

DEFENDANTS' EXHIBIT 1

1 UNITED STATES DISTRICT COURT
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA

3 JENNY LISETTE FLORES, *et al.*,
4 Plaintiffs,

5 v.

6 WILLIAM BARR, ATTORNEY GENERAL OF THE
7 UNITED STATES, *et al.*,
8 Defendants.

Case No.: 2:85-CV-4544 DMG (AGRx)

District Judge Dolly M. Gee

9
10 **DECLARATION OF JALLYN SUALOG, DEPUTY DIRECTOR,**
11 **OFFICE OF REFUGEE RESETTLEMENT**

12 I, Jallyn Sualog, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that my testimony
13 below is true and correct:

14 1. I am the Deputy Director for Children’s Programs for the Office of Refugee Resettlement
15 (“ORR”), an Office within the Administration for Children and Families (“ACF”), U.S. Department of Health
and Human Services (“HHS”).

16 2. I have held the position of Deputy Director for Children’s Programs since June of 2018. I was
17 previously the Director of Children’s Services since September 2013. I have worked at ORR since February
18 2007. I have a Master’s of Arts in Clinical Psychology. Before joining ORR, I worked as a mental health
19 professional and managed the child welfare and social services programs for Hawaii’s largest non-profit
organization.

20 3. As the Deputy Director for Children’s Programs for ORR, I have responsibility for the oversight
21 of the Unaccompanied Alien Children (“UAC”) program, including all aspects of operations, planning and
22 logistics, medical services, and monitoring. My professional duties generally encompass overseeing the care
23 provider network of licensed programs, and ensuring compliance with ORR requirements, such as making
24 and recording continuous efforts towards reunification and release in accordance with the *Flores* settlement
agreement.

25 4. In addition to my personal knowledge regarding ORR policy on making and recording
26 continuous efforts toward reunification and release, this declaration is based upon knowledge and information
27 obtained from various records and systems maintained by ORR in the regular course of business, consulting
28 with the ORR data team, and reviewing the Court order issued Saturday, March 28, 2020. I provide this

1 declaration based on the best of my knowledge, information, belief, and reasonable inquiry for the above
2 captioned case.

3 5. I am submitting this declaration for use in responding to the Court’s Order Re Plaintiffs’ Ex
4 Parte Application for Restraining Order and Order to Show Cause Re Preliminary Injunction, ECF No. 740.
5 Below I describe how ORR complies with the *Flores* settlement agreement provision in paragraph 18. That
6 provision states: “Upon taking a minor into custody, the INS, or the licensed program in which the minor is
7 placed, shall make and record the prompt and continuous efforts on its part toward family reunification and
8 the release of the minor pursuant to Paragraph 14 above. Such efforts at family reunification shall continue
9 so long as the minor is in INS custody.” I also explain why Plaintiffs’ request that ORR not just record
10 continuous efforts (or direct licensed programs to do so) but also regularly report the status of such efforts
11 would be impracticable and extraordinarily time-consuming. Finally, I explain the intense Congressional and
12 other oversight of the ORR program, explain how ORR arrived at the explanatory information provided in
13 response to the Order to Show Cause, and present data related to the length of care for children.

14 6. As of March 29, 2020, there are a total of 3,152 UAC in ORR’s care and custody, including
15 long-term and transitional foster care, which are not congregate settings. With respect to congregate settings
16 only, there are 2,281 UAC in shelter facilities, 6 in staff secure facilities, 12 in secure facilities, 14 in
17 therapeutic group homes and 15 in RTCs.¹

18 Making efforts at reunification

19 7. ORR requires its network of licensed care providers to make and record continuous efforts at
20 reunification.

21 8. ORR incorporates reunification requirements in the Cooperative Agreement for Residential
22 Services (“Cooperative Agreement”) (attached hereto as Ex. A), which requires that grantees agree to comply
23 with HHS policy and regulations. *See* Ex. A at 2, 7. Grantees must also develop an effective program
24 management structure designed to, *inter alia*, promote positive outcomes including the safe and timely release
25 of unaccompanied children. *Id.* at 7. The Cooperative Agreement requires facility-grantees to develop annual
26 training based on the Safe and Timely Release process as well as on ORR operational policies and relevant
27 guidance. *Id.* at 20. Within these ORR operational policies and procedures—specifically, ORR’s UAC Policy
28 Guide (“ORR Policy Guide”) and its UAC Manual of Procedures (“ORR MAP”)—ORR maintains detailed
steps on reunification. *See* ORR Policy Guide § 2 and ORR MAP § 2 (Safe and Timely Release from ORR
Care) (attached hereto as Ex. C).

