



Building Comprehensive Services and Supports for Unaccompanied Children in Light of the Child Labor Crisis

In response to the child labor exploitation uncovered by the *New York Times*, *Washington Post*, *Reuters*, *NBC*, *Boston Globe*, and many other outlets – exploitation that particularly targets children with their immigration status in limbo arriving in the US as unaccompanied children – the ambitious agenda that follows proposes seven innovative policy initiatives. These proposals **reimagine how the federal government supports unaccompanied children, strengthen social services in communities, and increase support for children's families.**

Sponsoring organizations are [Women's Refugee Commission](#), [Church World Service](#), [International Rescue Committee](#), [First Focus on Children](#), and [National Center for Youth Law](#).

The policy proposals include:

- 1. State-level coordinators for unaccompanied children's services, funded by the federal government.**
- 2. A public-private "welcome fund" for direct assistance to children and families as well as community supportive services.**
- 3. Individual legal services for all unaccompanied children that start during federal custody and continue for the duration of their immigration cases.**
- 4. More effective post-release services (PRS) through improved assessment and access to community services.**
- 5. Independent strengthening of school-based programming for unaccompanied children.**
- 6. Facilitate unaccompanied children auto-enrolling in benefits in eligible states, as part of release from federal custody.**
- 7. Resolve immigration limbo for many unaccompanied children by fixing the Special Immigrant Juvenile Status (SIJS).**

Additional information – including problem statements, additional details, resources, and information on authorities and funding – follows below.

- 1. State-level coordinators for unaccompanied children's services, funded by the federal government.**
 - a. Problem:** Persistent disconnection of services for unaccompanied children in the transition from federal custody to reunification with family. Access to community services is necessary as a preventive support for newly reunited families and for catching child-labor exploitation early. State contexts vary significantly, so a one-size-fits-all solution is

inadvisable.

- b. Solution: A state-level Director of Unaccompanied Youth Services (DUYS), funded federally. The role is analogous to [State Refugee Coordinators](#).
- c. Additional details: The Department of Health and Human Services (HHS) should fund the DUYS – and request congressional funding to make it a reality. States could consider integrating the DUYS into the State Refugee Coordinator’s office, Office of New Americans, Department of Children and Family Services, or a related office. For states that choose not to appoint a DUYS, the Office of Refugee Resettlement (ORR) will have the option of reallocating funding to an appropriate NGO, similar to the [Wilson-Fish](#) model. ORR should take every precaution to ensure that states cannot harmfully interfere or curtail reunifications, nor legislatively transition or alternate between state-appointed DUYS and NGO DUYS.
- d. Resources: ORR should work with states and home study/post-release services (HS/PRS) providers, and consult with State Coordinators of Refugee Resettlement (SCORR), Association of Refugee Health Coordinators (ARHC), Wilson-Fish grantees, and replacement designees, to develop a multi-year plan for re-orienting ORR’s administration of the Unaccompanied Children (UC) program.
- e. Authorities and funding: We believe **HHS** has the authorities required to implement. **Congress** should use directive language in appropriations and dedicated funding to ensure implementation.

2. A public-private “welcome fund” for direct assistance to children and families, as well as community supportive services.

- a. Problem: Financial pressures in reunified families that compound children’s vulnerabilities. Unaccompanied children often reunify with family members who want to provide a supportive environment but struggle to afford children’s food, clothing, and other basic needs. Commonly children feel a need to work – including taking jobs with unscrupulous and exploitative employers.
- b. Solution: HHS should initiate formal partnerships with private and public sector entities similar to how the State Department partnered with [Welcome.US](#) for recent Afghan and Ukrainian refugees. These entities should be willing and capable to provide in-kind and direct financial assistance to particularly vulnerable children and families, such as when the child is at risk for labor exploitation.
- c. Additional details: Assistance could include guaranteeing and distributing essential goods; supporting mentorship programs with paid staff who are formerly unaccompanied children; supporting community navigator programs; covering the cost of enrollment in healthcare programs not covered by Medicaid, such as mental healthcare; and offering supplemental cash or financial assistance.
- d. Resources: For services, HHS can look to general assistance pilots in states and localities for meeting basic needs, in addition to models like [Welcome.US](#). HHS should also look at successful community navigator models to connect children and families to services, including the [“Parent Mentor”](#) programs in Medicaid and the [Affordable Care Act Navigator](#)

[program](#).

- e. **Authorities and funding:** We believe **HHS** has the authorities necessary to implement. To complement private funding, **Congress** should establish a Presidential draw-down Interagency Emergency Assistance Contingency Fund alongside the power to distribute its funding as required, including to children and families not otherwise explicitly designated as eligible for ORR services.

3. Individual legal services for all unaccompanied children that start during federal custody and continue for the duration of their immigration cases.

- a. **Problem:** Unaccompanied children rely on their lawyers as trusted adults, as advocates for children's rights in court, as bridges to social workers, and as the last line of protection for when children are exploited by employers or others. Yet, many children lack this essential backstop for protection, or are connected to lawyers after significant issues have already occurred.
- b. **Solution:** Begin representation for unaccompanied children while they are in federal custody and continue that representation for the duration of their cases.
- c. **Additional details:** Congress has repeatedly allocated money for unaccompanied children's legal services, but this money has not been fully spent. Many children cannot secure legal representation; for example, for cases completed between 2018 and March 2021, [46% of unaccompanied children lacked legal representation](#). Current legal services providers cover children with special vulnerabilities, but service gaps persist for children not so classified. As the legal infrastructure to support full population and geographic coverage still needs to be built, in the immediate term, the programming should begin with providing full access to legal information, legal screening, and representation when necessary for children in custody.
- d. **Resources:** Similar to the efforts undertaken by the [Welcome Legal Alliance](#), ORR should leverage its networks and partner with DOJ, legal clinics, law schools, private law firms, NGOs, and other legal service providers to increase the volume of competent and child-centered immigration attorneys to provide counsel to unaccompanied children, regardless of the child's location.
- e. **Authorities and funding:** **HHS** currently provides legal services to unaccompanied children, so no additional authorities are necessary. **Congress** must robustly fund legal services for unaccompanied children at higher levels, and add directive language to ensure ORR spends its allocation for this purpose.

