

## THE BUDGET RECONCILIATION LAW WILL HARM UNACCOMPANIED CHILDREN AND FAMILIES

On July 4, 2025, President Trump signed a [new law](#) that will have immediate and lasting impacts on all children, with particular harm to [immigrant children and children in mixed-status families](#). While we don't know how these changes will be rolled out, we know this legislation drastically cuts funding for Medicaid and SNAP, [restricts access to life-saving public benefit programs and tax credits](#), and gives the Department of Homeland Security enormous resources to detain and deport immigrant families. Here are some of the provisions that will directly impact immigrant children and families:

- 1. New border screening requirements will prevent many unaccompanied children from accessing protection in violation of the TVPRA.** The law provides funding for an unlawful method to summarily detain and return most unaccompanied children without transferring them to the Office of Refugee Resettlement (ORR) as required by the Trafficking Victims Protection Reauthorization Act (TVPRA 2008). Transfer to ORR is crucial to ensuring that these children receive robust trafficking screenings, basic services, and legal information that is necessary to verify their safety and secure their opportunity to seek protection. The law circumvents this protection system in favor of cursory screenings that [will often fail](#) to identify evidence of trafficking or other protection needs and return children to dangerous situations.
- 2. Children will be subject to examinations of their bodies for gang markings.** Two different parts of the law provide dedicated funding to government officials to conduct intrusive physical examinations of unaccompanied children, for so-called "gang markings." Confusingly, one section has an age limit of 12 years old, while the other section does not, potentially leaving children of any age vulnerable to these body exams. There is no indication that such examinations will be conducted by trained medical personnel.
- 3. Children can be charged fees for seeking safety in the U.S., including for asylum and Special Juvenile Immigrant Status.** The law creates many [new immigration-related fees](#), including fees that affect the most common forms of relief sought by unaccompanied children. There will now be a non-waivable minimum \$100 fee for asylum; another \$100 nonwaivable fee for every year an asylum application is pending; \$250 for Special Immigrant Juvenile Status; and more. In addition, anyone, adult or child, who crosses between ports of entry will be charged a \$5,000 fine, even though federal immigration law permits anyone, regardless of mode of entry, to seek asylum. And anyone, adult or child, will be fined \$5,000 if they have been ordered removed in absentia and subsequently arrested by ICE. In absentia removal orders are often the result of administrative errors on the part of federal immigration agencies.
- 4. The law directs \$150 billion to immigration enforcement and permits the indefinite detention of children in violation of the Flores Settlement Agreement.** The new funding balloons ICE's current annual detention budget ([already at a record high](#)), amidst alarm over [dire conditions](#) and the [lack of oversight](#). This funding also [expands ICE's workforce](#). Already, federal agents are [targeting and detaining children](#) and families. At the same time, the law subjects families with children to indefinite ICE detention while the backlogged immigration courts decide their cases, and until deportation if they are ordered removed. This section directly contravenes [Flores Settlement Agreement](#) protections designed to ensure children do not languish in CBP holding cells or [ICE detention](#). The American Academy of Pediatrics and other child welfare [experts](#) have [concluded](#) that [no amount of time in detention is safe](#) for children.
- 5. The law heightens sponsor vetting requirements which will prolong the stay of immigrant children in federal custody.** The new requirements will [discourage sponsors from coming forward](#), to the detriment of children who should be in loving homes rather than federal custody. The TVPRA and ORR's own [regulations](#) already impose significant vetting requirements to ensure children's safety. The new requirements impede ORR's ability to comply with its child welfare mandates under the Homeland Security Act and the TVPRA.

6. **The law slashes access to nutrition and health supports for many immigrant children, including survivors of trafficking and violence.** The Young Center has long supported efforts to increase access to state-funded Medicaid and other benefits for immigrant children and their families. Unfortunately, this law [makes deep cuts to social safety-net programs](#) and [excludes most immigrants](#) from eligibility for the Supplemental Nutrition Assistance Program (SNAP), the Affordable Care Act, Medicare, Medicaid, and the Children's Health Insurance Program. In addition, it creates additional eligibility barriers to prevent children in mixed-status families from accessing the Child Tax Credit. These changes undermine [public health for everyone](#).

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