

United States Senate

WASHINGTON, DC 20510-0908

April 26, 2023

President Joe Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We write to express serious concern regarding your administration's willful neglect of credible and heartbreaking accounts of migrant children who have fallen victim to labor trafficking within the United States.

Since you took office, your administration has consistently failed to address the unprecedented levels of illegal immigration occurring at the U.S. southern border. As a result, millions of migrants have entered the country illegally. Worse, hundreds of thousands of migrant children have come to the United States alone, often smuggled by coyotes and within reach of danger. Many of these children came to the United States under your encouragement. Tragically, it comes as no surprise that your administration's enticement of illegal immigration has left migrant children further exploited, both before and after arriving at our borders.

In February, reports claimed that child labor violations amongst migrant children had increased at unprecedented levels within the United States over the past several years.¹ In addition to making clear the number of unaccompanied minors that have entered the country under your watch, the report reveals that your administration rushed children "out of shelters and release[d] them to adults," placing speed over diligence in the vetting process for sponsors; "lost immediate contact" with thousands of migrant children; and ignored signs of child labor exploitation. The administration responded to these reports by announcing several joint initiatives between the U.S. Department of Labor (DOL) and the U.S. Department of Health and Human Services (HHS).² These measures certainly deserve adequate consideration from Congress, and we look forward to ensuring that companies participating in illegal child labor are properly punished. However, the DOL-HHS announcement contained a serious misstatement, claiming that the departments take these "egregious violations very seriously and investigates every child labor complaint they receive." The continued acceleration of our humanitarian crisis at the border, and countless credible accounts of unaddressed instances of child labor trafficking within our country, reveal the hollow nature of this claim and paint a clear picture of incompetence and neglect across the Executive Branch.

¹ [Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.](#)

² [Departments of Labor, Health and Human Services Announce New Efforts To Combat Exploitative Child Labor](#)

This week, follow-up reporting emerged concerning the rise of illegal child labor amongst migrant children.³ This reporting highlights countless examples of officials within your administration ignoring or missing incidents of child labor trafficking, and makes clear no part of your administration has taken, or is willing to take, responsibility for these incidents. Moreover, this appears to be only one of several issues: (1) your administration actively loosened vetting requirements for sponsors of migrant children, driving them into the hands of bad actors; (2) HHS staffers who filed complaints sounding the alarm about child safety were terminated; and (3) HHS-contracted organizations seeking to discuss migrant child labor trafficking concerns and violations were ignored.

Unfortunately, the rise of labor trafficking amongst migrant children is a predictable result of your administration's encouragement of illegal immigration. Not only is the path to the southern border dangerous, your administration has provided children and families with the false hope that your administration is capable of adequately protecting them. Your administration has failed to provide such care and, as Title 42's expiration nears, is poised to continue in this failure, unless swift action is taken.

The White House, DOL, and HHS have each shifted the blame concerning the missed incidents of migrant child labor. Further, Department of Homeland Security (DHS) Secretary Mayorkas, who has failed to address the border crisis, recently stated that we must "hold accountable employers who engage in child labor." We completely agree with this statement and hope that Congress can come together in a sensible bipartisan manner to punish these employers. We must also hold accountable those in the Executive Branch that oversaw and ignored illegal child labor. Given that you appoint the leadership of DHS, DOL and HHS, you must take full responsibility for these missed incidents and postpone any pending nominations of those who were involved, or who may have been involved, with these decisions, including Deputy Secretary of Labor Julie Su.

We demand answers to the following questions:

1. What actions is the administration taking to ensure migrant children are reunited with their families?
2. What specific vetting requirements did the administration loosen to expedite the process for sponsors of migrant children?
3. Why did the administration allow bad actors, who had already sponsored more than one migrant child, to sponsor more migrant children?
4. Has the administration ever knowingly allowed sponsorship of a migrant child to an individual who expressly stated that the child will be forced to work off their "debt"?
5. The April 2023 follow-up reporting states that the administration declined to comment on "why the administration did not previously react to repeated signs that migrant children were being widely exploited." Please provide a written response concerning this matter, as well as why the administration declined to comment.

³ [As Migrant Children Were Put to Work, U.S. Ignored Warnings](#)

6. How does the administration intend to ensure that whistleblowers who report labor trafficking are protected from inner-agency retaliation?

Thank you for your attention to this matter. We look forward to your prompt response.

Sincerely,



Marco Rubio
U.S. Senator



Bill Hagerty
U.S. Senator



Josh Hawley
U.S. Senator



Ted Cruz
U.S. Senator



Rick Scott
U.S. Senator



M. Michael Rounds
U.S. Senator



Mike Braun
U.S. Senator