9. While the ORR Policy Guide and MAP speak for themselves, relevant provisions include
beginning the process of finding family members or others who may be qualified to care for an

¹ There are also 437 UAC in long term foster care and another 358 in transitional foster care, neither of which is considered to be a congregate setting.

1 unaccompanied alien child as soon as the child enters ORR's care. ORR Policy Guide § 2 (attached hereto
2 as Ex. B). Section 2 of the ORR Policy Guide sets out the reunification process and key participants in
3 effectuating the safe and timely release of children in ORR's care.

4 10. Under Section 2 of the Policy Guide, the Case Manager's role within the release process is to
5 initiate and maintain ongoing communication with the potential sponsor, gather sponsor information, and
6 assess whether the potential sponsor is a suitable sponsor who can safely provide for the physical and
7 mental well-being of the minor in order to formulate a recommendation on release. *See* ORR Policy Guide
8 §2.3.2.

9 11. According to Section 3 of the ORR MAP (attached hereto as Ex. D), the Case Manager also
10 ensures that information is gathered or shared with the appropriate staff and stakeholders during the
11 reunification process. The Case Manager provides weekly status updates to the Case Coordinator and FFS
12 on progress in achieving a safe and timely release and potential challenges that may delay a release. *Id.*, *see*
13 *also* ORR MAP § 3.3.1. The Case Manager meets weekly to update the unaccompanied child on his or her
14 case and provision of services. The Case Manager informs other stakeholders of the progress of a child's
15 case, including notification that an unaccompanied alien child may not have a potential sponsor, and any
16 final release decisions. Stakeholders may also include local legal service providers, attorneys of record, and
17 child advocates.

18 Recording efforts at reunification

19 12. ORR also records efforts at reunification, and requires its licensed care provider grantees to do
20 the same. *See* ORR MAP § 3.3.1 (Case Management). The Case Manager takes lead responsibility, under
21 the grant, for timely entry and organization of documents, records and other information in the UAC case
22 file, including records generated and gathered for the UAC and their sponsor. *Id.*

23 13. Each week, case managers (who work for the grantee care providers) and the Federal Field
24 Specialist ("FFS"), a federal employee, meet to discuss each child's reunification case. *See* UAC MAP §
25 3.3.1. The Case Manager records those efforts in weekly case manager notes, which become part of the case
26 file. ORR MAP § 2.2.4. The robust documentation of the reunification effort also includes an explanation of
27 potential sponsor's relationship with the UAC in the Family Reunification Application, confirmed by
28 UAC's family; updates to the Case Status page with data from the potential sponsor's Family Reunification
Application ("FRA") and uploading the FRA to the UAC Portal's UAC Documents tab; family session(s)
case notes (clinician and case manager observations of interactions/conversations between UAC and
potential sponsor); and assessment(s) based on interviews with UAC, UAC's family, UAC's caregiver in
home country, and sponsor's neighbors (conducted in-person or via video conference). Such documentation
also requires the case manager to note any concerns in the uploaded sponsor information by flagging the

1 information in the case manager's notes and elevating any such findings to the case coordinator and/or FFS.
2 *Id.* An example of such weekly notes is attached to this declaration (attached hereto as Ex. E).

3 14. In addition, case managers fill out 30-day case reviews to discuss the status of reunification.
4 UAC MAP § 3.3.1. The case manager continuously updates the UAC Case Review within 30 calendar days
5 after admission (90 days for LTFC) or when the care provider receives required or relevant information that
6 was unknown during the time of assessment" or "receives additional information from the UAC or other
7 sources." *Id.* A new UAC Case Review is created every 30 days after admission into a facility (90 days for
8 LTFC) and "[a]ny time there is a substantial change in the UAC's case information (e.g., upon reunification,
9 age out, or voluntary departure)." *Id.* Case review notes appear in an online reporting system maintained by
10 ORR, known as the "UAC Portal" (*see* attached screen shot of UAC Case Review from the UAC Portal, Ex.
11 F).

12 15. The case manager also is required to meet with the minor on a weekly basis to discuss the
13 status of his or her case, including reunification. *See* ORR MAP § 3.3.1. The case manager is available to
14 the minor's attorney of record, as well, to discuss the reunification case. *Id.*

15 16. ORR policy and procedures also require care providers to include legal services information,
16 including the availability of free legal assistance, the right to be represented by counsel at no expense to the
17 government, the right to a removal hearing before an immigration judge, the right to apply for asylum or to
18 request voluntary departure in lieu of deportation. Such information is included as part of the initial
19 orientation that children receive upon entering a care provider. ORR Policy Guide § 3.3.²

20 17. As part of legal services orientation, children receive lists of pro bono attorneys whom they
21 can contact for assistance. In addition, non-profit, independent legal services providers work with ORR's
22 contractor, Vera Institute of Justice, to arrive on-site to care providers, provide legal screenings, know your
23 rights presentations, and offer direct representation in some instances.

