

# United States Senate

February 11, 2026

The Honorable Pam Bondi  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Kristi Noem  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr Avenue, SE  
Washington, DC 20528

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

Todd M. Lyons  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12th Street, SW  
Washington, DC 20536

Daren K. Margolin  
Director  
Executive Office of Immigration Review  
U.S. Department of Justice  
5107 Leesburg Pike  
Falls Church, VA 22041

Dear Attorney General Bondi, Secretary Noem, Secretary Kennedy, Acting Director Lyons, and Director Margolin:

Since assuming office, the Trump administration has systematically targeted unaccompanied children for removal. Last year, the U.S. Department of Homeland Security (DHS) went to the extreme length of attempting to remove a group of unaccompanied minors to Guatemala in the dead of night without a shred of due process. The Administration has also detained unaccompanied children in growing numbers, sent enforcement officials to the homes of children released from custody, lured children with payments to self-deport, and fined minors with hefty fees. The Administration's cruel actions have gravely imperiled immigrant children and exacerbated fear among an already sensitive group. We write to urge you to halt misguided enforcement actions against minors, follow the law, and implement policies aimed at protecting this vulnerable community.

The Trump administration has voiced an interest in locating children previously determined to be unaccompanied and now living with sponsors and in protecting these minors from human trafficking and other forms of exploitation.<sup>1</sup> However, the panoply of actions targeting these very minors contradict the Administration's avowed intent. For months, the Administration has eviscerated important legal protections that safeguard immigrant children, sought to dismantle child welfare standards, and conducted immigration enforcement aimed at children and their

<sup>1</sup> Luke Barr & Laura Romero, *Trump administration directing ICE to track down unaccompanied minors: Source*, ABC News (Feb. 23, 2025), <https://abcnews.go.com/Politics/trump-administration-directing-ice-track-unaccompanied-minors-source/story?id=119107322>.

sponsors. These actions have increased the number of children deported without proper vetting to dangerous conditions, separated more families, and worsened detention conditions.

Early last year, the agency statutorily tasked with the care and placement of unaccompanied minors—the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS)—granted Immigration and Customs Enforcement (ICE) and DHS access to their databases containing sensitive information on unaccompanied children.<sup>2</sup> Armed with this information and other data sources, DHS embarked on a campaign to target unaccompanied children, locating their whereabouts and conducting so-called “wellness checks.”<sup>3</sup>

According to reporting, the Administration has sent armed law enforcement agents wearing tactical gear—instead of officials trained in child welfare—to children’s homes to conduct these supposed “wellness checks.”<sup>4</sup> For instance, in May 2025, a 28-year-old man and his two teenage brothers were awoken by DHS officials at their home in Boston, Massachusetts, in an unplanned welfare check on the younger siblings.<sup>5</sup> The brothers reported feeling anxiety and confusion at this visit, as they had previously checked in with ORR in more than a dozen required calls.<sup>6</sup> The Administration has reportedly returned over 600 children living with sponsors to ORR custody after these checks.<sup>7</sup> And, in November 2025, the Administration announced it would use its standing agreements with state and local law enforcement to expand these home visits.

Due to the Administration’s actions, immigrant children are being held in custody for substantially longer periods of time, including children never previously detained.<sup>8</sup> Children released from ORR custody in January 2025 were held for an average of 37 days.<sup>9</sup> In grave comparison, children released in August 2025 were held almost five times as long, for an average of 182 days.<sup>10</sup> To make matters worse, the Administration has sought repeatedly to

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<sup>2</sup> Ximena Bustillo, *ICE officers granted access to unaccompanied minors database*, NPR (Feb. 14, 2025), <https://www.npr.org/2025/02/14/g-s1-48979/ice-unaccompanied-minors-database>; see also Letter from U.S. Senator Alex Padilla (D-Calif.) to Robert F. Kennedy, Jr., Secretary, U.S. Department of Health and Human Services (Apr. 8, 2025), <https://www.padilla.senate.gov/newsroom/press-releases/padilla-leads-push-to-stop-sharing-of-sensitive-data-on-unaccompanied-children-for-immigration-enforcement/>.

<sup>3</sup> Miriam Jordan & Christina Jewett, *Checks on Migrant Children by Homeland Security Agents Stir Fear*, N.Y. Times (May 28, 2025), <https://www.nytimes.com/2025/05/28/us/trump-ice-migrant-children-welfare-checks.html>.

