



# U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS  
SUBCOMMITTEE ON WORK AND WELFARE

1139 LONGWORTH HOUSE OFFICE BUILDING

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Washington, DC 20515

March 5, 2024

The Honorable Christi Grimm  
Inspector General  
U.S. Department of Health and Human Services Office of Inspector General  
330 Independence Avenue, SW  
Washington, DC 20201

Inspector General Grimm,

We request that the Office of Inspector General (OIG) immediately open an investigation into the Unaccompanied Alien Children (UAC) program administered by the Department of Health and Human Services (HHS), within the Administration for Children and Families' Office of Refugee Resettlement (ORR). We are concerned about ORR's response to the recent upsurge in unaccompanied children arriving at the southwest border, and the protocols employed for placing unaccompanied children in facilities designated as state-licensed foster care placements, increasing pressure on an already overburdened U.S foster care system.

In 2023, the Customs and Border Patrol reported a staggering influx of over 137,628 unaccompanied children crossing the border which reflects an 83 percent increase compared to 2019.<sup>1</sup> The peak of this surge occurred in August, with an unprecedented 14,259 unaccompanied children crossing in a single month.<sup>2</sup>

Governors and state leaders across the country have raised alarms about the Biden Administration's efforts to find housing for unaccompanied alien children by aggressively recruiting from limited foster homes available to provide safe and loving homes to the nearly 400,000 children and youth in America's child welfare system.<sup>34</sup> Governor Pete Ricketts (R-NE),

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<sup>1</sup> U.S. Customs and Border Patrol. 2023: 137,651, 2022: 150,880, 2021: 171,149, 2020: 37,088, 2019: 74,967.

<sup>2</sup> U.S. Customs and Border Patrol. Southwest Land Border Encounters. Total for January through December 2023.

<sup>3</sup> "Governor DeSantis Executive Order ends foster care program for unaccompanied migrants children," June 2022, 4WGFL News.

<sup>4</sup> "Biden administration looks to state foster care and shelters to house growing number of migrant children at border," April 2021, Yahoo! News.

Governor Kristi Noem (R-SD), Governor Kim Reynolds (R-IA), and Governor Henry McMaster (R-SC) have all publicly declined the Administration's requests due to existing pressures on the foster care system. Governor Ricketts said his state would be "declining [the administration's] request because we are reserving our resources for serving our kids."<sup>5</sup>

A recent Fox News article highlighted the growing strain the border crisis is placing on the U.S. foster care system as increasing numbers of unaccompanied children who arrived without parents or were separated at the border are competing for scarce placements with U.S. children. According to HHS, as of August 2023, there were 7,800 unaccompanied children in care and the average length of time an unaccompanied child remained in ORR care was 27 days.

Adding to the urgency of the situation, a February 2024 report from your agency titled "Gaps in Sponsor Screening and Follow-up Raise Safety Concerns for Unaccompanied Children" sheds light on the challenges exacerbated by these drastic increases. The report underscores ORR's failure to properly vet, place, and maintain proper placements of unaccompanied children. The report revealed that in 22 percent of cases, ORR neglected to conduct timely safety and well-being follow-up calls, and, in 18 percent of cases, these critical calls were never completed. Such findings underscore the systemic deficiencies within ORR, indicating a lack of capacity to adhere to essential protocols for caring for unaccompanied children and protect limited taxpayer dollars.

We are seriously concerned about the ability of ORR to manage the UAC program and the "crowding out" effect the surge in unaccompanied children is having, including potentially devastating consequences for children in foster care already experiencing trauma as a result of neglect or abuse.

