Congress of the United States

Washington, DC 20515

August 19, 2026

Derek Benner
Chief Executive Officer
Our Rescue
5121 S. Murray Blvd.
Murray, UT 84123

Mr. Benner:

On August 7, 2026, the Trump administration awarded Our Rescue, formerly known as Operation Underground Railroad, a sole-source, no-bid contract of $158.1 million—and up to $244 million over nearly two years—to provide legal representation to unaccompanied children.[1] This is the largest and only federal award your organization has ever received.[2] Given your own organization's history of sexual misconduct, questionable finances, and well-documented close ties to Trump administration officials, we are forced to assume that you were awarded this contract not because of your experience protecting vulnerable children, but because of your own political ties to this administration. The Senate Finance Committee and the House Committee on Oversight and Government Reform have a responsibility to ensure that children are not harmed through this contract award to your organization and to understand how this contract came to be awarded and what Our Rescue actually intends to do with the funds.

The U.S. Department of Health and Human Services ("HHS" or "Department") did not conduct a competitive procurement and has failed to publicly explain why a so-called anti-trafficking organization with no documented legal representation practice was selected to represent tens of thousands of children in immigration proceedings.[3] The Trump administration continues to demonstrate a clear pattern of putting children in harm's way and denying them due process as it attempts to carry out its dangerous immigration agenda. Forcing children to undergo legal proceedings without adequate representation is a violation of their rights. Our staff have personally witnessed the horrific consequences of children—some as young as six—being forced to endure these proceedings without proper support. The consequences of the federal government contracting with an organization that lacks the qualifications to represent young children in our

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[1] Award Notice, Contract No. 7571MN26C00029, System for Award Management (Aug. 7, 2026), https://sam.gov/opp/3994b176dd184f02b72b043594ea419f/view.

[2] Recipient Profile, Our Rescue, USAspending.gov, https://www.usaspending.gov/recipient/ae39dfc1-948c-58f4-274b-448ec4ecedce-P/latest (last visited Aug. 12, 2026).

[3] Award Notice, *supra* note 1.

immigration system and is itself alleged to have participated in exploitation and trafficking cannot be overstated.

Our Rescue's own materials describe an organization that has never been in the business of legal representation. Your website does not list providing legal representation among its functions.[4] Internal Revenue Service filings show your 2025 operating expenditures totaled $37.3 million, a fraction of the $158.1 million already committed under the contract.[5] The Trump administration has now committed federal funds equivalent to more than four times your organization's most recent annual operating budget, for work your organization does not appear to have ever performed.[6]

Our Rescue's own record is not one of legal representation of children, but rather one of scandal, allegations of abuse, and close alignment with the political priorities of the very administration now directing up to $244 million to its door. Your founder and predecessor, Timothy Ballard, resigned from the organization in July 2023 following an internal investigation into his conduct.[7] Multiple former employees came forward to accuse Ballard of sexual assault, sexual harassment, spiritual manipulation, grooming, and sexual misconduct, allegedly committed during so-called sting operations Our Rescue conducted internationally.[8] Six women subsequently filed a federal civil lawsuit against Ballard, Our Rescue, and the organization's board members alleging sexual assault, fraud, emotional abuse, and that Our Rescue's leaders knew of the abuse but declined to discipline the man who had built the organization's reputation and served as its chief fundraiser.[9] That litigation remains pending.

Furthermore, investigative reporting has documented that members of federal and state law enforcement viewed Our Rescue's sting operations as "stunts to lure donations," and that some operations produced additional harm to the very victims Our Rescue purported to rescue.[10] The Department of Homeland Security ("DHS") allegedly declined to verify Ballard's own claim that

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[4] Our Rescue, https://ourrescue.org/ (last visited Aug. 12, 2026).

[5] Our Rescue, PROPUBLICA NONPROFIT EXPLORER, https://projects.propublica.org/nonprofits/organizations/463614979 (last visited Aug. 12, 2026).