4. More effective post-release services (PRS) through improved assessment and access to community services.

- a. **Problem:** Nearly all unaccompanied children have suffered or witnessed traumas such as abuse, violence, or trafficking. When their resulting psychosocial needs go unmet, these children are vulnerable to bad actors. Compounding this, many sponsors need support to help children who have undergone such experiences.
- b. **Solution:** PRS, to include (i) an immediate, individualized needs assessment for child, sponsor, and family (as relevant); (ii) service brokering for immediate needs – arranging

appointments and ensuring that relevant needs are communicated to local service providers. For most cases, PRS should be delivered in person.

- c. Additional details: PRS appointments should be in place when reunification pick-ups occur, as a key part of reducing child-labor exploitation is supporting new and reunited families from day one. In cases where a higher contact model is requested by family or required by the child's needs, PRS should serve as true case management, with durable and sustained interactions. A hybrid model – with a virtual rather than in-person component – may be maintained for low-risk/low-need reunifications in remote areas, but such cases should be uncommon to rare. Families may decline PRS; however, if the sponsor declines to receive PRS but a child requests to remain engaged, a new policy should be considered to trigger engagement of a child advocate for that child.
- d. Resources: The Children's Bureau in ACF has numerous resources on best practices in [case management](#), including for [cross-border families](#).
- e. Authorities and funding: **HHS** currently provides post-release services to unaccompanied children, so no additional authorities are necessary. **Congress** must robustly fund PRS for unaccompanied children at higher levels, and add directive language ensuring ORR operates PRS programming in good faith.

5. Independent strengthening of school-based programming for unaccompanied children.

- a. Problem: Unaccompanied children and their families lack access to many supportive services in communities of settlement. In addition, many families are likely to access social services only when and where they feel safe and trust individuals and local institutions.
- b. Solution: Expanding school-based programming in communities where unaccompanied children are present. The Department of Education (DOE) and state education agencies should ensure equitable use of funding to provide services for newcomer and unaccompanied children, and ORR should coordinate with the DOE to ensure comprehensive guidance is available on the educational, economic, labor, and general legal rights of unaccompanied children.
- c. Additional details: Schools are high-contact, high-trust institutions that facilitate children's learning, can support early interventions when problems arise, and serve as a trusted location for service delivery. Co-locating community resource centers, welcome centers, and school-based clinical contracts can all address gaps in mental-health services and behavioral health services. Programming at schools can also provide know-your-rights presentations in Spanish and other languages to address knowledge gaps in labor law, teach individuals how to file complaints, and prevent labor exploitation of children.
- d. Resources: UNICEF and the Migration Policy Institute have several documents on [strengthening community services for unaccompanied children](#), [social service provision](#), and [using school settings to facilitate access to services](#).
- e. Authorities and funding: **The Department of Education** should provide guides for teachers, administrators, school districts, and sponsors on serving the unaccompanied child population, including how federal funds may be used in social service provision. **Congress** should include directive language to DOE to this end.

6. Facilitate unaccompanied children auto-enrolling in benefits in eligible states, as part of release from federal custody.

- a. Problem: Lack of access to benefits increases material hardship for vulnerable children, and administrative burdens are major hurdles to the effectiveness of social services.
- b. Solution: [Eleven states currently or will soon offer health-care access for all children regardless of immigration status](#), and several states also support [nutrition assistance](#) beyond federal programs. For reunifications in these states, ORR should facilitate, but in no way require, an automatic transfer of relevant individual data about the child (name, date of birth, address, etc.) to state authorities as part of the reunification process for application for these benefits.
- c. Additional details: ORR's Family Reunification Packet should include an opt-in for both parent and sponsor to consent to the transfer of data to the relevant states. This recommendation is contingent on ORR building or maintaining a close relationship with the relevant states, and should include data-protection safeguards as well as stakeholder engagement to ensure all privacy concerns are addressed. Individual youth and their families may also wish to consult with lawyers (see above recommendation) to feel safe receiving public benefits.
- d. Authorities and funding: We believe **HHS** has appropriate authorities and that no dedicated funding is needed. **Congress** may wish to include directive language on this recommendation together with the recommendation regarding DUYS above.

7. Resolve immigration limbo for many unaccompanied children by fixing the Special Immigrant Juvenile Status (SIJS).

- a. Problem: Unaccompanied children with protection needs and eligible for SIJS commonly must wait years to receive the benefits of SIJS, such as work permits. Children in the SIJS backlog are forced to make difficult decisions to survive, including working for exploitative employers.
- b. Solution: If children are approved for SIJS, they should receive SIJS. Three technical fixes in the Immigration and Nationality Act (INA) would address this: Add SIJS to the list of statuses exempt from annual visa limitations in § 201(b)(1)(A), §202(a)(2) and §203(b)(4).
- c. Additional details: This situation results from the unique manner in how SIJS children are classified under immigration law, rather than a deliberative choice from Congress. More than 44,000 SIJS children are currently in the backlog; we expect these numbers to continue to grow, and therefore the problem to get only more urgent, as the unaccompanied children who arrived in FY21-FY23 win in their immigration cases.
- d. Resources: [End SIJS Backlog Coalition document](#).
- e. Authorities and funding: **Congress** must address SIJS eligibility via legislation so that immigrant children who are legally present are not forced into questionable or risky work situations.