

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074

<http://oversight.house.gov>

July 10, 2019

Mr. Thomas J. Campbell  
President  
DC Capital Partners, LLC  
99 Canal Center Plaza, Suite 400  
Alexandria, VA 22314

Dear Mr. Campbell:

The Committee is investigating the Trump Administration's use of for-profit contractors to run facilities that house thousands of immigrant children. We are alarmed by reports of alleged sexual abuse of children, lack of staff training, and whistleblower retaliation at Homestead Shelter—the nation's largest shelter for immigrant children. Homestead is run by the for-profit Comprehensive Health Services, LLC (CHS), a subsidiary of Caliburn International, which your firm owns and controls. CHS was awarded a massive no-bid contract in April 2019, just weeks before Caliburn International announced that former White House Chief of Staff and Secretary of Homeland Security, General John F. Kelly, had joined its board of directors. As a senior official in the Trump Administration, General Kelly helped develop and implement the Administration's child separation policy that resulted in thousands of children being placed in shelters—and he now appears to be reaping a financial reward from this cruel policy.

Under President Trump, the number of immigrant children in the custody of the Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) has increased substantially. Thousands of these children were sent to ORR after being separated from their families.<sup>1</sup> In January 2019, HHS announced it was increasing the bed capacity at Homestead Shelter from 1,350 to 2,350 beds.<sup>2</sup> In April, HHS expanded the bed capacity again to 3,200, marking a nearly 140 percent increase in just four months.<sup>3</sup>

The value of HHS contracts awarded to CHS has also increased sharply under the Trump

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<sup>1</sup> See, e.g., Department of Health and Human Services, Office of Inspector General, *Separated Children Placed in Office of Refugee Resettlement Care* (Jan. 2019) (online at <https://oig.hhs.gov/oei/reports/oei-BL-18-00511.pdf>).

<sup>2</sup> *Inquiry Into Migrant Shelters Poses Dilemma: What Happens to the Children?*, New York Times (Jan. 5, 2019) (online at [www.nytimes.com/2019/01/05/us/southwest-key-migrant-shelters.html](http://www.nytimes.com/2019/01/05/us/southwest-key-migrant-shelters.html)).

<sup>3</sup> Department of Health and Human Services, *Fact Sheet: Unaccompanied Alien Children Sheltered at Homestead Job Corps Site, Homestead, Florida* (May 10, 2019) (online at [www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Sheltered-at-Homestead.pdf](http://www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Sheltered-at-Homestead.pdf)).

Administration. Since the start of 2018, CHS has received three HHS contracts totaling over \$545 million for operating Homestead Shelter, including a \$50 million award in February 2018, a \$222 million award in July 2018, and a \$273 million award in April 2019. CHS has also recently received more than \$71 million in HHS grants to operate other facilities housing immigrant children.<sup>4</sup> According to HHS, the cost of caring for a child at Homestead Shelter is \$750 a day—three times the cost of other shelters.<sup>5</sup>

CHS received these lucrative contracts despite serious questions about whether Homestead Shelter—which is not licensed by the State of Florida as a child care facility—is adequately caring for and protecting the thousands of children housed there. Over the past year, there have been reports of multiple serious allegations of sexual abuse, some by caregivers, at Homestead Shelter.<sup>6</sup> Rather than crack down on such abuses, the Trump Administration has granted Homestead Shelter a waiver to hire new employees without conducting child abuse and neglect background checks.<sup>7</sup> CHS employees have alleged that training for caregivers at Homestead Shelter is inadequate and that CHS retaliated against them for raising those concerns.<sup>8</sup> Other reports suggest that CHS may soon stop providing even basic education and recreation services to children held at Homestead Shelter.<sup>9</sup>

In April 2019, CHS was awarded its largest contract to date for Homestead Shelter—worth \$273 million—without any competitive bidding. The contract was awarded just weeks

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<sup>4</sup> Department of Health and Human Services, Tracking Accountability in Government Grants System (online at [https://tags.hhs.gov/Detail/RecipDetail?arg\\_RecipId=uR9Ix75R%2BYmy2D3r9f7r2g%3D%3D](https://tags.hhs.gov/Detail/RecipDetail?arg_RecipId=uR9Ix75R%2BYmy2D3r9f7r2g%3D%3D)) (accessed July 8, 2019).