[6] Erin Alberty, *Group founded by Tim Ballard gets big contract for immigration work*, Axios Salt Lake City (Aug. 12, 2026), https://www.axios.com/local/salt-lake-city/2026/08/12/our-rescue-operation-underground-railroad-migrant-children-trump-contract.

[7] Anna Merlan & Tim Marchman, *Tim Ballard's Departure From Operation Underground Railroad Followed Sexual Misconduct Investigation*, VICE MEDIA (Sept. 18, 2023), https://www.vice.com/en/article/tim-ballards-departure-from-operation-underground-railroad-followed-sexual-misconduct-investigation/.

[8] Kory Grow, *Tim Ballard Groomed, Sexually Harassed, and 'Spiritually Manipulated' Employees, Women Claim*, ROLLING STONE (Sept. 28, 2023), https://www.rollingstone.com/culture/culture-news/tim-ballard-sound-of-freedom-allegations-1234834185/.

[9] Second Amended Complaint for Anti-Trafficking, *Borys, et al. v. Aerial Recovery, et al.,* Case No. 2:24-cv-00794-RJS (D. Utah Nov. 21, 2025), https://www.courthousenews.com/wp-content/uploads/2026/06/borys-v-ballard-federal-sac.pdf.

[10] Kevin Light-Roth, *Tim Ballard's Reputation is in Shambles. The Americans He Helped Arrest Want Answers*, THE APPEAL (Dec. 9, 2025), https://theappeal.org/net-nanny-washington-state-police-stings/.

he ever served as a Homeland Security Investigations ("HSI") agent, the credential on which Ballard built his public persona and Our Rescue built its fundraising.[11] This forces us to question why a federal agency responsible for the care and custody of children would contract with an organization whose most prominent public figure appears to have misrepresented his own law enforcement credentials, whose operations have been documented to have caused harm to children, and which remains a named defendant in ongoing federal civil litigation alleging institutional complicity in sexual abuse.

The answer appears to be political. President Trump personally appointed Ballard to a federal human trafficking board in 2019, and personally hosted a White House screening of *Sound of Freedom*, the film that dramatized Ballard's operations and drew widespread promotion among adherents to QAnon.[12] Our Rescue's alignment with the Trump administration continued through your leadership. You served for over a decade at DHS including as Executive Associate Director of HSI during the first Trump administration, the second highest-ranking immigration official.[13]

Your organization's finances compound the credibility concerns. Our Rescue's 2025 Form 990 reflects millions of dollars in payments to law firms that did not appear on the 2024 Form 990, with the names and addresses of those firms notably absent from the required disclosure.[14] An independent watchdog has documented that Our Rescue's headline financial ratings rely on metrics that exclude millions in legal expenses.[15] Unsurprisingly, this raises questions about whether taxpayer dollars will now be used to pay for legal expenses associated with the pending civil litigation against your organization to defend an alleged sex abuser.

The dubious Our Rescue contract is part of a larger trend. On August 4, 2026, three days before your contract was awarded, the Trump administration announced its intent to award a single-

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[11] Whitney Curry Wimbish, *Disgraced Anti-Sex-Trafficking NGO Gets $244 Million to Rep Migrant Kids*, THE AMERICAN PROSPECT (Aug. 11, 2026), https://prospect.org/2026/08/11/our-rescue-disgraced-anti-sex-trafficking-ngo-migrant-kids/; Fox13 Salt Lake City, *Operative or intern? Tim Ballard's story of working for the CIA keeps changing* (Nov. 15, 2023), https://www.fox13now.com/news/fox-13-investigates/operative-or-intern-tim-ballards-story-of-working-for-the-cia-keeps-changing.

[12] Herb Scribner, *The man at the center of 'Sound of Freedom' abruptly leaves group he founded,* THE WASHINGTON POST (July 13, 2023), https://www.washingtonpost.com/arts-entertainment/2023/07/13/sound-of-freedom-tim-ballard-operation-underground-railroad-trump/.