<sup>4</sup> See, e.g., Fola Akinnibi & Rachel Adams-Heard, *Advocates Fear US Agents Are Using ‘Wellness Checks’ on Children as a Prelude to Arrests*, Bloomberg (July 14, 2025), <https://www.bloomberg.com/news/articles/2025-07-14/us-immigration-crackdown-raises-concerns-over-child-wellness-checks>.

<sup>5</sup> Sarah Betancourt, *Homeland Security agents are now doing ‘wellness checks’ on immigrant children*, GBH News (May 6, 2025), <https://www.wgbh.org/news/local/2025-05-01/homeland-security-agents-are-now-doing-wellness-checks-on-immigrant-children>.

<sup>6</sup> *Id.*

<sup>7</sup> KIND, *A Timeline: Tracking How the Second Trump Administration Is Rolling Back Protections for Unaccompanied Children* (Oct. 2025), [https://supportkind.org/wp-content/uploads/2025/10/25\\_Trump-Admin-Rollbacks-Timeline.pdf](https://supportkind.org/wp-content/uploads/2025/10/25_Trump-Admin-Rollbacks-Timeline.pdf); Mica Rosenberg, et al., *ICE Sent 600 Immigrant Kids to Detention in Federal Shelters This Year. It’s a New Record*, ProPublica (Nov. 24, 2025), <https://www.propublica.org/article/ice-detentions-immigrant-kids-family-separations>.

<sup>8</sup> National Center for Youth Law, *The Unraveling of ORR: A Quick and Calculated Undoing of a System Intended to Protect Children*, [https://youthlaw.org/sites/default/files/attachments/2025-09/NCYL\\_The%20Unraveling%20of%20ORR\\_Sept2025\\_FINAL.pdf](https://youthlaw.org/sites/default/files/attachments/2025-09/NCYL_The%20Unraveling%20of%20ORR_Sept2025_FINAL.pdf); Acacia Center for Justice, *Dismantling Protections: How ORR Policy Changes Trap Children in Extended Detention* (Sept. 2025), <https://acaciajustice.org/wp-content/uploads/2025/09/Acacia-Dismantling-Protections-2025-09.pdf>.

<sup>9</sup> National Center for Youth Law, *supra* note 8.

<sup>10</sup> *Id.*

terminate the 1997 *Flores* Settlement Agreement, which sets minimum standards for the humane treatment of children in custody.<sup>11</sup> It is unconscionable that this Administration believes that children belong behind bars and should be stripped of protections that ensure access to food, water, and other necessities while in detention.

Moreover, last summer, agents with DHS's Homeland Security Investigations (HSI) began interviewing children in ORR's custody at shelters.<sup>12</sup> The interviews, which lack proper trauma-informed procedures, are also causing fear and intimidation among children.<sup>13</sup> They also suggest that ORR, an office historically tasked with the care of children, has been turned into a tool of Trump's mass deportation agenda.

The Administration has also dismantled child-friendly immigration court practices and affirmatively adopted other practices that harm children. Since January 2025, when the Executive Office for Immigration Review (EOIR) rescinded the Director's Memorandum on Children's Cases (DM 24-01)—which provided guidance to the courts on the handling of children's proceedings—the immigration courts have become increasingly inhospitable to children. Immigration judges are granting fewer continuances for children to find counsel, government attorneys are moving to rush cases, and children are being ordered removed even when U.S. Citizenship and Immigration Services (USCIS) has granted them legal relief.

Unsurprisingly, this Administration is breaking records for the deportation of young children. In April 2025, more than 8,000 children age 11 or under received a removal order—the highest monthly number in over 35 years.<sup>14</sup> And in the first six months of the Administration, nearly 15,000 children under the age of four were ordered deported.<sup>15</sup> The vast majority of these children did not have legal representation.

The situation reached a fever pitch on the Saturday night of Labor Day weekend 2025 when the Administration attempted to unlawfully remove Guatemalan unaccompanied children from the country without a shred of due process. In the middle of the night, the Administration woke up dozens of children, drove them to an airport, and put them on airplanes for removal.<sup>16</sup> These actions are an apparent violation of the *Trafficking Victims Protection Reauthorization Act of 2008* (“TVPRA”), a law that sets specific procedural protections for the removal of unaccompanied immigrant children.<sup>17</sup> And although a federal court stopped this particular removal from taking place, the Administration’s assault on unaccompanied minors is ongoing.