24 Ensuring safe and timely release

25 18. Importantly, ORR's procedures for making and recording continuous efforts at reunification
26 are designed to allow ORR to assess the suitability of potential sponsors on a case-by-case basis, taking into
27 account the wide variety of circumstances that might occur in each situation.

28 19. Particularly in the wake of pandemic like COVID-19, where the situation is rapidly evolving,
it is important to ensure that the agency charged with overseeing safe and timely release is able to have the
tools necessary to address rapidly changing guidance and situational factors, including the incidence of
COVID-19 in the community, the potential sponsor's home situation, and the needs of the child.

² *See also* ORR Legal Resources Guide, available at <https://www.acf.hhs.gov/orr/resource/unaccompanied-childrens-services>.

1 20. Many sponsors are located in states that are currently under “shelter in place” in which
2 residents’ freedom of movement has been significantly curtailed in an effort to control the spread of
3 COVID-19, such as California, Washington, and New York. In contrast, UAC are currently housed in
4 settings where infection control protocols are rigorously enforced.

5 21. Releasing children may also require transit through airports or other transit systems, or
6 exposing them to sponsors or others, who themselves live in communities with widespread community
7 transmission.

8 22. Some applicant sponsors may be experiencing business closures, layoffs, or furloughs, or are
9 themselves subject to stay-at-home orders. ORR’s case-by-case reunification process allows the agency to
10 consider each situation as a unique case, including changes to the sponsor’s household that may have
11 suddenly appeared due to COVID-19.

12 Statistical or regular reports on reunification status would be impracticable and extraordinarily time-
13 consuming

14 23. Because each reunification case is unique, Plaintiffs’ request that ORR regularly share or
15 explain why minors remain in care would not be practicable.

16 24. Care providers record the status of each minor’s reunification case in narrative form, in a text-
17 based report. However, each minor’s case is different and the status of reunification efforts will vary based
18 on the child and the potential sponsor. For example, one child’s potential sponsor may have moved in with
19 new roommates, and such roommates, as a child welfare matter and ORR Policy, must receive background
20 checks, and in some cases fingerprints, to ensure they do not pose a risk to the child. If a new roommate
21 does not want to be identified (or in some cases fingerprinted), this can present challenges to reunification
22 that the case manager at the licensed care provider must work through with the potential sponsor and in
23 consultation with the FFS for that program.

24 25. In other cases, the potential sponsor may not be sending back documents, and is not
25 responding to emails and follow up calls. In those cases, the case manager will need to work with the
26 potential sponsor to ensure that s/he can submit the necessary paperwork, and submit the full family
27 reunification application. In my experience, case managers are very persistent about following up with
28 potential sponsors and ensuring that they submit all required information and documentation, often leaving
several messages, and using pre-paid FedEx or UPS packages to ensure potential sponsors are able to send
documentation.

 26. In still other cases, the potential sponsor may have withdrawn from the process, after initial
contacts seemed promising. As the case file narratives show, the underlying causes of sponsor withdrawal
are varied and complicated. In some cases, unfortunately, they decide that a minor has exhibited behavior
that they are not willing or not able to address. In other cases, they are moving or obtaining a new job, and

1 cannot take in a child. Especially when potential sponsors are distantly related or unrelated, or even in cases
2 where the biological relationship is close but there is no or little prior familiarity, ORR must take special
3 care to ensure that the sponsor will achieve permanence for the child and not neglect his or her needs.

4 27. The above are hypotheticals representative of what I see regularly in my work at ORR. While
5 they are representative, they are not exhaustive of the types of scenarios presented to ORR –each case is
6 unique and the possible permutations of what is causing a minor to remain in custody cannot be reduced to
7 uniform statistical markers.

8 28. ORR files also contain highly personal information about potential sponsors who have applied
9 for sponsorship, including information on criminal “hits” and findings from child abuse and neglect
10 (“CA/N”) checks. *Flores* counsel are not counsel to the applicant sponsors. Yet, explaining why a child
11 remains in care might require sharing the criminal background or CA/N results when the applicants have not
12 consented to their information being shared.

13 29. In other cases, the case files may contain personal information about a minor, such as
14 pregnancy or mental health/psychiatric information. However, such minors may have declined attorney
15 visits from *Flores* counsel. Under Paragraph 32.D. of the *Flores* settlement agreement, minors may refuse to
16 meet with *Flores* counsel, and yet sharing information on why the minor is not yet reunified may require
17 sharing this personal information. I am aware of at least one minor who refused to meet with *Flores*
18 counsel, and yet whose mental health information is being shared under the Order to Show Cause.

