

Congress of the United States

House of Representatives

September 8, 2026

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

The Honorable Dr. Mehmet Oz
Administrator
Centers for Medicare & Medicaid Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Secretary Kennedy and Administrator Oz:

We write to expand on our initial concerns regarding the illegal sharing of Medicaid enrollee data by the Centers for Medicare & Medicaid Services (CMS) with Immigration and Customs Enforcement (ICE). The initial letter, signed by 33 Members of Congress and submitted to you on July 28, 2025,¹ called for CMS to immediately cease this data sharing, disclose the scope of the agreement, and brief Congress on this matter. To date, HHS has not adequately responded to that letter, and subsequent events have only justified our apprehensions.

Since our original letter, further reporting and litigation brought by over twenty State Attorneys General have revealed that our concerns were, if anything, understated.² Recent developments have shown that the original data-sharing agreement was designed to give ICE access to the records of *all* 79 million Medicaid enrollees.³ This disclosure revealed the extent of your agency's disregard for data privacy and for preserving the safeguards that protect Medicaid enrollees across the country.

In December 2025, the U.S. District Court for the Northern District of California issued a preliminary injunction⁴ that allowed for a narrow category of data sharing to proceed, barring the sharing of medical information and the transfer of data of U.S. citizens and immigrants with lawful status from the plaintiff states. CMS has blatantly disregarded the limits of this order, sharing and re-sharing the data of millions of people beyond what the court allows. One shared dataset from

¹ Letter to HHS Secretary Robert F. Kennedy Jr. from 33 Members of Congress Demanding Answers on Medicaid Data Shared with ICE (July 28, 2025) <https://robinkelly.house.gov/sites/evo-subsites/robinkelly.house.gov/files/evo-media-document/quill-final-letter-to-hhs-on-medicaid-data-release-07-29-2025.pdf>

² *State of California v. U.S. Department of Health and Human Services*, No. 3:25-cv-05536 (N.D. Cal. filed July 1, 2025).

³ "Here's the document giving ICE 80 million Medicaid patients' data," Freedom of the Press Foundation (Jan. 5, 2026), <https://freedom.press/the-classifieds/heres-the-document-giving-ice-80-million-medicaid-patients-data/>.

⁴ Order Granting in Part and Denying in Part Motion for Preliminary Injunction, *State of California v. U.S. Department of Health and Human Services*, No. 3:25-cv-05536 (Dec. 29, 2025). <https://clearinghouse.net/doc/166690/>.

Minnesota included U.S. citizens, and another contained the information of millions of people, including those with lawful status. While ICE personnel have claimed to have deleted the files, they have admitted to technological difficulties impacting their ability to be sure that the full scope of the illegally shared data has been removed from their systems. To make matters worse, court filings and reporting revealed that ICE had subsequently shared Medicaid data with the data analytics firm Palantir Technologies.⁵

Over the past year, CMS has demonstrated a pattern of disregard for the personal data of Medicaid enrollees, transferring private information beyond legal limits and facilitating the capture of said data by third-party contractors. As we warned, these actions have directly contributed to a mistrust of Medicaid and our health care system, leading to detrimental consequences. Reporting has revealed that patients are increasingly questioning whether it is safe to remain enrolled in Medicaid out of fear of immigration enforcement.⁶ Moreover, survey data has found that 14 percent of immigrant adults, including those with legal status, report that either they or their family members have avoided medical care since January 2025 as a result of immigration-related fears.⁷ Three in ten immigrant parents also report that their children have missed, delayed, or skipped health care due to these fears.⁸

We know that delays in medical care can have disastrous health consequences for immigrant communities and the broader U.S. population.⁹ As health care costs continue to rise and states face steep Medicaid cuts as a result of Republicans' "One Big Ugly Bill", we cannot afford to further jeopardize health care coverage. As we stated before: The role of HHS should be to protect the health of all those living in this country and provide essential human services, *not* to be a watchdog for DHS or act as immigration enforcement.

Given the significant impact this data sharing has on the health of millions of Americans and the privacy violations it raises, we submit the following, and request a written response no later than October 5, 2026:

⁵ J. Joffe-Block, "ICE shared Medicaid data it wasn't supposed to have with Palantir," *NPR* (July 28, 2026), <https://www.npr.org/2026/07/17/nx-s1-5898504/ice-medicaid-palantir-data>.

⁶ A. Olgin, "Medicaid can share data with ICE. Here's how that 180-degree change spreads fear," *NPR* (March 13, 2026), <https://www.npr.org/2026/03/13/nx-s1-5737468/medicaid-immigration-ice-dhs-trump>.

