

# Congress of the United States

Washington, DC 20515

June 4, 2026

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

Angie Salazar  
Acting Director, Office of Refugee Resettlement  
Administration for Children and Families  
330 C St SW, Room 5123  
Washington, D.C. 20201

Dear Secretary Kennedy and Acting Director Salazar:

We write to express our concern and opposition to the Office of Refugee Resettlement (ORR)'s mistreatment of unaccompanied children to prolonged detention. By making it virtually impossible for many of these children to gain release from U.S. government custody--unless they return to their countries of origin--ORR is undermining the welfare, family unity, and access to legal protection for the vulnerable population it is mandated to care for.

Federal law and standards direct ORR to provide temporary care to unaccompanied children until timely placement with their parents or other vetted, safe sponsors who can provide for the child's physical and mental wellbeing. Under the Homeland Security Act of 2002 (HSA),<sup>1</sup> Congress assigned these functions to ORR rather than the Department of Homeland Security (DHS), largely to ensure that decisions for placement and care are grounded in child welfare expertise. The Trafficking Victims Protection Reauthorization Act of 2008 built on the HSA, mandating that ORR promptly place unaccompanied children "in the least restrictive setting that is in the best interest of the child," generally with a "suitable family member."<sup>2</sup> Under the *Flores* Settlement Agreement and related regulations, ORR must release children from its custody "without unnecessary delay."<sup>3</sup>

The Trump Administration has defied these legal requirements, transforming ORR into indefinite detention. As of March 2026, ORR had unaccompanied children in custody for an average of more than 200 days.<sup>4</sup> That is over 500 percent longer than under the prior administration.<sup>5</sup> Absent being returned from the United States altogether, many unaccompanied children now have no way out of U.S. government custody.

Intractable ORR detention is the direct product of recently adopted ORR policies and practices that undermine children's best interests and prioritize President Trump's mass deportation agenda over ORR's own statutory mandate. By sharing information about unaccompanied children and prospective sponsors with ICE for immigration enforcement purposes, ORR has facilitated ICE arrests of parents and other family members due to their immigration status. This deprives children of loving homes with their family, limits other potential sponsors from coming forward, and makes a child welfare agency another arm of the Trump Administration's immigration enforcement agenda.

ORR has also instituted overly stringent requirements for sponsors that effectively preclude many parents who lack immigration status from sponsorship eligibility, regardless of whether they are a child's best or only safe placement option.

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<sup>1</sup> P.L. 107-296.

<sup>2</sup> William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. 110-457 (Dec. 23, 2008), at Sec. 235 (codified at 8 U.S.C. § 1232).

<sup>3</sup> Stipulated Settlement Agreement, *Flores v. Reno*, No. CV 85-4544-RJK(Px) (C.D. Cal. Jan. 17, 1997); 45 C.F.R. § 410.1200 & 410.1201.

<sup>4</sup> Office of Refugee Resettlement, "Data," <https://acf.gov/orr/about/ucs/facts-and-data>.

<sup>5</sup> *Id.*

News reports, citing sources within ORR, indicate that the agency has on at least one occasion gone so far as to instruct its personnel to broadly halt placements of children with sponsors altogether, including sponsors the agency had already vetted and cleared.<sup>6</sup> While it is essential that ORR perform rigorous vetting for each and every sponsor, that is not what ORR is doing. Instead, ORR is deliberately obstructing safe sponsor placements.

The consequences for children of indefinite ORR detention are devastating. The Office of the HHS Inspector General underlined how “mental health clinicians described that a child’s mental health often deteriorates as the length of their stay in ORR custody increases” and that growing durations of ORR detention led to “more instances of self-harm and suicidal ideation.”<sup>7</sup> Unsurprisingly, incidences of depression and anxiety among detained unaccompanied children are now spiking. Many of these children fear that they may never reunite with their loved ones.