19 30. In my opinion, having to extract and refine narrative information for each child in care would
20 be extraordinarily time-consuming. ORR would need to either extract such information from the UAC
21 Portal on a manual, case-by-case basis for the thousands of children in care, or have its grantee care
22 providers do so. Such efforts would likely take at least 2-4 hours per case, and necessarily detract from
23 efforts to care for and reunify children and operate the program. This would be even more burdensome if
24 ORR were to see an influx in UAC across the Southwestern border and a corresponding increase in its
25 nationwide census.

26 ORR Data

27 31. While it would be impracticable for ORR to regularly report to *Flores* counsel why children
28 remain in care, ORR does provide monthly statistical reporting to *Flores* counsel consistent with the
29 settlement agreement. Such reporting includes data on: (1) biographical information such as each minor's
30 name, date of birth, and country of birth, (2) date placed in ORR care, (3) each ORR placement location and
31 date placed, removed or released, (4) sponsor name and type, and (5) out-of-network placement with date
32 and location. *See* ORR November 2019 *Flores* Report (attached hereto to as Ex. G). ORR also shares such
33 data with the Special Master, Andrea Ordin.

1 32. I also understand that *Flores* counsel have presented a report, apparently compiled from
2 ORR's monthly statistical reporting. To evaluate the reliability of such report, I asked the ORR data team to
3 compile data regarding the length of care for each unaccompanied alien child in care as of March 29, 2020,
4 based on the current category of potential sponsor. It also is important to note that the listed category of
5 potential sponsor is subject to change. Because grantee care providers and ORR are continuously attempting
6 to reunify children with sponsors, category does not remain static. For example, one sponsor may fall
7 through and another sponsor pursued. If two potential sponsors are being evaluated, concurrently, the care
8 provider will identify one as the primary applicant, but continue with concurrent planning. Often, ORR care
9 providers go to extraordinary lengths to identify potential sponsors where neither the minor nor his or her
10 parent(s) in home country could identify one. As shown in the attached declaration, Ex. H, in one case, case
11 managers reached out to a store close to the location of the minor's father in Honduras. By talking to
12 individuals at the store, the case manager was successful in locating a caregiver who had cared for the minor
13 in home country. By eventually connecting with such caregiver, the case manager was able to locate a half-
14 brother living in Connecticut, thus moving the minor from Category 4 (no viable sponsor) to Category 2
15 (sponsor is a close relative, such as a sibling, grandparent, aunt/uncle or first cousin).

16 33. The table below shows children in care as of March 29, 2020. Category 1 refers to minors
17 who, as of March 29, had parent/legal guardian potential sponsors. Category 2 potential sponsors are close
18 relatives, including grandparents, adult siblings, aunts/uncles, and first cousins; Category 3 are distantly
19 related relatives, family friends or other unrelated applicants. Finally, Category 4 refers to minors who lack
20 a viable sponsor.

21 34. As the table demonstrates, the length of care for UAC with viable sponsors, regardless of
22 category (categories 1-3) is notably shorter than those UAC without viable a sponsor (category 4). Plaintiffs
23 presented data they allege shows that more than 11 percent of minors are in care for more than six months.
24 But, that data apparently failed to exclude those in long-term foster care. (Children are transferred to long-
25 term foster care after a determination is made that the child will be in ORR custody for an extended period
26 of time.) In addition, Plaintiffs' data apparently failed to exclude children without a viable sponsor. ORR
27 generally has no control over whether some children ultimately lack a viable sponsor. Plaintiffs' inclusion
28 of children who lack a viable sponsor in Plaintiffs' results will thus necessarily lead to longer average
lengths of care (especially as census decreases), and will result in higher percentages in care beyond six
months. Such modeling does not enable the evaluation of ORR efforts to release UAC promptly and safely
because, again, ORR generally has no control over whether some children ultimately lack a viable sponsor.

 35. When children with no viable sponsor are excluded from calculations, the percentage of
children in care beyond six months decreases substantially. For example, the table below shows 279 minors
in care (other than long-term foster care) for more than 180 days, resulting in about 10% of all cases

1 (279/2715). But this 10% figure is unhelpful, because the majority of those 279 cases are children with no
 2 viable sponsor. When such children are excluded from the calculation, the table shows 86 minors in care for
 3 more than 180 days, or about 3% (86/2715).³ And, as noted above, even this figure may not reveal the full
 4 picture, because sponsor identification is an ongoing process. As an example, just because the table counts a
 5 minor as “Category3,” this does not necessarily mean the minor has had a Category 3 potential sponsor
 6 from the date he or she entered ORR custody, as the sponsor may have recently been identified.