The U.S. foster care system is already in a state of crisis. There is a nationwide shortage of foster homes, as our Committee recently pointed out in a letter to HHS documenting a decline in foster homes and state challenges recruiting foster placements.<sup>6</sup> Since 2018, there has been an average decline of six percent of available foster parents each year, with some states, such as South Carolina, reporting a 61 percent decline in licensed foster homes despite a growing number of children entering care. *(See Appendix A)*

The COVID-19 pandemic only further strained these limited resources, resulting in a decline in licensed foster parents and an increased demand for child welfare services. This shortage has resulted in American children sleeping in jails, emergency rooms, caseworker offices, hotels, and other unlicensed placements. Federal and state resources are limited, and states are working tirelessly to expand their capacity to support the children already in their care. The

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<sup>5</sup> Fox News, "If you want to fix foster care, here's where to start," October 2023.

<sup>6</sup> "Ways & Means Republicans Call on HHS to Halt Rulemaking that Violates Religious Freedom Protections and Exacerbates Nationwide Foster Home Shortage," U.S. House Committee on Ways and Means, November 2023.

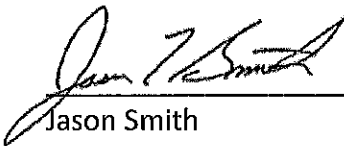
surge of unaccompanied children at the border is compounding these challenges, diverting vital resources—shelters, foster parents, and state workers—due to an uncontrolled border.


We request the OIG conduct a thorough investigation and provide findings to the Committee regarding the impact of placements of unaccompanied children on the U.S. foster care system. The investigation should focus on addressing the following specific points:

- Review ORR contracting practices with non-profit and community-based organizations, exploring their impact on the displacement of children in foster care.
- Assess the burden placed on state child welfare agencies in placing foster children due to ORR contracting, considering various placement settings, including foster parents, group homes, residential care facilities, and supervised independent living, particularly in states with high numbers of migrant children.
- Investigate and examine the degree to which state monthly foster care payments, and federal foster care maintenance payments authorized by Title IV-E of the Social Security Act, are comparable to those rates provided through ORR federal contracts to reimburse providers for placement of unaccompanied children.
- Report on the number of state-licensed foster care parents and providers who are caring for unaccompanied children.
- Review the number of unaccompanied children that come into the long-term care of the state when a sponsor cannot be located and the impact of those long-term placements on state child welfare agencies.

We request that the agency provide a response to the Committee with an initial timeline related to these questions no later than **March 30, 2024**.

Sincerely,

  
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Jason Smith  
Chairman  
Committee on Ways and Means

  
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Darin LaHood  
Chairman, Subcommittee on Work and Welfare  
Committee on Ways and Means

