

# 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:

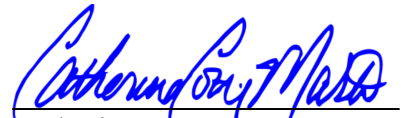
1. Immediately fulfill all pending invoices for legal services performed under the ORR contract;
2. Confirm that ORR will not condition payment on the provision of information not required under the contract, not least where such requirements would implicate attorney-client privilege or ethical obligations;
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 5<sup>th</sup>, 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



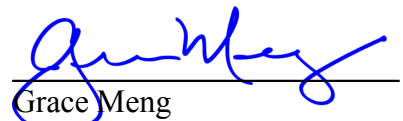
Delia C. Ramirez  
Member of Congress



Diana DeGette  
Member of Congress



Raja Krishnamoorthi  
Member of Congress




Grace Meng  
Member of Congress




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Jasmine Crockett  
Member of Congress



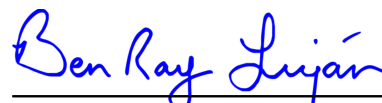
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Debbie Wasserman Schultz  
Member of Congress



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




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Ben Ray Lujan  
United States Senator




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Seth Moulton  
Member of Congress




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Nikema Williams  
Member of Congress




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Danny K. Davis  
Member of Congress




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Darren Soto  
Member of Congress




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Greg Casar  
Member of Congress



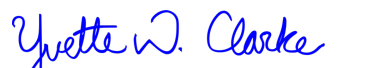
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Jonathan L. Jackson  
Member of Congress




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Eleanor Holmes Norton  
Member of Congress




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Yvette D. Clarke  
Member of Congress



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Stephen F. Lynch  
Member of Congress

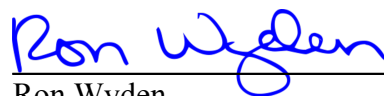


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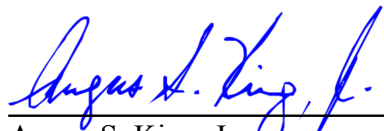
Maxine Dexter, M.D.  
Member of Congress



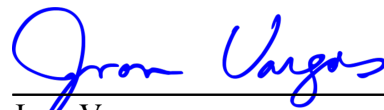
Betty McCollum  
Member of Congress



Ron Wyden  
United States Senator  
Ranking Member, Committee  
on Finance



Angus S. King, Jr.  
United States Senator



Juan Vargas  
Member of Congress



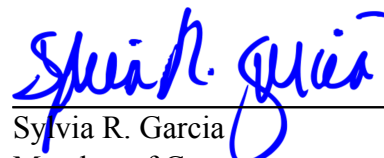
Adam Smith  
Member of Congress



Robin L. Kelly  
Member of Congress



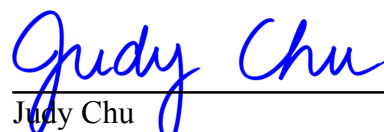
J. Luis Correa  
Member of Congress



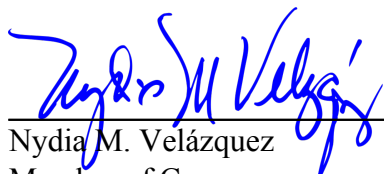
Sylvia R. Garcia  
Member of Congress



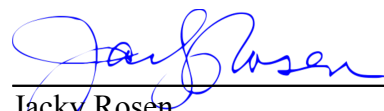
Richard J. Durbin  
United States Senator



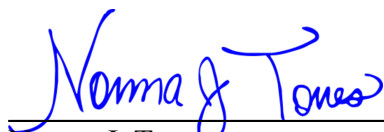
Judy Chu  
Member of Congress



Nydia M. Velázquez  
Member of Congress



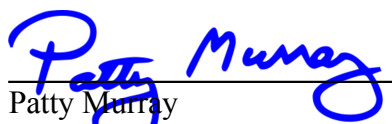
Jacky Rosen  
United States Senator




Norma J. Torres  
Member of Congress





Summer L. Lee  
Member of Congress


  
Patty Murray  
United States Senator

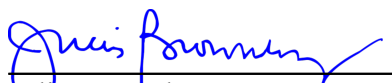
  
Paul D. Tonko  
Member of Congress


  
Suzanne Bonamici  
Member of Congress

  
Andrea Salinas  
Member of Congress


  
Nanette Diaz Barragan  
Member of Congress


  
Bonnie Watson Coleman  
Member of Congress


  
Julia Brownley  
Member of Congress

  
Kevin Mullin  
Member of Congress

  
Jim Tokuda  
Member of Congress

  
Ruben Gallego  
United States Senator

  
Lateefah Simon  
Member of Congress

  
Pramila Jayapal  
Member of Congress

  
Mazie K. Hirono  
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



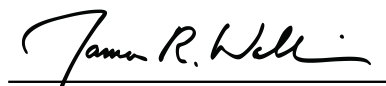
Christopher S. Murphy  
United States Senator



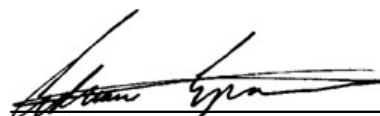
Ted W. Lieu  
Member of Congress



Jerrold Nadler  
Member of Congress



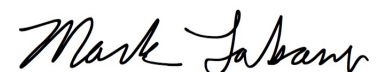
James R. Walkinshaw  
Member of Congress



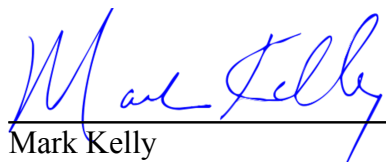
Adriano Espaillat  
Member of Congress



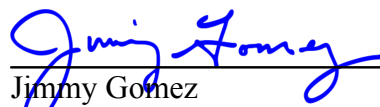
Lizzie Fletcher  
Member of Congress




MARK TAKANO  
Member of Congress



Mark Kelly  
United States Senator




Jimmy Gomez  
Member of Congress



Greg Stanton  
Member of Congress



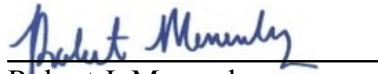
John B. Larson  
Member of Congress



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:

Michael B. Stuart  
General Counsel  
Department of Health and Human Services  
Office of the General Counsel  
200 Independence Ave. S.W.  
Washington, DC 20201