A March 2026 article described a 15-year-old boy whom ORR had detained for more than a year.<sup>8</sup> The boy stated, “I remember when I first arrived at this shelter, I was so hopeful and had faith that I would be reunited with my dad soon.” Now, he suffers panic attacks and said that “I feel like I’m suffocating inside this shelter, trapped with no way out... It makes me feel hopeless and terrified.” Children may start to believe that their parents abandoned them, even when it is ORR’s own actions that keep children and parents apart. Other children may hold themselves responsible for their own detention, shouldering profound guilt and shame.

Prolonged detention likewise denies due process. Children’s collapsing mental health raises barriers to their ability to describe traumatic experiences to U.S. authorities that are germane to their claims for legal protection, including instances of sexual abuse and other harms they have endured. Detention fatigue, both on its own and in combination with misguided Executive Office for Immigration Review (EOIR) and ICE policies, acts as a coercive factor driving many children to conclude that they have no meaningful option but to accept “voluntary departure” from the United States, even if that means returning to the traffickers, abusers, or persecutors they originally escaped in their countries of origin. Recent reporting revealed that EOIR, in coordination with ORR, is expediting detained unaccompanied children’s cases,<sup>9</sup> leaving children without adequate time to obtain attorneys or prepare their cases and imposing further pressure to abandon their legal claims in the United States. ICE, with ORR’s assistance, is offering certain detained unaccompanied children a cash incentive in exchange for waiving core legal rights and accepting return to their home countries.

The children in ORR custody have suffered enough. We call upon the agency to stop undermining unaccompanied children’s health and due process and start upholding their best interests. Doing so requires an immediate end to unnecessarily protracted detention, full adherence to all legal requirements to timely place children with their parents or other loved ones following rigorous vetting of sponsors, and realigning with ORR’s statutory mandate to serve as a child welfare agency rather than an arm of ICE. We also seek your written responses to the below questions no later than June 15, 2026.

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<sup>6</sup> The Texas Newsroom and the California Newsroom, “The Trump administration has all but stopped reuniting detained migrant children with families” (Dec. 19, 2025); <https://www.tpr.org/news/2025-12-19/the-trump-administration-has-all-but-stopped-reuniting-detained-migrant-children-with-families>.

<sup>7</sup> Office of the Inspector General, U.S. Department of Health and Human Services, Care Provider Facilities Described Challenges Addressing Mental Health Needs of Children in HHS Custody., p. 12, OEI-09-18-00431, <https://oig.hhs.gov/documents/evaluation/3153/OEI-09-18-00431Complete%20Report.pdf>, Sept. 4, 2019.

<sup>8</sup> KFF Health News, “‘They tricked me’: A father was chained after he went to ICE to reunite with his kids” (Mar. 24, 2026); <https://www.cnn.com/2026/03/24/health/hhs-office-refugee-resettlement>.

<sup>9</sup> CNN, “Exclusive: Trump moves to accelerate deportations of migrant children in US custody” (Apr. 28, 2026); <https://www.cnn.com/2026/04/28/politics/migrant-children-deportations-trump>.

1. Please identify the number and percentage of unaccompanied children currently in ORR custody whom the agency has detained: (A) for over 30 days; (B) for over 90 days; (C) for over 180 days; and (D) for over one year.
2. Over the past fifteen months, have any ORR officials issued instructions, verbal or otherwise, to broadly halt sponsorship placements? If so, please describe those instructions and provide copies of any written directives to this effect.
3. Please describe the nature and scope of ORR information sharing with DHS for immigration enforcement purposes and provide copies of any relevant memoranda, guidance, or other materials.
4. Please describe the nature and scope of any ORR coordination with EOIR regarding expedited immigration court hearings of detained unaccompanied children or requests for children to pursue voluntary departure.
5. What type of mental health wellness checks have been provided to these children to better understand their mental health care needs?
6. What actions, if any, has ORR taken to address adverse mental health outcomes for unaccompanied children resulting from or exacerbated by its subjection of these children to prolonged detention?
7. Has ORR conducted analysis on the extent to which its indefinite detention of unaccompanied children, by eroding those children's mental health and prolonging separation from critical family supports, has rendered children more vulnerable to trafficking and exploitation? If so, please provide a copy of that analysis. If not, why not?

