

DIANA DEGETTE
1ST DISTRICT, COLORADO
2111 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-4431
DISTRICT OFFICE:
600 GRANT STREET, SUITE 850
DENVER, CO 80203
303-844-4988
degette.house.gov

COMMITTEE ON
ENERGY AND COMMERCE
HEALTH — RANKING MEMBER
ENERGY
OVERSIGHT AND INVESTIGATIONS

Congress of the United States
House of Representatives
Washington, DC 20515

October 30, 2025

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, Interim Director
Office of Refugee Resettlement
Administration for Children & Families
330 C St SW, Room 5123
Washington, DC 20201

Dear Secretary Kennedy and Acting Director Salazar:

I write regarding a series of actions taken by the Trump administration that have made unaccompanied children in the care and responsibility of the Office of Refugee Resettlement (ORR) more vulnerable and less secure under child welfare safeguards designed to protect them. As the Ranking Member of the House Energy and Commerce Subcommittee on Health and former Subcommittee on Oversight and Investigations Chair in the 116th and 117th Congresses, it appears to be part of a coordinated strategy begun under the first Trump term to roll back protections for unaccompanied children when families apprehended at the U.S.-Mexico border were separated as part of the administration's controversial "zero tolerance" immigration policy.

On a bipartisan basis under the *Homeland Security Act of 2002*, Congress vested ORR with responsibility for the care and placement of unaccompanied children in recognition that appropriate standards must be instituted to protect the rights and needs of vulnerable children in government custody. The Act carefully separated ORR's child welfare functions from the immigration law enforcement duties assigned to the Department of Homeland Security (DHS) components, reflecting congressional intent that ORR prioritizes the safety and well-being of these children, guided by their best interests and informed by child welfare expertise—not by deportation quotas. Under the Trump administration, ORR has all but abandoned this statutory mandate and rendered itself increasingly indistinguishable from U.S. Immigration and Customs Enforcement (ICE) at the direct expense of unaccompanied children's safety and welfare.

ORR's policies and practices governing information-sharing with DHS exemplify this shift away from its child welfare mandate. ORR has expanded DHS's access to sensitive information on unaccompanied children and their sponsors, by eliminating ORR's restrictions on information-sharing regarding sponsors' immigration status. These actions appear to have substantially contributed to widespread ICE immigration enforcement actions against sponsors and unaccompanied children. ORR's policies have likewise exerted a vast chilling effect on parents and other loved ones who would otherwise come forward to provide safe homes for unaccompanied children, leaving the children without secure, supportive placement options that serve their best interests.

ORR has implemented a requirement that prospective sponsors appear for in-person interviews with ORR officials. Reflecting ORR and ICE coordination, ICE agents have sometimes appeared at such interviews and arrested the prospective sponsors, depriving the children of safe placements with trusted loved ones.

Also, accounts indicate that ORR recently facilitated ICE interviews of unaccompanied children at ORR shelters throughout the nation, causing widespread fear and confusion among these children.¹ In many cases, ICE agents expressed to these children that the interviews served the purpose of family reunification, prompting uncertainty over the line separating ICE and ORR, which is statutorily required to perform the sponsor vetting and placement process resulting in family reunification. In various cases, ICE failed to observe confidentiality safeguards when conducting these interviews and neglected to secure appropriate interpretation services. Some legal services providers received limited or no notice concerning the interviews.

ORR is involved in a new family separation crisis – this one encompassing hundreds of unaccompanied children separated from their parents and other sponsors by ICE in the interior of the United States, often due solely to the sponsors' immigration status.² These separations inflict enduring trauma on separated children, many of whom may subsequently find it all but impossible to obtain release from government detention and reunification with loved ones. From October 2024 to September 2025, the average period of ORR detention for children discharged from ORR skyrocketed from 35 to 168 days.³ That is half a year that children are spending separated from loved ones, contributing to rising rates of depression, anxiety, and hopelessness.