## Appendix A- Nationwide Shortage of Foster Care Placements

1. NPR: Washington state's new solution for foster parents and child care, Ellis O'Neill, January 4, 2023
2. KTNV: Foster mom calls for community help amid foster parent shortage, Sean DeLancey, January 18, 2023
3. Chicago Sun Times: State sued for holding foster children in jail due to lack of housing, Rachel Hinton, January 19, 2023
4. DPM: Division of Family Services aims to boost foster family recruitment amid shortage, Paul Kiefer, January 23, 2023
5. WSOCTV: Advocates look for people to become foster parents amid childcare crisis in NC, Almiya White, January 24, 2023
6. Idaho News: Idaho's Foster Care Crisis: "Our biggest barrier is having available foster homes", Ryan Hawes, January 27, 2023
7. WFMY: Multiple Triad counties housing foster kids elsewhere, due to lack of foster parents, Hannah Jeffries, February 3, 2023
8. Boston Globe: A 15-year-old stayed in a hospital for 40 days. The reason? The state child welfare system had no place to put him, Elizabeth Koh, February 11, 2023
9. Queen City News: Foster Children Sleeping in Jails, Emergency Rooms, and DSS Offices Amid a Foster Family Shortage, Daniel Pierce, March 1, 2023
10. Fox 8: North Carolina foster children sleeping in jails, emergency rooms, DSS offices amid a foster family shortage, Daniel Pierce, March 2, 2023
11. Dallas News: Bunking Texas foster kids in CPS offices may have ended, but bed shortage persists, Robert T. Garrett, March 6, 2023
12. Courthouse News Service: Critics say bills to slow influx of foster children in Georgia ignore root causes, Megan Butler, March 8, 2023
13. CBS8: Foster care crisis | Rise in abuse cases in San Diego County and a shortage of foster homes for teens, Dorian Hargrove and Carlo Cecchetto, March 24, 2023
14. WLKY: Louisville agency raising awareness as Kentucky sees a shortage of foster care homes, Alexis Mathews, March 28, 2023
15. WXII: Critical shortage of foster families leading to crisis in NC — over 12,000 children in need of a home, Audrey Biesk, April 6, 2023
16. CBS17: NC foster home shortage impacts thousands of kids, Hayley Fixler, April 8, 2023
17. ABC 6: Big push to find foster parents and social workers amid shortage in Franklin County, Jackie Orozco, April 24, 2023
18. 10 WBNS: Foster Children Sleeping in County Offices; How is Ohio Addressing the Issue?, Bennett Haeberle, April 26, 2023
19. WCNC: 'There is a Placement Crisis': WCNC Investigation Uncovers Shocking Secret About Kids in Foster Care, Michelle Boudin, May 4, 2023
20. Fox 26: Foster parent shortage in Texas continues, hundreds of foster children spend Mother's Day alone, Gabby Hart, May 14, 2023
21. ABC WISN: Foster parents needed in SE Wisconsin to alleviate shortage, Staff, May 16, 2023
22. VolumeOne: Foster Parents Wanted to Open Their Homes, Hearts, May 16, 2023

23. 12 News: Advocates shed light on shortage of foster care families in Southeast Texas, Lupita Villarreal, Kayla Choates, May 18, 2023
24. ABC 7: Stunning statistics show how many Bay Area foster kids are moved away from their home county, Pamela Parker, May 23, 2023
25. Patch: Foster Care Kids Placed Outside Hometowns Due To Provider Shortage, Kristin Danley-Greiner, May 26, 2023
26. Los Angeles Times: Violence and 'Crisis': How Hundreds of L.A. County's Abused Children Ended Up in Hotels, Kathryn Hurd, May 28, 2023
27. LA Times: California has a Chronic Shortage of Places for Foster Youths, Staff, May 28, 2023
28. Los Angeles Times: Letters to the Editor: Foster Kids in Hotels? California Needs to Bring Back Group Homes Now, Staff, June 4, 2023
29. Smoky Mountain Times: Too few foster homes and a system in crisis, News Staff, June 5, 2023
30. St. Louis Post-Dispatch: Messenger: Missouri Couple Questions Children's Division Rule that Denied Them Foster Children, Tony Messenger, June 7, 2023
31. ABC 11: 'Love and Stability.' Growing Need for Foster Care Families in North Carolina During Summer Months, Jamiese Price, June 7, 2023
32. WCNC: Amid Family Shortage, Mecklenburg County Seeking Solutions for Kids Sleeping in Government Offices, Michelle Boudin, June 7, 2023
33. The Imprint: Hundreds of Kids in Texas Foster Care Were Still Sleeping in Hotels or Other Unlicensed Placements Last Month, Annie Sciacca, June 12, 2023
34. News 4 JAX: Safe Haven for Children Before Foster Care Placement Being Built in Macclenny, Brie Lsom, June 13, 2023
35. NPR: Kids Housed in Casino Hotels? It's a Workaround as U.S. Sees Decline in Foster Homes, Jazmin Orozco Rodriguez, June 14, 2023
36. WCHS TV: Demand for Adult Foster Homes Growing in Alabama, Bobby Poitevint, June 15, 2023
37. Missouri Independent: 'Truly a Crisis': Missouri Hospitals House Children in Foster Care With No Place to Go, Rudi Keller, June 20, 2023
38. NPR: Kansas Lost 500 Foster Homes. A Survey of Foster Parents Who Dropped Out Shows Why, Blaise Mesa, June 29, 2023
39. Live 5 News: DSS in Need of Nearly 2,000 Foster Homes; Parents Frustrated with Dept, Nick Reagan, July 3, 2023
40. Smoky Mountain News: Jackson Addresses Foster Care Needs, Hannah Mcleod, July 4, 2023
41. Nevada Current: Rural Nevada Seeks More Foster, Charlotte Ledger, July 5, 2023
42. NC Health News: With Nowhere Else to go, Kids Needing Foster Care Sleep on the Floor in County Offices, Charlotte Ledger, July 5, 2023
43. WFAE: There Aren't Enough Foster Parents in North Carolina. Kids are Sleeping in Social Service Offices, Marshall Terry, July 10, 2023
44. Spectrum Local News: Foster Parent Needs Increasing Since the Pandemic, Alexis Bell, July 10, 2023

