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Human Trafficking

Lax HHS Oversight Blamed for Child Labor Trafficking

By Caryn Freeman

Jan. 28 — The Department of Health and Human Services has been negligent in its efforts to find temporary housing for unaccompanied immigrant minors, and this has given labor traffickers easy access to child labor, senators said at a Jan. 28 hearing.

The Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations the same day released a report, "Protecting Unaccompanied Alien Children from Trafficking and Other Abuses: The Role of the Office of Refugee Resettlement."

The report, jointly issued by subcommittee Chairman Rob Portman (R-Ohio) and ranking member Claire McCaskill (D-Mo.), describes a large-scale child labor trafficking operation on an egg farm in Marion, Ohio.

Unaccompanied alien children are placed in temporary housing by HHS while they await immigration proceedings. The report says the department has failed to develop policies for monitoring children released to Category 3 sponsors. Sponsors in that category "have no close relation to the child, and therefore resemble foster-care providers or similar temporary custodial arrangements," the report said.

The subcommittee's investigation found the HHS failed to address "systematic deficiencies in their placement processes," McCaskill said during the hearing. "At a minimum, HHS must make an independent finding that the child's sponsor has not engaged in any activity that might indicate a potential risk to the child."

The report alleges that, over a period of four months in 2014, HHS placed a number of unaccompanied immigrant children "in the hands of a ring of human traffickers who forced them to work on egg farms in and around Marion, Ohio," the report said.

A July 2015 indictment said children released from HHS care to "sponsor families" were forced to work "six or seven days a week, twelve hours per day. The traffickers repeatedly threatened the victims and their families with physical harm, and even death, if they did not work or surrender their entire paychecks" (09 WIR, 7/20/15).

'Masquerade as Sponsor Families.'

These crimes likely were preventable, senators said at the hearing. However, the HHS failed to run background checks on other adults living in the sponsors' households and on secondary caregivers. The HHS also failed to visit any of the sponsors' homes and failed to realize that a group of sponsors was accumulating an unusually high number of children under the Category 3 sponsorship, they said.

Mark Greenberg, acting assistant secretary of the HHS's Administration for Children and Families, and Robert Carey, director of the HHS's Office of Refugee Resettlement, were steadfast in their testimony that they lacked authority to develop policies to monitor children released to Category 3 sponsors.

Portman asked Carey whether he believed HHS policy was followed in the cases cited in the indictment.

"We're following the law that Congress enacted under that law. Our view of the law is that we did not have the authority to make policy changes," Carey said.

Both witnesses were reluctant to speculate on whether improved policies would have led to a "different outcome," and they refused to answer when asked if better departmental oversight would have prevented children from ending up in the hands of labor traffickers after being released from HHS custody.

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