7 As of March 29, 2020, # of UAC in ORR custody (excluding those in LTFC)

Length of Care(days)	Category 1	Category 2	Category 3	Category 4*	Total	% of total
1-30	346	519	161	321	1347	49.61%
31-60	146	259	128	92	625	23.02%
61-90	24	70	36	53	183	6.74%
91-120	16	25	35	66	142	5.23%
121-150	9	20	16	32	77	2.84%
151-180	3	13	11	35	62	2.28%
181-210	4	1	6	20	31	1.14%
211-240	4	5	5	28	42	1.55%
241-270	1	7	2	17	27	0.99%
271-300	2	2	11	33	48	1.77%
301-330	3	3	6	24	36	1.33%
331-360	3	1	3	15	22	0.81%
361+	4	5	8	56	73	2.69%
Total	565	930	428	792	2715	100.00%

17 *No sponsor identified/minor lacks viable sponsor.

18 Responding to the Court’s Order to Show Cause

19
 20 36. To respond to the Court order, ORR identified UAC located in the eight states identified,
 21 California, Illinois, Louisiana, Massachusetts, Michigan, New Jersey, New York, and Washington. This
 22 count resulted in more than 500 minors in about 34 separate grantee congregate care provider facilities.⁴

23 37. On Tuesday, March 31, ORR sent spreadsheets to each of the 34 care providers to provide
 24 rationales for why each child remained in care, as well as the other information requested in the Order (i.e.,
 25 regarding transfers and psychological and psychiatric evaluations). Developing the approach to responding
 26 to the Order required approximately 159 hours of central office staff time, as central office staff developed
 27 the plan for response, spoke with Federal Field Specialists and Contract Field Specialists to explain the
 28 assignment and approach, and consulted with leadership for approval. If central office staff had not been

³ If Plaintiffs included long-term foster care children in their calculations, the figures are even less representative.

⁴ Note: No ORR congregate care providers were located in Louisiana or Massachusetts.

1 working on such response, they would have likely been focusing on responding to individual care providers'
2 questions on policy and procedure (including many in response to COVID-19), developing policies and
3 procedures on other priorities for ORR, and (for FFS's) working on reunifications, transfers or other care-
4 provider specific issues.

5 38. We asked each care provider to keep track of how long it took to pull information from case
6 files in order to compile information and complete the request. Care providers reported spending 254 time
7 to respond to our request.

8 39. We also asked care providers to report on how they would have spent such time otherwise.
9 Care providers reported they would have spent time focusing on reunifications, as well as other priorities.

10 40. Once we received the spreadsheets, central office staff again reviewed the information
11 collection and spent hours doing so. Again, such time otherwise would have been spent consulting on
12 individual cases, including responses to COVID-19, and working on continuous improvement for the
13 program.

14 ORR and its facilities are subject to oversight by Congress, OIG, and the States

15 41. ORR is subject to intensive oversight from Congress, and HHS staff communicate frequently
16 with Congress members or staff.

17 42. For example, the Joint Explanatory Statement ("JES") for the HHS fiscal year 2020
18 appropriation includes numerous reporting provisions, including public reporting, monthly reporting, and
19 bi-monthly reporting, in addition to the typical one-time reports.

20 43. Pursuant to the JES, ORR notifies Congress prior to all new funding opportunity
21 announcements, grant or contract awards, or plans to lease or acquire property, including associated
22 timelines and cost.⁵

23 44. ORR also publicly reports on children separated from a parent or legal guardian. It reports to
24 Congress on state licensing violations by facility and steps taken to address infractions.

25 45. Importantly, the JES includes provisions for Congress to oversee lengths of custody. The JES
26 states: "The agreement directs ORR to provide a briefing to the Committees within 120 days of enactment
27 of this Act on options and plans for children who have been in ORR custody for extended periods of time.
28 In addition, ORR is directed to continue to prioritize case management services and staffing, including
Federal Field Specialists, lowering the ratio of children per case coordinator."⁶

46. ORR also provides both weekly and monthly reports on length of care to Appropriations staff.

⁵ Joint Explanatory Statement for the Further Consolidated Appropriations Act 2020 at pp. 108-112, available at <https://www.appropriations.senate.gov/imo/media/doc/HR%201865%20-%20SOM%20FY20.pdf>.

⁶ *Id.* at 109

1 47. The JES includes ORR reports on coordinating with the National Child Traumatic Stress
2 Network, which is a network of grantees funded by the Substance Abuse Mental Health Services
3 Administration (“SAMHSA”) within HHS and which received a \$4 million appropriation for work with
4 UAC; reports on “new models of delivery”; reports on responses to Office of the Inspector General
5 recommendations; a spend plan of current and projected spending, every 60 days; reports on temporary
6 influx shelters; and finally, reports on tender age children.

