

Congress of the United States

Washington, DC 20515

April 30, 2026

The Honorable Robert F. Kennedy, Jr.
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

The Honorable Angie Salazar
Acting Director
Office of Refugee Resettlement
330 C ST S.W.
Washington, D.C. 20201

Dear Secretary Kennedy and Acting Director Salazar,

We write to confirm your agency's alleged practice of placing all pregnant unaccompanied children in the care of a single Office of Refugee Resettlement (ORR) shelter in San Benito, Texas. If so, this policy would contradict your agency's Field Guidance #21, which requires ORR to place unaccompanied pregnant minors in states that provide access to the full range of reproductive healthcare options.

Field Guidance #21, which was implemented under the Biden Administration to ensure compliance with the *Garza* settlement, ensures that ORR staff cannot prevent minors from accessing legal abortion-related services and requires staff to make all reasonable efforts to facilitate access to these services if requested by pregnant minor.¹ News reports suggest that your agency has directed staff to place unaccompanied children in the Urban Strategies San Benito (USSB) ORR facility, over objections from agency staff who say both the facility and surrounding region lack adequate medical care for high-risk pregnancies.²

USSB has a documented history of inadequate care for pregnant children. Since July 2025, more than a dozen pregnant young girls, some as young as 13 years old, have been sent to the San Benito facility, which is operated by a for-profit contractor.³ In 2024, ORR barred the facility from receiving pregnant minors because staff members failed to arrange timely medical appointments or immediately share critical health information with the federal agency and discharged them without arrangements to continue their medical care.⁴ ORR required USSB to implement a remediation plan that, according to ORR officials, did not include adding staff or enhancing their qualifications. Despite this record, and over the objections of career health officials, ORR leadership has directed that all pregnant unaccompanied children be placed at the San Benito Shelter.

Young girls face higher medical risks when pregnant and necessitate proper medical care, which

¹ "Office of Refugee Resettlement Requires Director's Approval of Abortions for Unaccompanied Children in Detention Shelters." *Immigration Policy Tracking Project*, 4 Mar. 2017, updated Dec. 2024, www.immpolicytracking.org/policies/office-of-refugee-resettlement-requires-directors-approval-of-abortions-for-unaccompanied-alien-children-uac-in-detention-shelters/

² Betancourt, Mark. "Trump Administration Is Sending Pregnant Migrant Girls to South Texas Shelter Flagged as Medically Inadequate." *Texas Public Radio*, 11 Feb. 2026, www.tpr.org/news/2026-02-11/trump-administration-is-sending-pregnant-migrant-girls-to-south-texas-shelter-flagged-as-medically-inadequate.

³ Schreiber, Melody "US Moving Pregnant Immigrant Girls to Texas to Avoid Providing Abortions, Critics Say." *The Guardian*, 1 Mar. 2026, www.theguardian.com/us-news/2026/mar/01/pregnant-immigrant-children-texas-abortion.

⁴ See #2

USSB and nearby medical facilities may not be able to provide. These medical risks include premature birth, eclampsia, puerperal endometritis, and systemic infections.⁵ The Rio Grande Valley faces a critical shortage of healthcare providers, with specialized obstetric care concentrated in major cities hours away.⁶ Moreover, Texas's near-total abortion ban has devastated obstetric care throughout the state. These physicians have left the profession or left Texas, and those who remain are frequently too afraid of criminal liability to perform time-sensitive interventions when pregnancy complications place patients' lives at risk.⁷ For pregnant children at USSB, this can create life-threatening gaps in care. If a child develops an ectopic pregnancy, experiences a miscarriage, or goes into premature labor, the emergency treatment she needs may be delayed, denied, or inaccessible⁸. Many of the children arriving at San Benito have already endured harrowing journeys, sexual violence, and trauma, compounding the clinical complexity of their pregnancies.