45. WCNC Charlotte: 'Nobody Wants Them': Woman Pushing for Home to Assist Foster Kids With Nowhere to go, Michelle Boudin, July 10, 2023
46. WHAS 11: 'This Cannot Continue'; Lawmaker Calls on Gov. Beshear to Act as Foster Children Sleep in Government Buildings, Shay McAlister, July 11, 2023
47. Truthout: Kids Awaiting Foster Care Placement Are Being "Housed" in Jails and Offices, Eleanor J. Bader, July 12, 2023
48. NPR: There's a Nationwide Shortage of Foster Care Families, Scott Simon, July 15, 2023
49. The Nevada Independent: Foster kids in casino hotels? It happened in Nevada amid widespread foster home shortages, Jazmin Rodriguez, July 16, 2023
50. Oregon Live: Oregon's Failure to Stop Housing Foster Kids in hotels Draws Federal Judges Rebuke, The Associated Press, July 19, 2023
51. Wbur: Inside America's critical shortage of foster care homes, Paige Sutherland, Meghan Chakrabarti, and Tim Skoog, July 20, 2023
52. Lex 18: Kentucky's foster home shortage continues to cause issues. What can be done about it?, Christiana Ford, July 20, 2023
53. KOSU NPR: Inside America's critical shortage of foster care homes, Staff, July 20, 2023
54. Alaska's News Source: State and local agencies face desperate shortage of foster homes, Carly Schreck, July 22, 2023
55. Fox News: Massachusetts Bans Catholic Couple from Fostering Children Due to Beliefs on Gender, Sexuality, Lawsuit Claims, Anders Hagstrom, August 8, 2023
56. Post and Courier: SC children spent hundreds of nights in state offices in overloaded foster care system, Alexander Thompson, August 8, 2023
57. Washington Examiner: Massachusetts Denied Foster Parents' Adoption Over Transgender Views: Lawsuit, Breccan F. Thies, August 9, 2023
58. Post and Courier: SC's mental health care crisis lands foster kids on air mattresses in offices, Alexander Thompson, August 13, 2023
59. The Wall Street Journal: No Catholics Need Adopt, William McGurn, August 14, 2023
60. ABC 11: 'Lack of Resources': Increasingly, NC Foster Children are Having to Sleep in County Offices, Samantha Kummerer, August 17, 2023
61. Alaska Public Media: Alaska's child care crisis is hitting foster families especially hard, Wesley Early, August 21, 2023
62. Clevescene: Ohio's Foster Care Crisis Forcing Hundreds of Kids to Sleep in Offices, Nadia Ramlagan, Aug 21, 2023
63. New York Post: How Foster Kids are Being Damaged by a Lack of Home Care Facilities, Naomi Schaefer Riley, August 26, 2023
64. Boston Globe: DCF using apartments as short-term housing for foster children, Jason Laughlin, August 29, 2023
65. News Channel 9: Georgia's unseen crisis: Overflowing foster care system prompts desperate search for willing parents, Ereina Plunkett, August 31, 2023
66. The Dallas Morning News: Texas CPS vows to help foster kids lacking placements, Robert Garrett, September 8, 2023
67. Greensboro: Guilford's neglected children badly need foster families — but there aren't enough, Kenwyn Caranna, September 8, 2023