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<sup>11</sup> Miriam Jordan, *Judge Rejects Trump’s Attempt to End Standards of Care for Detained Migrant Children*, N.Y. Times (Aug. 15, 2025), <https://www.nytimes.com/2025/08/15/us/migrant-children-trump-flores-settlement.html>; see also Press Release, Merkley, Durbin, Peters Lead Amicus Brief Urging Circuit Court to Affirm the Critical Protections of Minors in Immigration Detention (Jan. 28, 2026), <https://www.merkley.senate.gov/merkley-durbin-peters-lead-amicus-brief-urging-circuit-court-to-affirm-the-critical-protections-of-minors-in-immigration-detention/>.

<sup>12</sup> Priscilla Alvarez, *Exclusive: Federal law enforcement to begin interviewing unaccompanied migrant children in government custody*, CNN (Aug. 8, 2025), <https://www.cnn.com/2025/08/08/politics/exclusive-federal-law-enforcement-to-begin-interviewing-unaccompanied-migrant-children-in-government-custody>; KIND, *supra* note 7.

<sup>13</sup> National Center for Youth Law, *supra* note 8; KIND, *supra* note 7.

<sup>14</sup> Alicja Hagopian, *The Trump administration’s latest immigration target: Kids aged 11 and under*, The Independent (July 16, 2025), <https://www.the-independent.com/news/world/americas/us-politics/trump-immigration-child-deportation-numbers-b2790301.html>.

<sup>15</sup> *Id.*

<sup>16</sup> Zach Montague, *Judge Blocks Administration From Immediately Removing Guatemalan Children*, N.Y. Times (Sept. 18, 2025), <https://www.nytimes.com/2025/09/18/us/politics/guatemalan-children-deportation.html>.

<sup>17</sup> Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), 8 U.S.C. § 1232.

The efforts to double down on targeting unaccompanied children have only accelerated in recent months. In October 2025, DHS rolled out a \$2,500 payment to incentivize unaccompanied teenagers to self-deport.<sup>18</sup> These payments—billed as a “one-time resettlement support stipend” to children age 14 and older<sup>19</sup>—are a tool to bypass due process protections that apply to children by requiring minors to waive their rights under the TVPRA. At the same time, the Administration is also levying \$5,000 fines on unaccompanied minors fleeing unsafe conditions—another tactic to instill fear and encourage children to self-deport. We are concerned about the coercive effect of these payments and fines and ultimately, of shipping children off to dangerous conditions.

Over the last year, the Administration has also launched an unprecedented attack on the sponsors and guardians of unaccompanied children. According to reporting, enforcement operations targeting parents and caretakers of immigrant kids have led to nearly 3,000 arrests.<sup>20</sup> Instead of targeting violent criminals, the Administration appears to be using children as bait to easily locate and target family members and sponsors for deportation.

In addition to actions against unaccompanied children, the Administration’s immigration arrest dragnet is also resulting in family separations and in the increased detention of families. In Maine, a five-year-old girl waited to be picked up after school, only to learn that ICE had arrested her mother.<sup>21</sup> And in Minneapolis, federal agents arrested five-year-old Liam Conejo Ramos and his father and quickly sent them to an immigration detention center in Texas.<sup>22</sup> These stories illustrate an Administration intent on disregarding the rights of parents, the well-being of children, and the importance of keeping families unified.

Altogether, the Administration’s actions paint a deeply troubling picture for the fate of immigrant children in our country. The DOJ, DHS, and HHS are intent on detaining and removing children from the country without regard for constitutional or statutory protections. In order to help us and the public better understand the Administration’s policies affecting immigrant children, we write to request answers in writing to the following questions no later than February 26, 2026.

1. Please provide any internal guidance, policy, or memorandum governing any changes in ORR’s mission since January 2025.

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<sup>18</sup> Priscilla Alvarez, *Trump administration prepares to offer money to unaccompanied migrant teenagers to voluntarily leave US*, CNN (Oct. 3, 2025), <https://www.cnn.com/2025/10/03/politics/unaccompanied-migrant-kids-payments>; José Olivares & Maanvi Singh, *Trump administration to offer unaccompanied minors \$2,500 to self-deport, memo reveals*, The Guardian (Oct. 3, 2025), <https://www.theguardian.com/us-news/2025/oct/03/unaccompanied-minors-self-deport-payment>.