7 48. HHS reports to the public on sexual abuse and sexual harassment reported within the care
8 provider network; on separated children; on the latest UAC data; on releases of UAC to sponsors by county;
9 releases of UAC to sponsors by state; and general statistics for the fiscal year.⁷

10 49. HHS – through ORR, the HHS budget office, or the HHS legislative offices – is in contact
11 with Congress or Congressional staff at least weekly, and often more often. If a Member of Congress wishes
12 to arrange a call with HHS leadership, such leadership is made available to the greatest extent practicable,
13 often within a day or two.

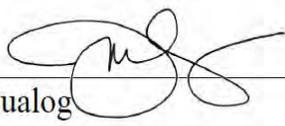
14 50. Staff within HHS and ORR are tasked with responding to individual Congressional inquiries
15 for information. Congress members or congressional staff will send emails or official correspondence and
16 ORR responds to such requests. HHS and ORR also respond to committee oversight requests for documents
17 – currently four are pending.

18 51. In addition to robust Congressional reporting and communication, HHS leadership also appear
19 for Congressional hearings. In calendar year 2019 HHS leadership appeared for about eight Congressional
20 hearings regarding the UAC Program, including in February, April, May, July and September of 2019.

21 52. The Government Accountability Office (“GAO”) also may conduct audits of HHS and ORR.
22 To date for fiscal year 2020, GAO has one open audit, and has issued two reports.

23 53. ORR care providers are state-licensed group homes. They are subject to state licensing
24 oversight.

25
26 I, Jallyn N. Sualog, declare under penalty of perjury that the foregoing and true and correct. Executed on April
27 3, 2020.

28


Jallyn Sualog

⁷ HHS, Unaccompanied Alien Children Information, available at <https://www.hhs.gov/programs/social-services/unaccompanied-alien-children/index.html>.

COOPERATIVE AGREEMENT

BETWEEN

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,

ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF),

OFFICE OF REFUGEE RESETTLEMENT (ORR)

DIVISION OF UNACCOMPANIED CHILDREN'S OPERATIONS (DUCO)

AND

(GRANTEE NAME)

SECTION I: Summary

The Director of the Office of Refugee Resettlement (ORR) of the Department of Health and Human Services (HHS) has responsibility for the care and placement of unaccompanied children (UC) in accordance with Section 462 of the Homeland Security Act of 2002 (HSA of 2002), 6 U.S.C. § 279. An unaccompanied child is defined under 6 U.S.C. § 279(g)(2) as a child who is: under 18 years old, who has no lawful immigration status in the United States, and no parent or legal guardian in the United States or no parent or legal guardian in the United States available to provide care and physical custody.

Within ORR, the Division of Unaccompanied Children's Operations (DUCO) has delegated authority for the care and placement of UC.

The DUCO's primary objectives are to provide a safe, appropriate, and placement in the least restrictive environment for UC, taking into consideration the risk of harm to the UC or others, the community and the risk of flight, while in ORR custody until they are released to a sponsor, obtain immigration legal relief, age out, or are discharged to the Department of Homeland Security (DHS).

ORR provides residential care and services through contracts or through the competitive or non-competitive grant process to organizations incorporated under State law which have demonstrated child welfare, social service, or related experience and are appropriately licensed to provide care and related services to dependent children. Recipients of ORR funding, that provide residential services for UC, must comply with State residential care licensing requirements; the Flores Settlement Agreement, Case No. CV85-4544-RJK (C.D. Cal. 1996) (Flores settlement agreement); pertinent federal laws and regulations, and all ORR policies and procedures.

Pursuant to 6 U.S.C. §279 the Director of the ORR, hereinafter called the Director, approves awards for residential services to UC. In accordance with this award and pursuant to the aforementioned laws, (GRANTEE NAME) has funding approved to provide residential services for UC, which meets the requirements in the previous paragraph.

Pursuant to the aforementioned laws, (GRANTEE NAME), hereinafter called (GRANTEE ACRONYM) has submitted an application and has been approved for funding to provide residential services for UC.

By signing this Cooperative Agreement, the Director agrees to make a grant award in accordance with approved annual continuation applications and quarterly reviews of program performance and financial reports for the project period of the grant. Under the terms of this agreement, (GRANTEE NAME) will provide residential services for UC.

This Cooperative Agreement and the Terms and Conditions, listed in (GRANTEE NAME) Notice of Award (NoA), establish the requirements and responsibilities for implementing (GRANTEE NAME) residential services for UC. Continued funding is contingent upon

satisfactory performance, availability of funds, and determination that continuation is in the best interests of the Federal Government.

