



## Unaccompanied Children Priorities for Fiscal Year 2024 Continuing Resolution and/or Supplemental

September 28, 2023

Following the White House's [supplemental](#) and [continuing resolution](#) requests to Congress, Church World Service, the Young Center For Immigrant Children's Rights, National Immigrant Justice Center, and the Women's Refugee Commission reiterate our strong support for a possible Fiscal Year (FY) 24 Continuing Resolution (CR) with accompanying anomalies and a supplemental funding package that reflects the needs of unaccompanied children, their families, and other vulnerable immigrant and refugee populations.

**Congress must seize the opportunity to advance a just and compassionate society, and reject poison pills that would limit key pathways to humanitarian protection for those in need.** Legislation currently being considered, such as [H.R. 2](#) or portions thereof, would decimate protections for vulnerable children and would tarnish any deal of which they are a part. H.R. 2 must be categorically opposed. We call on Congress to instead include the following priorities as part of any funding package:

**#1. Provide adequate funding for the Office of Refugee Resettlement (ORR).** We support the White House's anomaly request of **\$1,853,000,000 for the Refugee and Entrant Assistance (REA) Account that funds ORR** for the refugee resettlement and unaccompanied children programs, as well as the **\$100,000,000 request for ORR to support Ukrainian arrivals.**

In Fiscal Year 2023 (FY23), Congress allocated \$1.78 billion as an anomaly to ORR in that year's continuing resolution, as well as \$6.4 billion in the full-year appropriations bill, for a **total FY23 outlay of \$8.2 billion. Any significant reduction in funding would endanger critical services**, which include:

- ★ **Legal services and post-release services for unaccompanied children.** In any situation of dramatic underfunding or deficiency, ORR must continue its immediate "life and limb" services – care for unaccompanied children in shelters until they reunite with family. **Legal and post-release services, access to Child Advocates**, as well as improvements in case management, coordination with community service providers, and increases in the number of child wellbeing calls **protect children from labor exploitation and trafficking.** A significant funding decrease weakens these protections. It is imperative to protect against cuts for the following:
  - **Legal services** uphold children's due process rights, help them make their case before an immigration court, and to protect them from mistreatment or [exploitation](#).
  - **Child Advocates**, appointed to the most vulnerable children in federal custody—including infants and toddlers, child trafficking survivors, and children with complex medical and mental-health needs, make recommendations on children's care within custody, their safe and prompt release, and their ability to remain in the U.S. or to safely repatriate based on each child's best interests.
  - **Post-release services for unaccompanied children** ensure that children are supported at safe and stable home placements where they can learn, grow, and thrive through child-centered, trauma-informed, culturally and linguistically competent case management.
- ★ **Integration services for Cuban and Haitian entrants.** Cuban and Haitian entrants are eligible to receive cash and medical assistance, case management, and other integration and support

services from ORR.<sup>1</sup> Given the growing caseload of Cuban and Haitian entrants, funding for ORR to provide services has not kept pace with the volume of arrivals, putting a tremendous strain on ORR's budget. In a situation of dramatic underfunding or deficiency, ORR is placed in a difficult situation where communities do not have the resources they need to help ORR-eligible populations like Cuban / Haitian entrants thrive. Any decrease in funding will disproportionately occur in states like Florida, Kentucky, and Texas that welcome Cubans and Haitians in large numbers.

**#2. Incorporate the supplemental request of \$100 million request for child labor prevention in the August supplemental budget request.** We support the White House's August 2023 request for \$100 million for the Department of Labor to enforce child labor laws and protect migrant children from dangerous and exploitative labor arrangements. From 2015 to 2022, the number of children employed in violation of child-labor laws increased nearly 300%. Unaccompanied children are especially vulnerable to unscrupulous employers, as documented recently in the [New York Times magazine](#). Protection of the vulnerable requires fully funding the appropriate investigators within the Department of Labor – which has [a scant 810 investigators to protect all 165 million workers](#) regardless of age, and has a backlog of 700 child-labor cases alone.

**#3. Ensure the right to asylum.** We urge Congress to hold the administration accountable for protecting the right to asylum and fair and humane processing. Children arrive alone at the border because they lack other options. Severe asylum restrictions, including the Biden administration's asylum entry and transit ban, [do not deter people from seeking protection](#), and deterrence policies in recent years have [resulted in family separations](#) and may encourage increasing arrivals of unaccompanied children as families are unable to seek protection together. Expedited migrant and asylum processing also [hurts children](#) and disproportionately harms [Indigenous families](#). Ensuring strong asylum protections will keep families together and reduce the number of children arriving unaccompanied. We urge Congress and the administration to rethink border policy, investing in reception centers where multiple agencies and NGOs can work together to [humanely welcome](#) people, keeping families together whenever possible.

**#4. Expand trauma-informed services and child-friendly placements for unaccompanied children.** Unaccompanied children's needs are complex and our nation is strongest when it protects the most vulnerable. Additional funding beyond FY23 levels is needed to expand tailored services for unaccompanied children to:

- ★ **Strengthen access to mental health care for unaccompanied children.** Government funding is critical to ensure that all unaccompanied children receive evidence-based and trauma-informed mental healthcare that is culturally appropriate and in the main language that each child speaks. Funding also supports staff training on trauma-informed, strengths-based approaches to caring for children who have experienced trauma.
- ★ **Increase the percentage of children in home-based or small-scale placements.** Congress should continue to direct ORR to increase the number of children in family-based or small group settings -- placements that are far better for children than large congregate care. Proposed oversight language is [available here](#) (see pp. 118-49, esp. pp. 140-44).

**#5. Uphold family unity and prevent separation from family members.** Funding is needed to continue efforts to evaluate family relationships in real time, ensuring that children who arrive at the border with family members who are not their parent or legal guardian, but with whom the child has a trusting relationship, can stay together. HHS staff is trained to verify family relationships and determine safe sponsors for unaccompanied children. Its work is made easier when it can evaluate those relationships in person, and approve the sponsorship of a child to those relatives it determines to be safe caregivers. This effort also reduces trauma to children and avoids costly ORR custody. Instead, funds that once were used

---

<sup>1</sup> ORR assistance for Cuban / Haitian entrants is in complementarity to the USCIS-administered "Cuban Haitian Entrant Program" (CHEP) which was terminated by the previous administration and has not been restored. USCIS provided integration services for Cuban / Haitian entrants that met their basic needs, while ORR services supported longer-term integration needs. More information and recommendations for USCIS to restore CHEP is [available here](#).

to house the child can be reinvested into legal and post-release services for children who stay in the care of relatives.