest Key as soon as practicable to investigate how these allegations of sexual harassment went undetected for so long, putting hundreds of thousands of vulnerable children in harm’s way.

Thank you for your prompt attention to this important matter. I look forward to hearing from you.

Sincerely,



Bill Cassidy, M.D.

Ranking Member

U.S. Senate Committee on Health,

Education, Labor, and Pensions

³ Press Release, U.S. Dep’t of Just., Justice Department Sues Southwest Key for Sexual Abuse and Harassment of Children in Shelters (July 18, 2024), <https://www.justice.gov/opa/pr/justice-department-sues-southwest-key-sexual-abuse-and-harassment-children-shelters>.

⁴ *Id.*

⁵ *Id.*

⁶ *Southwest Key Programs Inc.*, USASPENDING.GOV, <https://www.usaspending.gov/recipient/1820ebfc-c471-b00e-0966-63f2ce1e8c6e-C/all> (last viewed July 23, 2024).