[13] Derek Benner - CEO @ Our Rescue, LinkedIn, https://www.linkedin.com/in/derek-benner (last visited Aug. 12, 2026); Ted Hesson, *Top Trump immigration enforcer announces retirement as election nears*, REUTERS (July 31, 2020), https://www.reuters.com/article/world/us/top-trump-immigration-enforcer-announces-retirement-as-election-nears-idUSKCN24W28Y/.

[14] Our Rescue, Form 990 (Fiscal Year 2025), PROPUBLICA NONPROFIT EXPLORER, https://projects.propublica.org/nonprofits/organizations/463614979/202621359349315757/full (last visited Aug. 12, 2026); Our Rescue, Form 990 (Fiscal Year 2024), PROPUBLICA NONPROFIT EXPLORER, https://projects.propublica.org/nonprofits/organizations/463614979/202501359349316295/full (last visited Aug. 12, 2026).

[15] *Gaming the System? How OUR Rescue's 4-Star Rating Relies on Metrics That Exclude Millions in Legal Expenses*, CHARITYWATCH BLOG (Mar. 27, 2026), https://blog.charitywatch.org/gaming-the-system-how-our-rescues-4-star-rating-relies-on-metrics-that-exclude-millions-in-legal-expenses/.

source cooperative agreement to Burke Law Group, PLLC ("Burke Law Group"), a Houston commercial law firm with no immigration practice, for up to $150 million to perform substantially similar work.[16] Burke Law Group has since publicly declined that award, stating that it was "only considering applying for a small portion" of the $150 million figure and "withdrew from consideration."[17] Both that announcement and your contract followed the Trump administration's decision, beginning with work performed in December 2025, to withhold more than $65 million in federal payments to the network of legal service providers that previously represented unaccompanied children. The Trump administration withheld those funds, for services already delivered, after the service providers declined to disclose privileged information about the children they represented.[18]

On August 6, 2026, the Office of Refugee Resettlement ("ORR") filed a declaration with the U.S. District Court for the Northern District of California representing its plan to provide legal services to unaccompanied children.[19] The declaration described a supplemental cooperative agreement with the U.S. Committee for Refugees and Immigrants ("USCRI") and the Burke Law Group intent-to-award notice.[20] It did not mention Our Rescue.

That same day, relying on ORR's declaration, the court ordered HHS to release the $65 million in withheld funds and expressly prohibited the government from conditioning payment "on receipt of any further information" from the affected providers. The court rejected HHS's characterization of the situation as an active "contract dispute," and observed that the government had failed to persuade the court that "it had a plan to represent vulnerable children," specifically citing "two agreements recently reached for a seeming fraction of the legal services to be provided across the country."[21] The next day, HHS signed your $158.1 million sole-source contract—approximately the same order of magnitude as the Burke Law Group announcement you appeared to have replaced.

A $158.1 million federal contract does not materialize in forty-eight hours. Federal procurement rules for sole-source awards of this scale require a written justification memorandum, a determination of the awardee's responsibility, a Uniform Guidance risk assessment, price analysis, and contracting officer approval—a process that takes weeks, not days. When ORR filed its August 6 declaration describing its plan for representing unaccompanied children, ORR

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[16] *Announcement of the Intent To Award a Single-Source Cooperative Agreement to Burke Law Group, PLLC in Houston, Texas*, 91 Fed. Reg. 50848 (Aug. 4, 2026), https://public-inspection.federalregister.gov/2026-16081.pdf?1785874509.

[17] BLG Tweets (@BurkeLawTweets), X (Aug. 11, 2026 4:28 PM ET), https://x.com/BurkeLawTweets/status/2087274988235637197?s=46.

[18] Chiara Eisner, *More Than 25,000 Children Lose Previous Legal Protections, as Federal Contract Ends*, NPR (Aug. 1, 2026), https://www.npr.org/2026/08/01/nx-s1-5913679/immgirant-children-lawyers-trump-administration.