ORR must follow current regulations and written policies that require the agency to ensure access to all forms of reproductive health care, including abortion, and prioritize placing pregnant youth in states without abortion bans.⁹ In making placements, ORR is legally required to consider each child's individualized needs and for pregnant minors, that means being placed in states that have access to the full range of reproductive healthcare options. If a pregnant youth is nonetheless placed in a state with an abortion ban and requests abortion care, ORR is obligated to transport or transfer her to a state where she can access that care.

We are also concerned by the Trump Administration's misinterpretation of the Hyde Amendment as prohibiting the use of federal funds for more than just payment for an abortion itself. Any change to the current regulations that hinder young people's access to abortion care while in ORR custody—including by prohibiting interstate transfers to ensure access to care—would be contrary to ORR's obligations to care for these individuals, including under the Homeland Security Act, the Trafficking Victims Protection Reauthorization Act, the *Flores* Agreement, and the settlement agreement reached in *Garza v. Hargan*.

These children have survived extraordinary hardship to arrive in the United States. All are entitled to the full range of medical care, including reproductive health care, as required by ORR's own regulations. Deliberately placing them in a medically inadequate facility in a state that bans abortion over the objections of the agency's own health officials is a political decision, not based on the welfare of children.

We look forward to your prompt response and to working with the Department to ensure that

⁵ "Adolescent Pregnancy." *World Health Organization*, 10 Apr. 2024, www.who.int/news-room/fact-sheets/detail/adolescent-pregnancy.

⁶ "Rio Grande Valley Healthcare Workforce Challenges." *Western Governors University*, Sept. 2023, www.wgu.edu/blog/rgv-healthcare-workforce-challenges-advocate-post2309.html.

⁷ Fuller, Bonnie. "Texas' Abortion Ban Has OB-GYNs Working in an Environment of 'Extreme Fear.'" *Courier Texas*, 4 Feb. 2025, couriertexas.com/2025/02/04/texas-abortion-ban-ob-gyns-fears/.

⁸ Presser, Lizzie, et al. "Texas Banned Abortion. Then Sepsis Rates Soared." *ProPublica*, 20 Feb. 2025, www.propublica.org/article/texas-abortion-ban-sepsis-maternal-mortality-analysis.

⁹ Office of Refugee Resettlement, Field Guidance #21 – Compliance with *Garza* Requirements and Procedures for Unaccompanied Children Needing Reproductive Healthcare (Nov. 10, 2022), <https://www.acf.hhs.gov/sites/default/files/documents/orr/field-guidance-21.pdf>.


pregnant children and children who are parents in your care receive the treatment and protections needed to safeguard their well-being and comply with the law. We therefore request written responses to the following questions no later than May 15, 2026.

1. How many pregnant unaccompanied children are currently in ORR custody? Please provide the total number, broken down by trimester, age, and state of detention.
2. Since July 22, 2025, how many pregnant unaccompanied children have been placed at the San Benito facility operated by Urban Strategies? Please provide:
 - a. The ages of the children placed there;
 - b. The number who have given birth while at the facility, and the number of live and stillborn births;
 - c. The number who have experienced miscarriages or other serious pregnancy complications while at the facility; and
 - d. The number who have been transferred to a facility out of Texas to access abortion care or temporarily transported to another state to access abortion care and the circumstances of each instance.
 - e. Duration of stay
3. Since July 22, 2025 has ORR placed any unaccompanied pregnant minors in other ORR facilities throughout the country?
 - a. If so, please list each facility.
4. Please describe in detail the medical care available at the San Benito facility to pregnant children, including:
 - a. Access to OB/GYN and maternal-fetal medicine specialists;
 - b. Protocols for managing high-risk pregnancies and obstetric emergencies;
 - c. Transportation arrangements for children who require care at off-site facilities; and
 - d. Nutritional support consistent with federal and Texas regulatory requirements for pregnant youth.
5. Please describe in detail the medical care available to infants born to children in ORR custody at the San Benito facility.
6. What is the protocol for releasing infants born in ORR custody to least restrictive environments?
 - a. Are these infants and their mothers returned to custody after birth? If so, what assistance is provided?
7. What was the basis for the July 22, 2025, directive to place pregnant unaccompanied children to the San Benito facility? Please provide:
 - a. Any written communications, including emails, memos, or directives, related to this decision;
 - b. Documentation of any consultations with health officials, child welfare experts, or medical professionals prior to issuing the directive; and
 - c. The identity of the officials who made this decision and the authority under


which it was made.