Thank you for your prompt attention to these urgent matters. We look forward to your immediate response.

Sincerely,



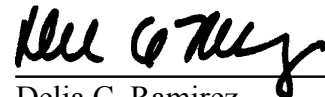
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Andrea Salinas  
Member of Congress



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Eleanor Holmes Norton  
Member of Congress



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Delia C. Ramirez  
Member of Congress



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Jasmine Crockett  
Member of Congress



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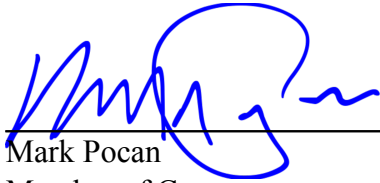
Dan Goldman  
Member of Congress



Raja Krishnamoorthi  
Member of Congress



Rashida Tlaib  
Member of Congress



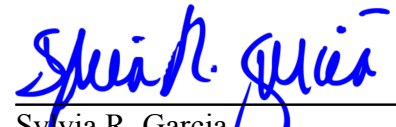
Mark Pocan  
Member of Congress



Salud Carbajal  
Member of Congress



Danny K. Davis  
Member of Congress



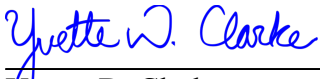
Sylvia R. Garcia  
Member of Congress



Diana DeGette  
Member of Congress



Nanette Diaz Barragán  
Member of Congress



Yvette D. Clarke  
Member of Congress



Maxine Dexter, M.D.  
Member of Congress



Adenta S. Grijalva  
Member of Congress



Richard E. Neal  
Member of Congress

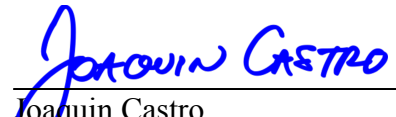


Seth Moulton  
Member of Congress





Paul D. Tonko  
Member of Congress

  
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John Garamendi  
Member of Congress


  
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Joaquin Castro  
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André Carson  
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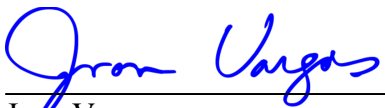
  
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Stephen F. Lynch  
Member of Congress

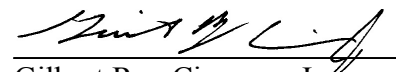
  
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J. Luis Correa  
Member of Congress

  
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Nydia M. Velázquez  
Member of Congress


  
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Jesús G. "Chuy" García  
Member of Congress


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

  
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Juan Vargas  
Member of Congress

  
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Gilbert Ray Cisneros, Jr.  
Member of Congress

  
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James P. McGovern  
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Lauren Underwood  
Member of Congress

  
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Lori Trahan  
Member of Congress

  
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Yassamin Ansari  
Member of Congress

*Ritchie Torres*

Ritchie Torres  
Member of Congress

*Adriano Espaillat*

Adriano Espaillat  
Member of Congress

*S. Bonamici*

Suzanne Bonamici  
Member of Congress

*Herbert C. Conaway, Jr.*

Herbert C. Conaway, Jr.  
Member of Congress

*Julia Brownley*

Julia Brownley  
Member of Congress

*Ayanna S. Pressley*

Ayanna Pressley  
Member of Congress

*Madeleine Dean*

Madeleine Dean  
Member of Congress

*Summer L. Lee*

Summer L. Lee  
Member of Congress

*Pramila Jayapal*

Pramila Jayapal  
Member of Congress

*Val Hoyle*

Val Hoyle  
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*Mark DeSaulnier*

Mark DeSaulnier  
Member of Congress

*Kelly Morrison*

Kelly Morrison  
Member of Congress

*Hillary J. Scholten*

Hillary J. Scholten  
Member of Congress

*Teresa Leger Fernandez*

Teresa Leger Fernandez  
Member of Congress