[19] Declaration of Richard B. Debany in Support of Defendants' Opposition, *Community Legal Services in East Palo Alto v. HHS*, No. 4:25-cv-02847-AMO, ECF No. 171 (N.D. Cal. Aug. 6, 2026), https://storage.courtlistener.com/recap/gov.uscourts.cand.447078/gov.uscourts.cand.447078.171.0.pdf.

[20] *Id.* at ¶¶ 6-9.

[21] Order Granting Motion to Enforce Preliminary Injunction, *Community Legal Services in East Palo Alto v. HHS*, No. 4:25-cv-02847-AMO, ECF No. 172, 2-3 (N.D. Cal. Aug. 6, 2026), https://storage.courtlistener.com/recap/gov.uscourts.cand.447078/gov.uscourts.cand.447078.172.0.pdf.

necessarily knew that a $158.1 million sole-source contract with Our Rescue was in the final stages of negotiation. ORR has since confirmed as much.

In its August 13, 2026, compliance report, ORR represented that following the July 31 expiration of the prior legal services contract, it "began accelerated negotiations with two potential successor contractors, including Our Rescue." [22] Yet ORR did not disclose those accelerated negotiations to the court on August 6, when it was representing to the court that it had "continued procurement, contract administration, and transition planning activities" related to legal representation services.[23] That same August 13 filing also described that unaccompanied children are now receiving legal representation under the new arrangements the administration has assembled, including through immediate contract performance of legal orientations, consultations, and direct legal representation from Our Rescue.[24] We've received reports that are inconsistent with that representation, including that children in ORR care and custody are appearing in court *pro se* and receiving removal orders, and that "Know Your Rights" presentations and legal screenings are not being provided at care provider facilities where they were previously delivered. The gap between representations made and what is happening on the ground demands an explanation.

Congress designed a framework to protect unaccompanied children with the understanding that these children, many of whom have fled violence, exploitation, and trafficking, cannot navigate the U.S. immigration system alone. This contract does not serve that purpose. What it appears to do is give the Trump administration a paper answer to a federal court's finding that the government has no plan to represent unaccompanied children, while placing $158.1 million in the hands of an organization with no experience providing legal services and whose CEO supports the Trump administration's mass deportation campaign. The children for whom Congress designated statutory protection deserve counsel who will advocate for them.

For your awareness, we are also engaged in ongoing correspondence with HHS leadership regarding ORR's administration of this program.

We therefore request a meeting with you and Our Rescue leadership at your earliest availability, and written responses to the following questions no later than **August 28, 2026**:

1. Please provide a complete timeline of the negotiations preceding the August 7, 2026, contract award, including when Our Rescue was first contacted about the contract, by whom, and through what channels; when "accelerated negotiations" began, and what those negotiations entailed; when the parties agreed on terms, and what those terms were; when HHS's contracting officer completed the responsibility determination and Justification and Approval memorandum required for a sole-source award of this scale; and whether Our Rescue was informed at any point that the contract was subject to litigation risk or ongoing court oversight in Community Legal Services in East Palo Alto v. HHS.

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[22] Notice of Filing of Declaration and Ex. A, *Community Legal Services in East Palo Alto v. HHS*, No. 4:25-cv-02847-AMO, ECF No. 177, ¶ 10 (N.D. Cal. Aug. 13, 2026), https://storage.courtlistener.com/recap/gov.uscourts.cand.447078/gov.uscourts.cand.447078.177.0.pdf.

[23] Declaration of Richard B. Debany, *supra* note 19 at ¶ 3.

[24] Ex. A, *supra* note 24 at ¶ 6.

2. Please provide all documents and communications between Our Rescue personnel and any federal officials at the White House, HHS, the Administration for Children and Families ("ACF"), ORR, the U.S. Department of Justice ("DOJ"), DHS, or U.S. Immigration and Customs Enforcement ("ICE") regarding this contract, unaccompanied children legal representation, the withholding of funds from the Acacia Center for Justice, the Community Legal Services in East Palo Alto v. HHS litigation, or any related subject between January 20, 2025 and the date of this letter.

