

Congress of the United States

Washington, DC 20515

May 28, 2026

The Honorable Robert F. Kennedy, Jr.
Secretary
Department Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Kennedy:

We write with urgent concern regarding the Office of Refugee Resettlement's (ORR) failure to reimburse providers for work performed under its contract to furnish legal services to unaccompanied children. Based on available information, ORR has not issued reimbursements for services rendered since December 2025, despite Congress having appropriated—and ORR having obligated—funds for this purpose. **These non-payments violate numerous laws and imminently threaten the continued provision of essential legal services to vulnerable children.**

As you know, the Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) requires the Department of Health and Human Services (HHS) to ensure that unaccompanied children have access to legal representation “to the greatest extent practicable.” For nearly two decades, ORR has fulfilled this mandate through a contract it administers that presently provides funding to nearly 100 legal services providers throughout the country. Successful implementation of that contract depends on timely reimbursement for services rendered. Indeed, bipartisan Fiscal Year 2026 appropriations measures mandate that ORR fund services performed under the contract. The agency's ongoing refusal to issue payments contravenes the TVPRA, appropriations directives, and the federal government's contractual obligations.

ORR's plain breach of contract threatens the viability of the nationwide network of nonprofit legal service providers that serve vulnerable unaccompanied children. These providers deliver critical legal representation, legal screenings, and Know Your Rights presentations to thousands of children across the country. Their work is essential to ensuring that children are protected from trafficking, exploitation, and other harms, and that they appear for and are able to meaningfully participate in their immigration proceedings. Nonprofit providers do not have the reserves necessary to absorb prolonged nonpayment at this scale. As a result, organizations may be forced to lay off staff, stop accepting new cases, or cease operations altogether. These outcomes would jeopardize thousands of children's access to legal representation mid-case.

We are particularly troubled by reports that ORR is conditioning reimbursement on the provision of additional, case-specific information not required under the terms of the contract. The additional demands appear to be an administrative stall tactic that is wholly unjustified and unacceptable. Moreover, these new demands reportedly include identifying information about child clients that may implicate attorney-client privilege and ethical obligations governing confidentiality. Such requirements are inconsistent with longstanding legal ethics rules and raise serious additional concerns, particularly given existing information-sharing arrangements between HHS and the Department of Homeland Security (DHS), which serves as opposing counsel in immigration proceedings. Legal services providers cannot—and must not—be compelled to violate ethical obligations to their clients as a condition of receiving payment.

Conditioning reimbursement on such disclosures would represent a unilateral and improper modification of the contract.

Ultimately, we are concerned that these payment delays may be an attempt to circumvent requirements that ORR continue funding legal services for unaccompanied children. However, the federal government must meet its obligations under the law. Accordingly, we request the following:

1. Immediately fulfill all pending invoices for legal services performed under the ORR contract;
2. Confirm that ORR will not condition payment on the provision of information not required under the contract, not least where such requirements would implicate attorney-client privilege or ethical obligations;
3. Provide a detailed explanation of the basis for the payment delays, including any internal directives or policy changes that led to this situation; and
4. Outline the steps HHS will take to ensure timely reimbursement going forward, consistent with contractual and statutory requirements.

Given the urgency of this matter and its impact on vulnerable children and nonprofit providers nationwide, we request a response no later than June 5th, 2026. We appreciate your prompt attention to this issue and look forward to your response.

Sincerely,



Dan Goldman
Member of Congress



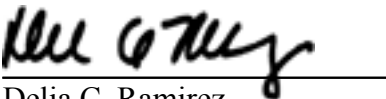
Catherine Cortez Masto
United States Senator



Jason Crow
Member of Congress



Alex Padilla
United States Senator



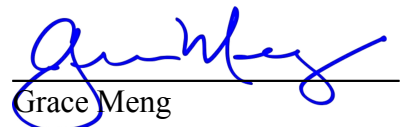
Delia C. Ramirez
Member of Congress



Diana DeGette
Member of Congress




Raja Krishnamoorthi
Member of Congress



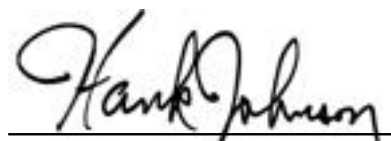
Grace Meng
Member of Congress



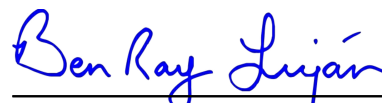
Jasmine Crockett
Member of Congress




Debbie Wasserman Schultz
Member of Congress




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




Ben Ray Lujan
United States Senator




Seth Moulton
Member of Congress




Nikema Williams
Member of Congress




Danny K. Davis
Member of Congress




Darren Soto
Member of Congress



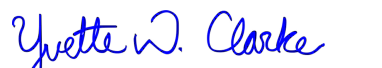
Greg Casar
Member of Congress



Jonathan L. Jackson
Member of Congress




Eleanor Holmes Norton
Member of Congress



Yvette D. Clarke
Member of Congress



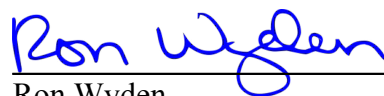
Stephen F. Lynch
Member of Congress



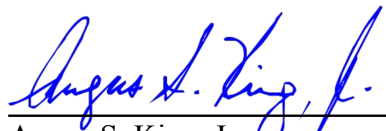
Maxine Dexter, M.D.
Member of Congress



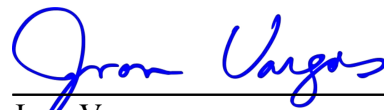
Betty McCollum
Member of Congress



Ron Wyden
United States Senator
Ranking Member, Committee
on Finance



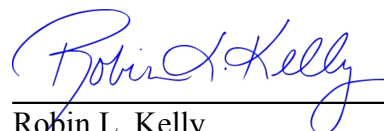
Angus S. King, Jr.
United States Senator



