

DIANE BLACK  
6<sup>TH</sup> DISTRICT OF TENNESSEE

COMMITTEE ON  
WAYS AND MEANS

SUBCOMMITTEE OVERSIGHT

COMMITTEE ON THE BUDGET



CONGRESS OF THE UNITED STATES  
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July 1, 2014

The Honorable Jeh Johnson  
Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20393

Acting Director Thomas S. Winkowski  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street, SW  
Washington, DC 20536-5003

Dear Secretary Johnson and Acting Director Winkowski:

I am very concerned that the Department of Homeland Security (DHS), and specifically U.S. Immigration and Customs Enforcement (ICE), may have anticipated the recent and dramatic rise in the number of unaccompanied alien children (UAC) that are crossing the Southern border into the United States illegally.

On January 29, 2014, DHS posted a Request for Information (RFI) on the federal business opportunities website (fbo.gov) seeking contractors to provide “escort services” for ICE. The posting specifically calls for a contractor who can transport UAC that have been apprehended by law enforcement in the U.S. to the care of the Department of Health and Human Services (HHS). The solicitation states that “there will be approximately 65,000 UAC in total.”

According to data obtained by the Congressional Research Service, in Fiscal Year 2013 the Border Patrol apprehended nearly 39,000 UAC. Despite the fact that the administration has said it was surprised by the recent surge in the number of unaccompanied children crossing into the U.S., the posting on fbo.gov suggests that DHS was expecting a significant increase in the number of UAC that it would need to transport this year. Furthermore, the 65,000 number closely corresponds with the administration’s new estimate that 60,000 unaccompanied children will come into the country illegally this year.

As you know, an unsecure border presents many dangers to our national security, and the recent and dramatic rise in UAC along our southern border indicates an alarming ease at which our border is being crossed illegally.

With this in mind, and in order to better understand the nature of this RFI and the implications it has on the enforcement of our nation’s border security laws, I respectfully request that you provide detailed answers to the following questions no later than July 21, 2014:

1. How did ICE or DHS determine the 65,000 number for this RFI?
2. What office or individuals came up with this number?
3. What is the time frame for this projection? Is it for the calendar year or the fiscal year?
4. Does this number only reflect the number of UAC to be transported to HHS custody or the total number of UAC that will be apprehended?
5. Does ICE or DHS generate internal projections of the number of UAC that will enter the U.S. during a given year? If so, what were the projections for the five most recent years, and how do they compare to the actual number of apprehended minors?
6. If ICE or DHS generates internal projections, what methods are used to determine these numbers? To whom is this information disseminated and who has access to the information at ICE and DHS?
7. Was any Member of Congress formally notified about this projected increase of UAC that were to illegally enter the U.S. in this year?
8. If ICE or DHS was expecting a surge in the number of UAC crossing the border, why were additional resources not deployed to prevent this?
9. Why is ICE contracting out the transportation of UAC?
10. Has ICE or DHS previously sought a contractor to handle the transportation of unaccompanied children?
11. What is the current status of this RFI, and what is the expected cost to taxpayers to award this new contract?
12. According to the RFI, "the Government anticipates awarding a five year Fixed Price Indefinite Delivery, Indefinite Quantity (IDIQ) contract vehicle consisting of a one year base period, and four option years". Does this mean that ICE is anticipating that the spike in the number of UAC could continue for as long as five years? If so, why is the agency not planning to implement a strategy that would prevent future influxes?

Sincerely,



Diane Black  
Member of Congress