3. Please provide a complete list of Our Rescue personnel, including attorneys, contractors, and subcontractors, who will provide legal representation to unaccompanied children under this contract. For each individual, please include bar admissions, Executive Office for Immigration Review ("EOIR") practitioner registration, American Immigration Lawyers Association ("AILA") membership, prior experience representing unaccompanied children, prior experience with asylum, Special Immigrant Juvenile Status, T-visa, and U-visa relief, and any training in trauma-informed representation of unaccompanied children.

4. Recent reports indicate Our Rescue is reaching out to other organizations for assistance with the work contemplated by this contract. Please identify each such entity or individual Our Rescue has contacted or intends to contact, describe the terms of any subcontracting arrangement, and provide the qualifications of each subcontracted attorney or organization. Please describe how Our Rescue will supervise subcontracted representation, allocate cases, and ensure continuity of representation. Please describe Our Rescue's overall plan to expand capacity and staffing to meet the full scope of the contract, including projected attorney hires, geographic expansion timeline, and expected caseload growth over the contract's period of performance.

5. Please confirm the date on which Our Rescue began providing legal representation under this contract and describe that representation, including the EOIR jurisdictions in which representation is being provided, geographic staffing levels, case-per-attorney ratios, the number of children being represented, the nature of the representation, and physical infrastructure in each jurisdiction. Please describe Our Rescue's "Know Your Rights" presentations and initial legal orientations and consultations to unaccompanied children in ORR facilities and post-release settings, including copies of each, and describe whether the organization is delivering these services in person or virtually, at what frequency, in what languages, and through what qualified personnel. Please also describe how the legal representation Our Rescue is providing corresponds to the representations made in Community Legal Services in East Palo Alto v. HHS and reconcile any discrepancies accordingly.

6. Please describe the specific information Our Rescue has been asked, or expects to be asked, to share with ORR, HHS, DHS, ICE, or any other federal agency about the children the organization will represent, their family members, their prospective sponsors, or the substance of the organization's representation. Please identify who at each agency will have access to that information, on what cadence, and for what purpose. Please describe whether Our Rescue has evaluated its ability to comply with attorney-client privilege obligations and applicable ethics rules under such a framework, and

whether Our Rescue was informed prior to accepting this contract that the prior legal services network was defunded after declining to share such information.

7. Please describe the composition and purpose of the legal expenditures reflected in Our Rescue's 2025 Form 990, including the names and addresses of law firms receiving payment and the matters on which those firms have been retained. Please confirm whether federal contract funds under this contract will be used, in whole or in part, to defray any legal expenses associated with pending civil litigation against Our Rescue, its board, or its former officers, including the litigation captioned Borys v. Ballard, et al.

8. Please describe Our Rescue's current and prior relationships with the Trump administration, including any communications between Our Rescue personnel and President Trump, White House staff, or Trump campaign or personal representatives regarding this contract, prior contracts, or matters related to Our Rescue's operations.

9. Please describe your professional relationship with Thomson Reuters Special Services ("TRSS"), where you previously served as Managing Director of Federal Law Enforcement and Commercial, including any communications between Our Rescue and TRSS regarding this contract, unaccompanied children data, or ORR data-sharing arrangements, and any ongoing role you play at TRSS or in TRSS-affiliated ventures.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. The Senate Finance Committee has broad oversight and investigatory authority under Senate Rules XXV and XXVI over federal programs and the utilization of federal funding that supports the Unaccompanied Children Program. Your organization is uniquely positioned to answer the questions this letter raises, and your responses will inform the Committees' ongoing oversight of the Trump administration's use of federal funds Congress appropriated to protect unaccompanied children. Thank you for your prompt attention to this matter.

Sincerely,

Ron Wyden
United States Senator
Ranking Member, Committee on Finance

Robert Garcia
Ranking Member
Committee on Oversight and Government Reform