Further, in the middle of a government shutdown, ORR, in coordination with ICE, has recently begun incentivizing unaccompanied children to return to their countries of origin through a \$2,500 cash offer to children aged 14 and older – potentially without legal representation – an initiative that threatens to use detained children's own hopelessness against them and coerce returns to the same abusive, harmful environments they originally fled.

Additionally, ORR worked in tandem with ICE to attempt unlawful dead-of-night summary removals of Guatemalan unaccompanied children, scores of whom were taken from their beds in ORR shelters and hauled onto planes with the intent of returning them to Guatemala within the span of hours. Many of these children feared returning because they had fled in fear of their lives and had not completed immigration proceedings before an immigration judge as required by law. A whistleblower report later came to light alleging that ORR had previously

¹ Kids in Need of Defense (KIND). (2025, September 14). Sign-On Letter Says Recent ICE, HSI Interviews of Unaccompanied Children in U.S. Custody Run Counter to U.S. Law, Sidestep Child-Centered Best Practices [Press release]. <https://supportkind.org/press-releases/sign-on-letter-says-recent-ice-hsi-interviews-of-unaccompanied-children-in-u-s-custody-run-counter-to-u-s-law-sidestep-child-centered-best-practices/>.

² Alvarez, P. (2025, June 4). Trump administration takes hundreds of migrant children out of their homes, into government custody. CNN, <https://www.cnn.com/2025/06/04/politics/migrant-children-families-government-custody>.

³ Office of Refugee Resettlement. (2025, October 15). The Number of Referrals ORR receives from the Department of Homeland Security by fiscal year. U.S. Department of Health and Human Services, Office of the Administration for Children & Families. <https://acf.gov/orr/about/ucs/facts-and-data>.

determined that at least 30 of the children designated for summary removal had presented indicators of trafficking, abuse, and other protection concerns, contradicting ORR Acting Director Angie Salazar's sworn statement that these children had been screened for removal and that screening criteria included trafficking and abuse indicators.⁴

As a result of these and other ORR actions, too many children in and released from ORR custody have grown frightened and despondent, with vanishing hope of reunifying with loved ones or obtaining meaningful protection from trafficking, abuse, and other grave harm. In defiance of the bipartisan Homeland Security Act, ORR is profoundly undermining the safety and well-being of the very children it is charged to care for and support.

Congress created ORR recognizing that children face unique vulnerabilities and are entitled to special protections in our immigration system. However, I am concerned that under your watch, ORR has morphed into a willing participant in the Trump administration's efforts to violate the law and hastily deport children into unsafe conditions outside the jurisdiction of the U.S. To shed needed light on these cruel and legally suspect actions, I request responses to the following questions two weeks after the current government shutdown ends.

ORR Information-Sharing with DHS

1. Please describe the purpose and scope of expanded information-sharing between ORR and DHS.
2. Please describe if and under what circumstances ORR provides information from any of the following sources to ICE and/or other DHS components.
 - a. Children's case files;
 - b. Significant incident reports;
 - c. Mental health counseling records;
 - d. Medical records;
 - e. Family reunification/sponsor applications;
 - f. Unaccompanied children assessments; and
 - g. Home study reports and post-release service records.
3. Under what authority and at whose direction does ORR share information with ICE personnel?
4. What roles and personnel specifically from DHS/ICE have access to ORR's databases, children's case files, children's personal information, or information about sponsors and others in their household?
5. Please provide any memorandum of agreement, guidance, or other policies pertaining to ORR's sharing of information with DHS.

⁴ U.S. Senator Alex Padilla (D-CA). (2025, September 2025). Padilla, Durbin Call for Oversight Hearings After Whistleblower Report Alleges Trump Admin Lied About Safety of Unaccompanied Guatemalan Children to Deport Them [Press Release]. <https://www.padilla.senate.gov/newsroom/press-releases/padilla-durbin-call-for-oversight-hearings-after-whistleblower-report-alleges-trump-admin-lied-about-safety-of-unaccompanied-guatemalan-children-to-deport-them/>.