SECTION II: Purpose and Objective

The purpose of this agreement is to support the provision of residential services for UC according to the objectives and activities outlined in the application and consistent with State residential care licensing requirements.

In making decisions on placement and residential services provided to UC, the Director is governed by §462 of the HSA of 2002, 6 U.S.C. §279; § 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA of 2008), 8 U.S.C. §1232, as amended¹; relevant portions of the Prison Rape Elimination Act of 2003 (PREA of 2003), 42 U.S.C. §15607, as amended²; and when it is not inconsistent with subsequent law, the Flores settlement agreement and the Perez-Olano Settlement Agreement, Case No. CV85-4544RJK (C. D. Cal. 1996) (Perez-Olano settlement agreement).

In December 2014, HHS released an Interim Final Rule (IFR) on standards to prevent, detect, and respond to sexual abuse and sexual harassment involving UC. The IFR sets forth standards to prevent, detect, and respond to sexual abuse and sexual harassment in ORR care provider facilities that house unaccompanied children (UCs) in accordance with section 1101(c) of the Violence Against Women Reauthorization Act of 2013, Pub. L. 113-4 (VAWA 2013). VAWA 2013 directed the Secretary of the Department of Health and Human Services (HHS) to adopt national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of UCs. The standards apply to all ORR care provider facilities housing UCs except secure care provider facilities and individual foster care homes. The standards build upon and enhance existing State and local laws, regulations, and licensing standards.

¹ Section 235 of the TVPRA of 2008 was amended in part by section 1262 of the Violence Against Women Reauthorization Act of 2013.

² Section 8 of PREA of 2003, was amended in part by section 1101(c) of the Violence Against Women Reauthorization Act of 2013.

SECTION III: Authority

As provided by the terms of the Federal Grant and Cooperative Agreement Act of 1977 (FGCAA), 31 U.S.C. §6301, as amended, the grant awarded establishes a Cooperative Agreement between the Office of Refugee Resettlement (ORR) and (GRANTEE NAME). Pursuant to the FGCAA, this cooperative agreement (hereinafter “agreement”) provides for substantial involvement and collaboration of ORR in activities related to cooperative agreements for residential services.

Furthermore, ORR is authorized to enter into this agreement under 6 U.S.C. §279 and 8 U.S.C. §1232(i) of the TVPRA of 2008.

SECTION IV: Description of Activities

A. Residential and Other Services

1. (GRANTEE NAME) must provide residential shelter and services for UC in compliance with respective State residential care licensing requirements, the Flores settlement agreement, pertinent federal laws and regulations, and the ORR policies and procedures, unless otherwise expressly waived (in writing) by authorized ORR staff.
2. Under the terms of the Flores settlement agreement, care providers must provide the following services for each UC in their care:
 - Proper physical care and maintenance, including suitable living accommodations, food, appropriate clothing and personal grooming items.
 - Appropriate routine medical and dental care, family planning services, and emergency health care services, including a complete medical examination (including screenings for infectious disease) within 48 hours of admission, excluding weekends and holidays, unless the UC was recently examined at another ORR care provider facility; appropriate immunizations in accordance with recommendations of the U.S. Department of Health and Human Services / U.S. Public Health Service (PHS), Centers for Disease Control and Prevention (CDC) Advisory Committee on

Immunization Practices; administration of prescribed medication and special diets; appropriate mental health interventions when necessary.

- An individualized needs assessment, which includes the various initial intake forms, collection of essential data relating to the identification and history of the child and his or her family, identification of the UC's special needs including any specific problems which appear to require immediate intervention, an educational assessment and plan, an assessment of family relationships and interaction with adults, peers and authority figures; a statement of religious preference and practice; an assessment of the unaccompanied child's personal goals, strengths and weaknesses; identifying information regarding immediate family members, other relatives, godparents or friends who may be residing in the United States and may be able to assist in connecting the child with family members.
- Educational services appropriate to the unaccompanied child's level of development and communication skills in a structured classroom setting Monday through Friday, which concentrates primarily on the development of basic academic competencies and secondarily on English Language Training. The educational program must include instruction and educational and other reading materials in such languages as needed. Basic academic areas should include Science, Social Studies, Math, Reading, Writing and Physical Education. The program must provide unaccompanied children with appropriate reading materials in languages other than English and spoken by the UC in care for use during leisure time.
- Activities according to a recreation and leisure time plan that include daily outdoor activity, weather permitting, with at least one hour per day of large muscle activity and one hour per day of structured leisure time activities (that should not include time spent watching television). Activities should be increased to a total of three hours on days when school is not in session.
- At least one individual counseling session per week conducted by trained social work staff with the specific objective of reviewing the child's progress, establishing new short term objectives, and addressing both the developmental and crisis-related needs of each child.