Juan Vargas
Member of Congress



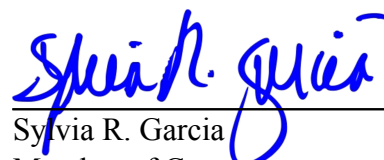
Adam Smith
Member of Congress



Robin L. Kelly
Member of Congress



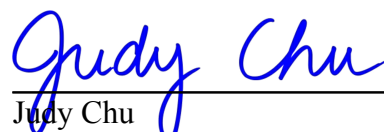
J. Luis Correa
Member of Congress



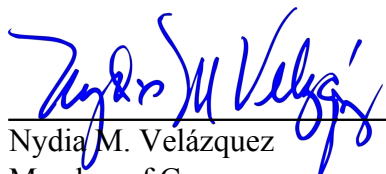
Sylvia R. Garcia
Member of Congress



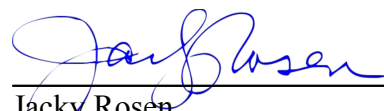
Richard J. Durbin
United States Senator



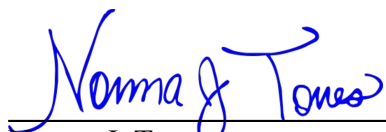
Judy Chu
Member of Congress



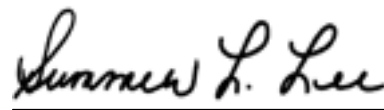
Nydia M. Velázquez
Member of Congress



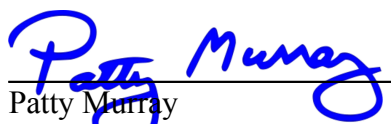
Jacky Rosen
United States Senator




Norma J. Torres
Member of Congress





Summer L. Lee
Member of Congress



Patty Murray
United States Senator

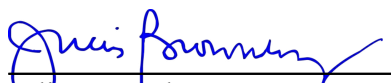

Paul D. Tonko
Member of Congress

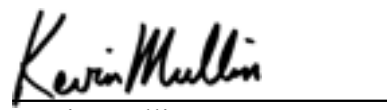

Suzanne Bonamici
Member of Congress

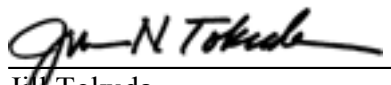

Andrea Salinas
Member of Congress


Nanette Diaz Barragan
Member of Congress

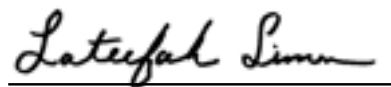

Bonnie Watson Coleman
Member of Congress



Julia Brownley
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Kevin Mullin
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Jim Tokuda
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Ruben Gallego
United States Senator


Lateefah Simon
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Pramila Jayapal
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United States Senator


Michael F. Bennet
United States Senator



Christopher A. Coons
United States Senator



Kirsten Gillibrand
United States Senator



Richard Blumenthal
United States Senator



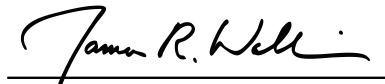
Christopher S. Murphy
United States Senator



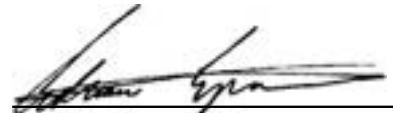
Ted W. Lieu
Member of Congress



Jerrold Nadler
Member of Congress



James R. Walkinshaw
Member of Congress



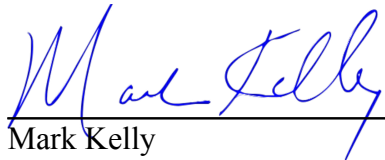
Adriano Espaillat
Member of Congress



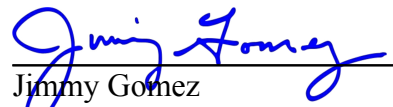
Lizzie Fletcher
Member of Congress




MARK TAKANO
Member of Congress



Mark Kelly
United States Senator



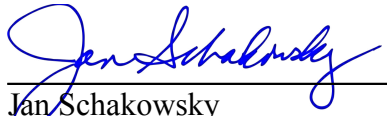
Jimmy Gomez
Member of Congress



Greg Stanton
Member of Congress



John B. Larson
Member of Congress



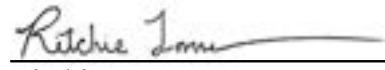
Jan Schakowsky
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Robert J. Menendez
Member of Congress



Ritchie Torres
Member of Congress



Mark DeSaulnier
Member of Congress



Rashida Tlaib
Member of Congress




Tina Smith
United States Senator



Frederica S. Wilson
Member of Congress



Andy Kim
United States Senator



Salud Carbajal
Member of Congress

cc:

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