<sup>19</sup> Camilo Montoya-Galvez, *U.S. to offer migrant teens \$2,500 if they agree to voluntarily leave the country*, CBS News (Oct. 3, 2025), <https://www.cbsnews.com/news/us-immigration-migrant-teens-2500-self-deportation/>.

<sup>20</sup> Priscilla Alvarez & Adam Cancryn, *Exclusive: Thousands of parents, guardians of migrant kids arrested in Trump administration crackdown*, CNN (Nov. 14, 2025), <https://www.cnn.com/2025/11/14/politics/parents-arrested-migrant-children-ice>.

<sup>21</sup> Giulia McDonnell Nieto del Rio, *‘I want my mom’: Kindergartner left without her mother for several days as ICE detains parents in Maine*, Boston Globe (Jan. 27, 2026), <https://www.bostonglobe.com/2026/01/27.metro/maine-ice-arrests-mother-kindergartener/>.

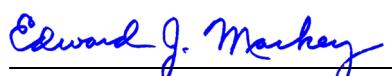
<sup>22</sup> Nicholas Bogel-Burroughs, *Judge Temporarily Blocks Deportation of 5-Year-Old Detained in Minneapolis Suburb*, N.Y. Times (Jan. 27, 2026), <https://www.nytimes.com/2026/01/27/us/ice-liam-ramos-minneapolis-deportation.html>.

2. Under what circumstances does DHS transfer unaccompanied children into ORR custody? How many children has DHS transferred into ORR custody following a “wellness check”? How many children has DHS transferred into ORR custody following an ICE or USCIS check-in? How many children has DHS transferred into ORR custody following interactions with local law enforcement?
3. How many children has CBP transferred into ORR custody since January 2025? How many children has ICE transferred into ORR custody since January 2025?
4. Of the children that DHS has transferred into ORR custody since January 2025, how many were separated from a parent or legal guardian? How many children were removed from their sponsor’s care due to the sponsor’s immigration status?
5. How many individuals age 18 or younger has ORR detained in immigration custody since January 2025? How many individuals age 18 or younger has the Administration arrested in the interior of the country and placed in ORR custody since January 2025?
6. How many unaccompanied children has EOIR ordered removed since January 2025? How many accompanied children have been ordered removed by DHS since January 2025?
7. How many unaccompanied children have been removed from the United States since January 2025? How many unaccompanied children have been removed without a final removal order from an immigration judge since January 2025?
8. What kind of training has DHS or ORR provided to officials or personnel who conduct or oversee “wellness checks” on unaccompanied minors? Please provide copies of those training materials.
9. What services, if any, do ORR and DHS make available for children for whom concerns are identified during “wellness checks”? Please provide copies of those service materials and memorandums of understanding between the agencies and service providers.
10. What staff or officials are tasked with asking minors if they want to return home voluntarily? What kind of training has DHS or ORR provided to these officials? Please provide copies of those training materials.
11. Are DHS or ORR allowing legal counsel to explain to children the consequences of accepting voluntary return, including the waiver of the right to appear before an immigration judge?

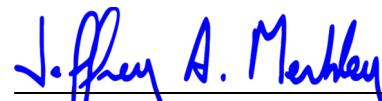
12. Please provide any internal guidance, policy, or memorandum outlining DHS's decision to offer \$2,500 to incentivize unaccompanied children to self-deport. Please indicate which Administration officials prepared or wrote the relevant guidance, policy, or memorandum.
13. Please provide any internal guidance, policy, or memorandum outlining DHS's decision to begin imposing a \$5,000 fee on certain unaccompanied minors and proof of how officers are being asked to implement these decisions.
14. How many children has Customs and Border Protection removed from the country since January 2025?

It has become clear that the Administration is engaged in a coordinated, multi-pronged effort to target unaccompanied minors and their families. These ill-advised actions are causing irreparable harm and trauma to vulnerable children. It needs to stop now.

Sincerely,



Edward J. Markey  
United States Senator



Jeffrey A. Merkley  
United States Senator



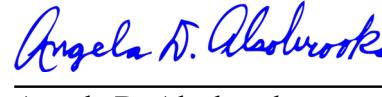
Richard Blumenthal  
United States Senator



Martin Heinrich  
United States Senator



Jacky Rosen  
United States Senator



Angela D. Alsobrooks  
United States Senator



Cory A. Booker  
United States Senator



Chris Van Hollen  
United States Senator



Andy Kim  
United States Senator



Mazie K. Hirono  
United States Senator



Bernard Sanders  
United States Senator