68. The Boston Globe: Child welfare housed more than 100 foster children in apartments over the past year, Jason Laughlin, September 12, 2023
69. NBC Boston: Social worker describes 'placement crisis' for kids in care of Mass. DCF, Karry Curran, September 12, 2023
70. Arkansas Advocate: Governor's working group issues suggestions to improve Arkansas' foster care system, Tess Vrbin, September 18, 2023
71. WFDD: As foster parent shortage reaches tipping point, county child welfare agencies focus on recruitment, April Laissle, September 27, 2023
72. NMPolitical Report: 'State of chaos': New Mexico's child welfare crisis is worse, monitors say, Ed Williams, October 3, 2023
73. ABC 13 News: 'Nobody wants me:' Lack of foster care families forces children to sleep, live inside DSS offices, Karen Zatkulak, October 6, 2023
74. WRALNews: 'We're still in a crisis situation': Wake County foster kids still sleeping on floors of social services building, Eric Miller, October 8, 2023
75. West Orlando News: Constant Scarcity: Florida's Kids Need Foster Homes, Nikki Riggsbee, October 15, 2023
76. The Lawrence Times: A Kansas foster care agency says kids aren't sleeping in offices anymore, but they aren't in homes, Blaise Mesa, October 25, 2023
77. This is Reno: Washoe County has a critical need for more foster homes, Staff, October 29, 2023
78. Fox 5: Clark County needs more foster parents to provide safe, loving homes for kids in need, Dani Masten, October 30, 2023
79. Desert News: Perspective: How churches can make a difference in the lives of children who need foster care, Naomi Schaefer Riley, October 31, 2023
80. Newsweek: Foster Care Crisis in America: 'We Can't Find Enough Foster Parents', Staff, November 4, 2023
81. News12: Abbott House encourages more people to become foster parents, citing rising need, Valerie Ryan, November 4, 2023
82. The Texas Tribune: Texas foster kids and caseworkers exposed to chaos in rental homes, hotels, Karen Brooks Harper, November 6, 2023
83. Idaho News: Idaho sends away 64 foster children from lack of available treatment options in the state, Ryan Hawes, November 9, 2023
84. WBKO: Kentucky facing Foster Care crisis, children sleeping in government offices, William Battle, November 16, 2023
85. Oregon Public Broadcasting: Oregon is placing foster children in unlicensed short-term rental homes and paying millions to do so, Lauren Dake, November 20, 2023
86. WLOS: No Home for the Holidays: A closer look at why kids in DSS custody are sleeping on sofas, Karen Zatkulak, November 21, 2023
87. The Daily Record: Wayne County short on foster homes; Sterling couple attests to the need, Linda Hall, November 22, 2023
88. KFOX14: El Paso's urgent need: Foster homes shortage reaches critical level during National Adoption Month, Julia Spencer, November 30, 2023
89. WAVY: Portsmouth Department of Social Services in need of foster parents, Kiahnna Patterson, December 2, 2023

90. The Imprint: Fewer Foster Youth and Homes in 2023, Imprint Survey Finds, John Kelly, December 4, 2023
91. WFYI: Every Child Indiana initiative aims to boost statewide foster family recruitment, Jade Jackson, December 8, 2023
92. Spectrum News: Foster parents needed in North Carolina, Courtney Davis, December 12, 2023
93. Arizona Central: Arizona has 1 foster care home for every 4 kids in need, Darcy Olsen, December 15, 2023
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95. Tucson: Arizona opinion: Holidays accentuate foster-care shortage, Darcy Olen, December 18, 2023
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97. 11Alive: Critical shortage of foster care parents in Georgia, Dawn White, December 28, 2023