6. Please describe immigration enforcement actions by ICE conducted based on information shared by ORR, including the number and nature of such actions.

ORR In-Person Interviews of Prospective Sponsors

7. How many prospective sponsors have ICE arrested at these in-person interviews based on sponsors' immigration status?
8. Has ORR identified alternative safe sponsor placements for children whose prospective sponsors were arrested?
 - a. How many of these children remain in government custody or have been removed from the United States?
9. Please provide copies of all policies, procedures, guidance, and training relating to these sponsor identification verification interviews.

ICE Interviews Conducted in ORR Facilities

10. Please detail and account for the number of unaccompanied children that ICE has interviewed in ORR custody since January 20, 2025.
11. Please describe the purpose of these interviews.
 - a. What is being done with information from those interviews?
 - b. Have any ICE immigration enforcement actions been carried out pursuant to these interviews?
12. Please indicate which ORR officials authorize ICE access to ORR facilities for the purpose of these interviews.
13. Accounts indicate that ICE agents stated that these interviews were intended to facilitate "reunification" of unaccompanied children. Under what authority can ICE conduct "reunification" interviews?
14. What confidentiality safeguards, if any, did ICE observe while conducting interviews?
 - a. Were any of the interviews performed within earshot of other children?
15. Did ORR and/or ICE ensure that all legal services providers were provided sufficient advance notice of these interviews?
 - a. How are they ensuring that information gleaned from a child without the presence of counsel is not being used against the child in immigration proceedings?
16. Please provide copies of all policies, procedures, guidance, and training relating to these ICE interviews.

ORR's Role in the New Family Separation Crisis

17. Since January 2025, how many unaccompanied children have been transferred by ICE into ORR custody after being separated in the U.S. interior from their parents or other sponsors based on the sponsors' immigration status?
18. Of those children, how many remain in ORR custody or have been removed from the United States?
 - a. What is the average length of care of those children who remain in ORR custody?

Incentivized Returns

19. To what terms must children agree to activate the \$2,500 cash incentive?

20. Do relevant policies mandate children's attorneys/legal service providers be present when children agree to such terms?
21. Who will receive the \$2,500 incentive – the child or a designated adult?
22. What safeguards are in place to prevent human traffickers and other bad actors from exploiting this initiative?
23. Please provide copies of any forms, policies, procedures, guidance, or training relating to this cash incentive.
24. Are there any other programs being used involving voluntary departure of unaccompanied children?

ORR's Coordination with ICE for Purposes of Unlawful Attempted Removals of Guatemalan Unaccompanied Children in ORR Custody

25. How many of the Guatemalan unaccompanied children in ORR custody that the administration attempted to summarily remove had previously been determined by ORR to "have indicators of being a victim of child abuse, including death threats, gang violence, human trafficking and/or have expressed fear of return to Guatemala?"
26. Why did ORR facilitate the attempted removal of these children despite knowledge of these protection concerns?
27. Has ORR begun the process to evaluate unaccompanied minors from any other countries for deportation using its purported authority?
 - a. If so, for unaccompanied minors from which countries?
 - b. How many children have ORR identified as eligible for removal through its purported authority under, and based on what criteria?
 - c. Has ORR conducted individualized risk assessments of these children, including screenings for abuse, exploitation, or trafficking?
 - d. When does ORR plan to initiate removals for these children?

I understand responses to some of these questions may relate to ongoing litigation. However, the Supreme Court has found legal proceedings do not limit Congressional authority to conduct its own investigations, so agencies are obligated to produce all requested information.⁵

Thank you for your prompt attention to this matter. I look forward to receiving your response in a timely manner.

Sincerely,



Diana DeGette
Ranking Member
Subcommittee on Health
House Energy and Commerce Committee

⁵ McGrain v Daugherty, 273 U.S. 135 (1927).