



United States Senate

July 15, 2020

Mark A. Morgan
Acting Commissioner
U.S. Customs and Border Protection
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Acting Commissioner Morgan:

In light of the report released today by the Government Accountability Office, I write to express my serious concern that Customs and Border Protection (CBP) has mismanaged funds appropriated by Congress to improve medical care for migrants and that your agency has failed to report all deaths in custody. I ask that you immediately implement the report's recommendations and improve the agency's oversight and monitoring procedures.

Today's report by the Government Accountability Office (GAO) revealed that CBP grossly mismanaged appropriated funds. For example, CBP spent a portion of the \$112 million allocated for medical care and basic needs for migrants in custody on non-medical items for CBP staff, such as motorcycles, dirt bikes, and boats. The report also found that CBP failed to implement measures to improve medical care in its facilities. CBP officers are required to monitor children for signs of medical distress, but GAO discovered that many officers still have not received relevant training or been required to renew first aid certifications at recommended intervals. Similarly, GAO discovered that officers frequently do not conduct health interviews or medical assessments for children under 13.

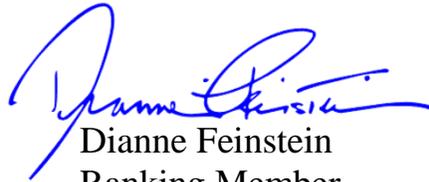
Furthermore, GAO's report revealed that some CBP locations did not implement Centers for Disease Control and Prevention (CDC) recommendations for improving care, such as monitoring migrants with respiratory symptoms. I am alarmed that CBP completely dismissed CDC's recommendation to implement a flu vaccination program for detained individuals. In light of the COVID-19 pandemic, this decision is deeply concerning.

Finally, GAO determined that CBP failed to report all deaths in custody to Congress. From 2014 to 2019, CBP reported 20 deaths to Congress despite the fact that there were actually 31 deaths during this period. Congress cannot conduct proper oversight without full and transparent information.

Simply put, this GAO report is alarming, and the failures identified at your agency are unacceptable. Therefore, I ask that you re-evaluate CBP's oversight and monitoring procedures and explain in writing exactly how CBP will implement GAO's recommendations. I also ask that your staff provide my staff with a briefing regarding the medical care of migrants no later than August 1, 2020.

Thank you for your prompt attention to this important matter.

Sincerely,



Dianne Feinstein
Ranking Member

Senate Committee on the Judiciary