8. ORR officials have reported that the agency was provided with a list of better-equipped shelters outside Texas capable of caring for pregnant children with high-risk pregnancies. Please confirm:
 - a. whether such a list was provided and if so, why any pregnant minor was placed in Texas over those facilities in states with access to the full range of reproduction care, as required by Field Directive #21
9. Please confirm whether ORR is currently working to rescind or amend the current regulations requiring that pregnant children seeking abortion be transported or transferred to a state where abortion is legal. If so:
 - a. Please provide the text of the proposed regulatory change; and
 - b. Please explain how the administration intends to ensure that pregnant children in ORR custody retain access to abortion care, including in cases of rape, incest, or medical necessity.
10. Do mothers receive their child's birth certificate, social security number, and other proof of citizenship if they give birth while in ORR custody?
11. Please describe any provisions currently in place to ensure that pregnant children in ORR custody are informed of all their reproductive options, including abortion, in a language they understand, by a qualified medical professional, lawyer, facility staff member, or ORR staff member in a private and non-coercive setting.
12. Since January 1, 2025, have any pregnant unaccompanied children in the custody of Customs and Border Patrol opted for voluntary departure instead of entering ORR custody? If so, please provide:
 - a. Total number requesting voluntary departure.


Sincerely,



Joaquin Castro
Member of Congress



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



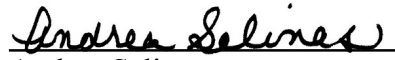
Eleanor Holmes Norton
Member of Congress