<sup>5</sup> *First Stop For Migrant Kids: For-Profit Detention Center*, Reuters (online at [www.reuters.com/article/us-usa-immigration-children/first-stop-for-migrant-kids-for-profit-detention-center-idUSKCN1Q3261](http://www.reuters.com/article/us-usa-immigration-children/first-stop-for-migrant-kids-for-profit-detention-center-idUSKCN1Q3261)).

<sup>6</sup> *State Investigated Abuse Claims at South Florida Migrant Shelter for Children*, Sun Sentinel (Mar. 20, 2019) (online at [www.sun-sentinel.com/news/politics/fl-ne-nsf-migrant-shelter-sex-abuse-20190320-story.html](http://www.sun-sentinel.com/news/politics/fl-ne-nsf-migrant-shelter-sex-abuse-20190320-story.html)).

<sup>7</sup> *Facility for Migrant Children Extends Offer Letters on the Spot Amid Rapid Expansion*, CBS News (Jan. 11, 2019) (online at [www.cbsnews.com/news/homestead-florida-nations-largest-facility-for-migrant-children-extends-offer-letters-on-the-spot-amid-rapid-expansion/](http://www.cbsnews.com/news/homestead-florida-nations-largest-facility-for-migrant-children-extends-offer-letters-on-the-spot-amid-rapid-expansion/)); Department of Health and Human Services, *Fact Sheet: Unaccompanied Alien Children Sheltered at Homestead Job Corps Site, Homestead, Florida* (May 10, 2019) (online at [www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Sheltered-at-Homestead.pdf](http://www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Sheltered-at-Homestead.pdf)).

<sup>8</sup> *Employees at Homestead Shelter for Migrant Children Say They Weren't Properly Trained*, Miami New Times (May 30, 2019) (online at [www.miaminewtimes.com/news/lawsuit-former-employees-at-homestead-shelter-for-migrant-children-werent-properly-trained-11184111](http://www.miaminewtimes.com/news/lawsuit-former-employees-at-homestead-shelter-for-migrant-children-werent-properly-trained-11184111)); *Critics Deplore This Migrant Shelter. Its Operator Just Got a Huge, Hush-Hush No-Bid Deal*, Miami Herald (May 1, 2019) (online at [www.miamiherald.com/news/local/immigration/article229744049.html](http://www.miamiherald.com/news/local/immigration/article229744049.html)).

<sup>9</sup> *The Real Reason Trump Is Taking School and Soccer Away from Migrant Children*, Vice News (June 7, 2019) (online at [https://news.vice.com/en\\_us/article/gy4mpm/the-real-reason-trump-is-taking-school-and-soccer-away-from-migrant-children](https://news.vice.com/en_us/article/gy4mpm/the-real-reason-trump-is-taking-school-and-soccer-away-from-migrant-children)); *Trump Administration Cancels English Classes, Soccer, Legal Aid for Unaccompanied Child Migrants in U.S. Shelters*, Washington Post (June 5, 2019) (online at [www.washingtonpost.com/immigration/trump-administration-cancels-english-classes-soccer-legal-aid-for-unaccompanied-child-migrants-in-us-shelters/2019/06/05/df2a0008-8712-11e9-a491-25df61c78dc4\\_story.html?utm\\_term=.b6c34aafa2b9](http://www.washingtonpost.com/immigration/trump-administration-cancels-english-classes-soccer-legal-aid-for-unaccompanied-child-migrants-in-us-shelters/2019/06/05/df2a0008-8712-11e9-a491-25df61c78dc4_story.html?utm_term=.b6c34aafa2b9)).

before General Kelly joined the board of directors of CHS's parent company, Caliburn.<sup>10</sup> As Secretary of Homeland Security and then White House Chief of Staff, General Kelly played a central role in the Trump Administration's child separation policy, which led to thousands of children being placed in ORR custody. He reportedly toured Homestead Shelter on April 4, 2019—just five days before HHS awarded CHS the massive no-bid contract.<sup>11</sup> On May 3, 2019, Caliburn announced publicly that he had joined its board of directors.<sup>12</sup>

For all these reasons, please produce by July 24, 2019, the following documents and information, covering the time period of January 20, 2017, to present:

1. All CHS contracts related to Homestead Shelter or other facilities that house immigrant children, whether CHS serves as a direct contractor with the federal government or as a subcontractor to a state or local government or other entity;
2. All subcontracts CHS has awarded for management of any facility covered by these contracts;
3. Documents sufficient to identify each facility managed by CHS under these contracts, the average daily number of children housed at each facility per month, the average length of stay for a child at each facility, and the total number of children housed at each facility per month;
4. Documents sufficient to show CHS's cost, revenue, and profit from each of these contracts to date and projected cost, revenue, and profit through the completion of contract performance;
5. Documents sufficient to show for each such facility the daily cost to CHS for housing a single child, and the daily amount billed to HHS per child;
6. The daily average cost per child to provide educational and recreational programs and legal aid to children at Homestead Shelter;
7. All communications related to the selection of CHS for the April 2019 no-bid award for Homestead Shelter, Award Number 75P00119C00042;
8. All communications with political appointees or leadership at ORR, HHS, the Department of Homeland Security, the White House, or other federal agencies;

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<sup>10</sup> Contract Summary, USAspending.gov (online at [www.usaspending.gov/#/award/79537497](http://www.usaspending.gov/#/award/79537497)); *Gen. Kelly, Trump's Ex-Top Aide, Joins Board of Firm Running Homestead Migrant Shelter*, Miami Herald (May 3, 2019) (online at [www.miamiherald.com/news/local/immigration/article230007499.html](http://www.miamiherald.com/news/local/immigration/article230007499.html)).

<sup>11</sup> *Gen. Kelly, Trump's Ex-Top Aide, Joins Board of Firm Running Homestead Migrant Shelter*, Miami Herald (May 3, 2019) (online at [www.miamiherald.com/news/local/immigration/article230007499.html](http://www.miamiherald.com/news/local/immigration/article230007499.html)).

<sup>12</sup> *John Kelly Joins Board of Company Operating Largest Shelter for Unaccompanied Migrant Children*, CBS News (May 3, 2019) (online at [www.cbsnews.com/news/john-kelly-joins-board-of-caliburn-international-company-operating-largest-unaccompanied-migrant-children-shelter/](http://www.cbsnews.com/news/john-kelly-joins-board-of-caliburn-international-company-operating-largest-unaccompanied-migrant-children-shelter/)).

9. Documents sufficient to show total compensation for each executive and director at CHS, Caliburn International, and DC Capital Partners, including salary, bonus, equity, and any other benefits;
10. All documents related to any deficiencies in compliance with contractual, legal, or other obligations for care of children at any facility managed by CHS under these contracts—whether identified by CHS, HHS, the HHS Inspector General, or any other entity or individual—including all reports of deficiencies or violations, communications related to these deficiencies or violations, and documentation of any corrective action taken;
11. All documents related to any waivers issued by HHS for any contractual or legal obligations, including any requests for waivers, waivers granted by HHS, and communications related to these waivers;
12. All documents related to any complaints CHS has received from any source pertaining to the health, safety, or well-being of any child at Homestead Shelter or other facilities managed by CHS, including the complaints, any investigation into those complaints, and any corrective actions taken;
13. Documents sufficient to identify how CHS ensures that its facilities operate in compliance with HHS and other applicable standards for the care and treatment of children;
14. The names and titles of the employees responsible for ensuring compliance with these standards at each facility;
15. Documents sufficient to identify the role DC Capital Partners, Caliburn's Board of Directors, and CHS's Board of Directors play in overseeing contracts for the housing of immigrant children and the operation of facilities managed under these contracts;
16. All CHS policies or procedures regarding:
  - a. child health and safety, including hiring policies, background check requirements, and any policy manuals or training documents for CHS employees;
  - b. child education and recreation, including any policy manuals or training documents for CHS employees as well as any educational curriculum; and
  - c. retaliation against employees that raise concerns of waste, fraud, abuse, or mismanagement at CHS, including any policy manuals or training documents for CHS employees; and
17. All communications with General Kelly referring or relating to ORR, CHS,

Mr. Thomas J. Campbell

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Homestead Shelter, the housing of immigrant children, any federal contracts, federal immigration policies, child separations, or his selection as a director, since April 1, 2016.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Committee’s request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,



Elijah E. Cummings  
Chairman



Jamie Raskin  
Chairman  
Subcommittee on Civil Rights and Civil  
Liberties

Enclosure

cc: The Honorable Jim Jordan, Ranking Member

The Honorable Chip Roy, Ranking Member  
Subcommittee on Civil Rights and Civil Liberties

## Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
  - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - b. Document numbers in the load file should match document Bates numbers and TIF file names.
  - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.