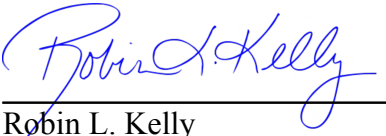
⁷ S. Sporn, "Immigration Enforcement's Far-Reaching Effects on Health Outcomes," *Georgetown Journal on Poverty Law & Policy* (April 27, 2026), <https://www.law.georgetown.edu/poverty-journal/blog/immigration-enforcements-far-reaching-effects-on-health-outcomes/>.

⁸ D. Pillai, et al., "Health and Health Care Experiences of Immigrant Parents and Their Children During the Second Trump Term," *KFF* (Mar. 2, 2026), <https://www.kff.org/immigrant-health/health-and-health-care-experiences-of-immigrant-parents-and-their-children-during-the-second-trump-term/>.

⁹ M. Shukla, M. Schilt-Solberg, & W. Gibson-Scipio, "Medical Mistrust: A Concept Analysis," *Nurs Rep.* 2025 Mar 17;15(3):103. doi: 10.3390/nursrep15030103. PMID: 40137676; PMCID: PMC11944586.

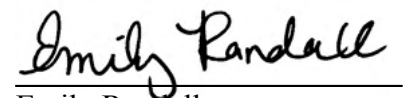
1. Immediately cease sharing personally identifiable Medicaid data with ICE and revoke all access to Medicaid databases containing personally identifiable data to all federal and non-federal personnel outside of CMS.
2. Provide to Congress a full accounting of every instance since July 2025 in which CMS shared Medicaid data with DHS or ICE beyond the scope authorized by the court, identifying how many individuals were affected and what data elements were included.
3. Identify every instance in which CMS, DHS, or ICE shared Medicaid data with third-party private companies, including, but not limited to, data analytics firm Palantir Technologies with a report to Congress. For each instance, identify the company, the purpose of the data sharing, the number of individuals affected, and the specific data elements disclosed.
4. Detail the specific internal controls, audit mechanisms, or personnel actions CMS has implemented to prevent further unauthorized data transfers and identify CMS and HHS personnel accountable for ensuring compliance with the court's order.
5. Brief the Members who signed this letter on the processes between CMS and ICE for sharing personally identifiable Medicaid data and the efforts to comply with court orders.

Sincerely,


Robin L. Kelly
Member of Congress

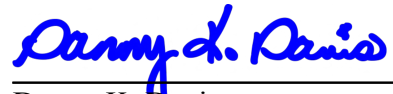

Nanette Diaz Barragán
Member of Congress


Yvette D. Clarke
Member of Congress

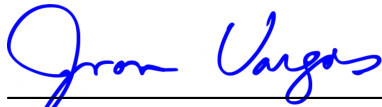

Emily Randall
Member of Congress



Greg Casar
Member of Congress



Danny K. Davis
Member of Congress



Juan Vargas
Member of Congress



J. Luis Correa
Member of Congress



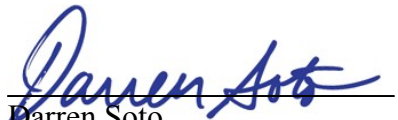
Doris Matsui
Member of Congress



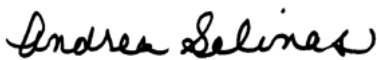
Nancy Pelosi
Member of Congress



Lateefah Simon
Member of Congress



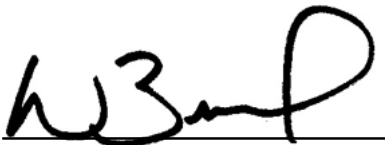
Darren Soto
Member of Congress



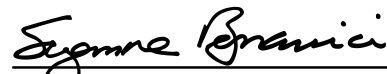
Andrea Salinas
Member of Congress



Eleanor Holmes Norton
Member of Congress



Wesley Bell
Member of Congress



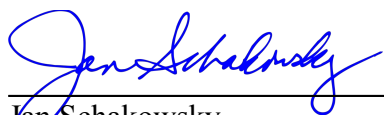
Suzanne Bonamici
Member of Congress



Mark DeSaulnier
Member of Congress



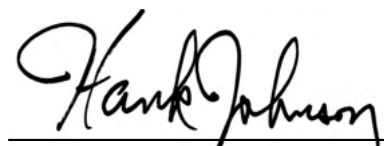
John Garamendi
Member of Congress



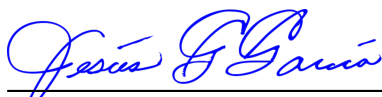
Jan Schakowsky
Member of Congress



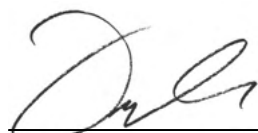
Rashida Tlaib
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Troy A. Carter, Sr.
Member of Congress