Yassamin Ansari
Member of Congress



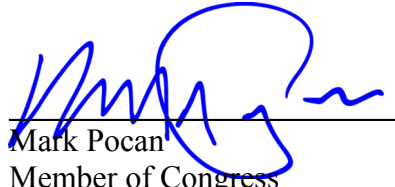
Raja Krishnamoorthi
Member of Congress



Andrea Salinas
Member of Congress



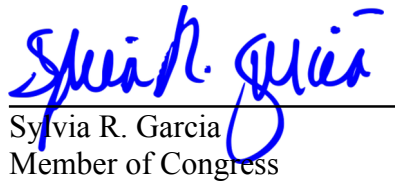
Veronica Escobar
Member of Congress



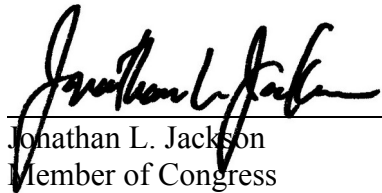
Mark Pocan
Member of Congress



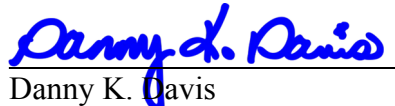
Maxine Waters
Member of Congress



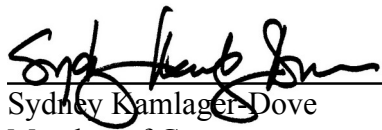
Sylvia R. Garcia
Member of Congress



Jonathan L. Jackson
Member of Congress



Danny K. Davis
Member of Congress



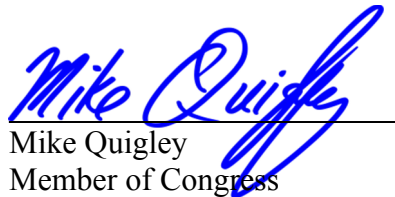
Sydney Kamlager-Dove
Member of Congress



James P. McGovern
Member of Congress



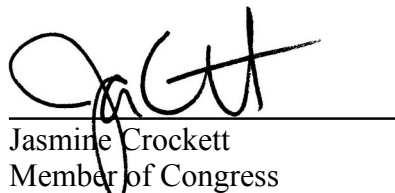
Delia C. Ramirez
Member of Congress



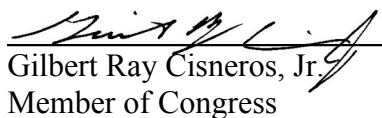
Mike Quigley
Member of Congress



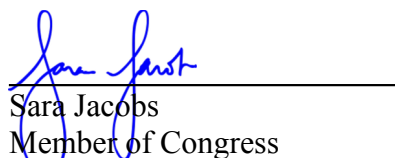
Doris Matsui
Member of Congress



Jasmine Crockett
Member of Congress



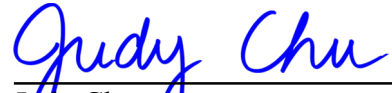
Gilbert Ray Cisneros, Jr.
Member of Congress



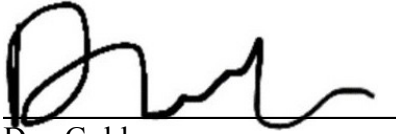
Sara Jacobs
Member of Congress



Rashida Tlaib
Member of Congress



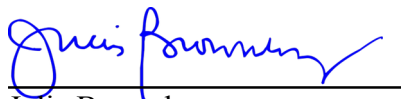
Judy Chu
Member of Congress



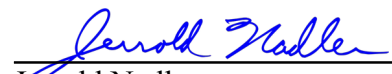
Dan Goldman
Member of Congress



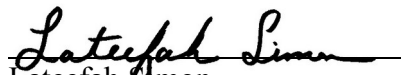
Frederica S. Wilson
Member of Congress



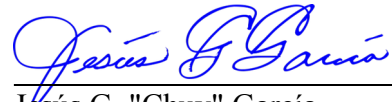
Julia Brownley
Member of Congress



Jerrold Nadler
Member of Congress



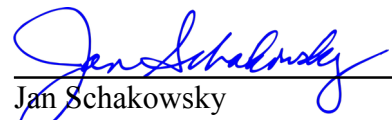
Lateefah Simon
Member of Congress



Jesús G. "Chuy" García
Member of Congress



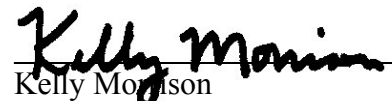
Adam Smith
Member of Congress



Jan Schakowsky
Member of Congress



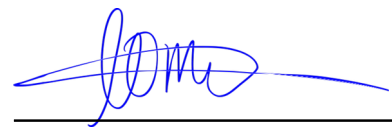
Maxine Dexter
Member of Congress



Kelly Morrison
Member of Congress



Mark DeSaulnier
Member of Congress



Ilhan Omar
Member of Congress



Darren Soto
Member of Congress



Paul D. Tonko
Member of Congress



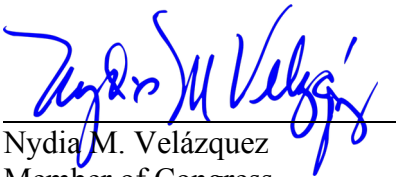
Alexandria Ocasio-Cortez
Member of Congress



Dina Titus
Member of Congress



Teresa Leger Fernández
Member of Congress



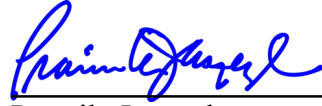
Nydia M. Velázquez
Member of Congress



Summer L. Lee
Member of Congress



Maxwell Alejandro Frost
Member of Congress



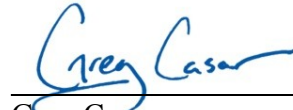
Pramila Jayapal
Member of Congress



Deborah K. Ross
Member of Congress




Seth Moulton
Member of Congress



Greg Casar
Member of Congress



Adriano Espaillat
Member of Congress



James R. Walkinshaw
Member of Congress