

## IMMIGRATION ENFORCEMENT AT ALL COSTS: HOW THE TRUMP ADMINISTRATION IS ENDANGERING UNACCOMPANIED IMMIGRANT CHILDREN

[Unaccompanied children](#) arrive at the United States border without their parents or legal guardians—often fleeing unsafe situations, including abuse, trafficking, and violence—to reunite with family and find safety. Over two decades ago, Congress tasked the Department of Health and Human Services' Office of Refugee Resettlement (ORR) to care for unaccompanied children until they can safely reunify with their family. Unlike immigration enforcement agencies, ORR has a child welfare mandate to place kids in “the least restrictive setting in their best interest.”<sup>1</sup> In other words, **ORR's responsibility is to care for children and support their reunification with family.**

Today, the Trump administration is undermining ORR's child welfare mandate. Project 2025 openly [called](#) for ORR to merge with the Department of Homeland Security (DHS), essentially converting the agency into another enforcement arm for Immigration and Customs Enforcement (ICE). Former ICE employees now hold [leadership roles](#) in ORR and new policies center enforcement goals rather than children's well-being. **The Trump administration is undercutting Congress' [clear mandate](#) to separate the care and custody of children from DHS' prosecution and enforcement goals.**

1. **New sponsor “vetting” requirements have dramatically prolonged children's time in federal custody.** ORR has heightened requirements for parents and relatives to reunite with their children, imposing [DNA testing](#), [proof of income](#), and [strict rules for identification](#) before children can be released to their family or trusted adults (known as “sponsors”). The agency's own data shows that the length of time children remain detained [has nearly tripled](#) since these policies have been enacted. These changes [halted releases of children to parents](#) that had already been approved by ORR—in some cases where bags had been packed and flights arranged—simply because the parent did not have, and could not obtain, an approved form of identification. Yet, a person's immigration status has no bearing on their ability to provide a loving home for a child. Keeping families apart because of immigration status subverts ORR's child welfare mandate.
2. **ORR is sharing private information about children and their families with ICE in order to entrap and deport family members.** Information-sharing between ICE and ORR has sparked [renewed concern](#) that ICE is using children's confidential information to locate, detain, and deport children's family members. The administration [rescinded a regulation](#) preventing ORR from sharing sponsor's immigration status information for law enforcement purposes. As a result, fewer sponsors are coming forward to reunite with children out of fear that their information will lead DHS to their doorstep. As the administration blurs the lines between ICE and ORR, children are languishing in detention while their loved ones are [deported](#). Recently, [advocates brought a lawsuit](#) challenging the withdrawal of regulatory protections for sponsor information and the new identification and income rules. This lawsuit was brought on behalf of children who are stuck in ORR custody despite having family ready to sponsor them.
3. **ICE and Homeland Security Investigations (HSI) are not child welfare agencies; their “wellness checks” are not meant to help children.** In February, ICE began a [nationwide initiative](#) to track down released unaccompanied immigrant children in their homes and [schools](#) without a warrant, under the pretense of checking on these children's well-being. The reported “[Unaccompanied Alien Children Joint Initiative Field Implementation](#)” program involves a number of phases, including initiating criminal prosecutions against the

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<sup>1</sup> William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA). 8 U.S. Code § 1232. Congress passed the TVPRA in 2008 with [strong bipartisan support](#) and recognized that immigrant [children's welfare and safety](#) should be paramount considerations.

sponsors or family members of the children to charge or remove them from the United States. Unlike ORR, DHS agencies like ICE, HSI, [DEA](#), or ATF do not have a child welfare function and [lack protocols to protect children and families](#) or to [safely de-escalate crises](#) during enforcement operations. Even when ICE claims not to be targeting children and families for the purpose of immigration enforcement, [home raids and “wellness checks” often result in warrantless “collateral arrests,”](#) terrorizing children and jailing family members. ICE operations across the country have already resulted in [the re-detention of children](#) previously released by ORR.

4. **Children belong in supportive communities, not jails.** Children should be with their families in safe and supportive communities, not in detention. Yet the Trump administration has [announced plans to bring back “secure”](#) facilities to detain children. Secure facilities—which often consist of beds rented from [juvenile jails](#)—are in direct contravention of expert stakeholder input. Over 80 child welfare organizations, law professors, and medical professionals previously called on ORR to [abandon](#) the use of secure detention because it “consistently dehumanized children and subjected them to physical and psychological torment.” This plan coincides with the administration’s [revival of family detention](#) despite its known [dangers to children](#) and is expected to enrich private prison corporations by [hundreds](#) of [millions](#) this year alone. Jailing children and their families is [neither “family-friendly”](#) nor sensible immigration policy; it is simply [cruel, costly, and ineffective](#).
5. **Children deserve due process and child-friendly procedures.** While children’s rights are being systematically dismantled, the Trump administration ended the only publicly funded legal aid program for unaccompanied children. [Thirty-two Senators](#) and nearly [100 House members](#) raised alarm that such disruption undermines the Trafficking Victims Protection Reauthorization Act (TVPRA) and the purpose of Congressionally appropriated funds, while leaving more than 26,000 children with no one to argue their case. In the last few weeks, children as young as [4 years old](#) have [shown up to court alone](#), unrepresented. After a district court [issued a preliminary injunction](#) requiring that this funding be restored, the government appealed and sought to block the ruling. The Ninth Circuit denied the government’s motion for a stay and the injunction remains in place as of today. The decision to end legal representation for children further serves ICE’s mass deportation agenda.

#### RECOMMENDATIONS FOR CONGRESS:

1. Congress must ensure that the administration reinstates current appropriated funding. Congress should increase funding for FY26 to ensure that all immigrant children have access to government-funded counsel and are not returned to unsafe situations.
2. Congress must reject proposals that authorize funding for wasteful and inhumane detention contracts for secure facilities and family detention centers.
3. Congress must ensure through appropriations language that federal agencies protect children’s sensitive information from use in DHS enforcement actions as required by law.
4. Congress should carry out oversight to ensure that federal agencies comply with the Homeland Security Act and the TVPRA regarding the placement, services, release from custody, and safe repatriation of children.

### CHILDREN DESERVE CARE AND COMMUNITY, NOT CRUELTY

*The Young Center for Immigrant Children’s Rights and National Immigrant Justice Center (NIJC) serve and advocate for children in ORR custody and challenge policies that negatively impact their rights and safety. For more information, please contact Azadeh Erfani at the National Immigrant Justice Center:*

*[aerfani@immigrantjustice.org](mailto:aerfani@immigrantjustice.org); or Mary Miller Flowers at the Young Center for Immigrant Children’s Rights: [mmillerflowers@theyoungcenter.org](mailto:mmillerflowers@theyoungcenter.org).*