Maxine Waters
Member of Congress



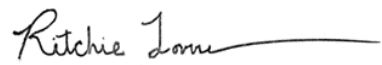
Frederica S. Wilson
Member of Congress



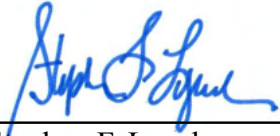
Terri A. Sewell
Member of Congress



Dina Titus
Member of Congress



Ritchie Torres
Member of Congress



Stephen F. Lynch
Member of Congress



Analilia Mejia
Member of Congress



Ted W. Lieu
Member of Congress



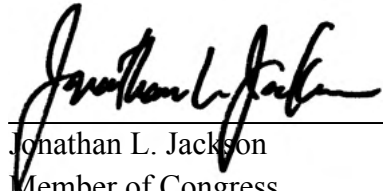
Salud Carbajal
Member of Congress



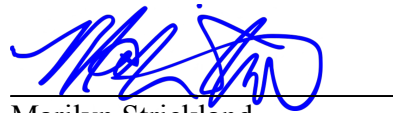
Bonnie Watson Coleman
Member of Congress



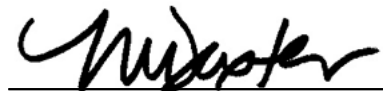
Debbie Dingell
Member of Congress



Jonathan L. Jackson
Member of Congress



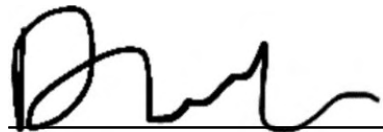
Marilyn Strickland
Member of Congress



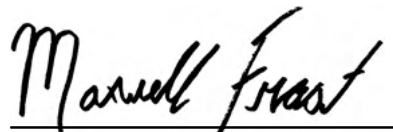
Maxine Dexter, M.D.
Member of Congress



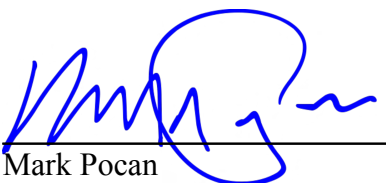
Raja Krishnamoorthi
Member of Congress



Dan Goldman
Member of Congress



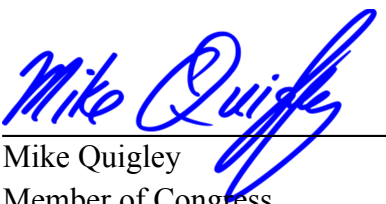
Maxwell Alejandro Frost
Member of Congress



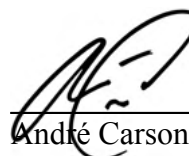
Mark Pocan
Member of Congress



Lauren Underwood
Member of Congress



Mike Quigley
Member of Congress



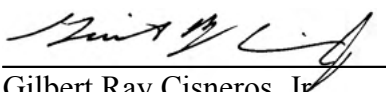
André Carson
Ranking Member, Aviation
Subcommittee



Yassamin Ansari
Member of Congress



Joaquin Castro
Member of Congress



Gilbert Ray Cisneros, Jr.
Member of Congress



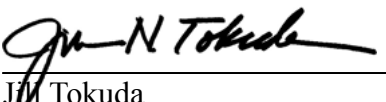
Robert Garcia
Member of Congress



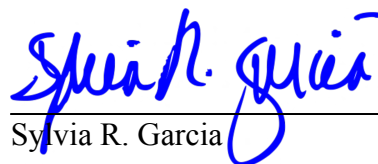
Steve Cohen
Member of Congress



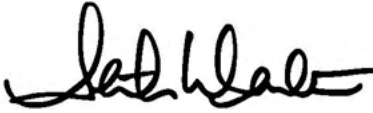
Adelita S. Grijalva
Member of Congress



Jim Tokuda
Member of Congress



Sylvia R. Garcia
Member of Congress

A handwritten signature in black ink, appearing to read 'Seth Moulton', written over a horizontal line.

Seth Moulton
Member of Congress

CC: T. March Bell, Inspector General, HHS OIG.