- Group counseling sessions at least twice a week.
- Acculturation and adaptation services which include information regarding the development of social and inter-personal skills which contribute to those abilities necessary to live independently and responsibly.
- A comprehensive orientation regarding program intent, services, rules (written and verbal), expectations and the availability of legal assistance.
- Whenever possible, access to religious services of the child's choice, and in an environment that ensures children feel free to ask for such access.
- Visitation and contact with family members (regardless of their immigration status), which is structured to encourage such visitation.
- A reasonable right to privacy, which includes (1) the right to wear his or her own clothes when available, (2) retain a private space in the residential facility, group or foster home for the storage of personal belongings, (3) talk privately on the phone and visit privately with guests, as permitted by ORR policy and applicable regulations, (4) receive and send uncensored mail unless there is a reasonable belief that the mail contains contraband.
- Services designed to identify relatives in the United States as well as in foreign countries and assistance in obtaining legal guardianship when necessary for the release of the unaccompanied child.
- Legal services information, including the availability of free legal assistance, the right to be represented by counsel at no expense to the government, the right to a removal hearing before an immigration judge, the right to apply for asylum or to request voluntary departure in lieu of deportation.

B. Organizational Capacity and Structure

1. **(GRANTEE NAME)** must have the infrastructure and organizational capacity (governance structure, procedures, standards, and accountability controls) to meet all

ORR program requirements and to properly manage all program resources (finances, personnel, physical plant structures, technology) and other provisions within the scope of this agreement.

2. Unless waived by ORR, **(GRANTEE NAME)** should be accredited by a nationally recognized accreditation organization, at ORR's discretion.³
3. **(GRANTEE NAME)** must have an effective program management structure that designates clear lines of authority and responsibility and promotes the effective use of organizational resources and positive outcomes, including the safe and timely release of unaccompanied children.
4. **(GRANTEE NAME)** must have internal policies and procedures in place for monitoring and evaluating their program and conducting ongoing quality assurance activities to identify areas in need of improvement and/or modification.
5. **(GRANTEE NAME)** must provide services in a culturally sensitive and knowledgeable manner. The majority of staff responsible for direct service delivery must be bilingual in English and Spanish. Staff who routinely work with unaccompanied children who speak other languages must be proficient in that language. Care providers must have access to interpreters for other languages that unaccompanied children in their care may speak.
6. **(GRANTEE NAME)** must maintain internal policies and procedures in electronic and hard copy form and readily accessible for all care provider and ORR staff. Internal policies and procedures are subject to ORR approval and must comply with all applicable federal law, regulations, and ORR's policies and procedures. The care provider's internal policies and procedures must address the following:
 - Provision of services that is specific to the type/level of care;

³ As applicable: The Council on Accreditation (COA), the Joint Commission (TJC), the Commission on Accreditation of Rehabilitation Facilities (CARF) or the American Correctional Association (ACA).

- State mandated placement criteria, including licensing-related restrictions;
- Population of children and youth served and facility capacity;
- Personnel policies and procedures⁴, including training requirements;
- Emergency and evacuation policies and procedures;
- Physical plant requirements and maintenance policies and procedures (inspections for safety and maintenance, review of heating and cooling systems, plumbing, etc.);
- Health policies and procedures for unaccompanied children;
- Procedures for meeting mandated reporting requirements (reporting suspected neglect, maltreatment and/or abuse and sexual abuse and/or sexual harassment);
- Zero tolerance policy for sexual abuse and harassment;
- Grievance policies and procedures for both unaccompanied children and staff;
- Financial management policies and procedures (including internal controls for errors, mismanagement or fraud and provisions for regular audits performed by an outside, independent auditor)⁵;
- Internal monitoring, evaluation, and continued quality assurance policies and procedures;
- Relationships with key external stakeholders; and,
- “Drug Free Workplace” policies.

⁴ Including equal employment policies, prohibitions against nepotism and favoritism, policies on benefits, insurance protections, promotions and professional development, reporting requirements, sanctions and discipline of staff, working conditions, wage, time-off and lay off policies, activities and behaviors that require immediate suspension and possible termination.

⁵ All modifications to award budgets require prior approval from both the Administration for Children and Families Office of Grants Management (ACF/OGM) and an ORR PO.

7. **(GRANTEE NAME)** must maintain or attempt to enter into memoranda of understanding (MOUs) or other agreements with local child advocacy centers, rape crisis centers, immigrant victim service providers, and/or other community service providers to provide services to victims of sexual abuse and sexual harassment that occurred at the care provider facility. If local service providers are not available, **(GRANTEE NAME)** must maintain or attempt to enter into MOUs or other agreements with national service provider organizations. All agreements must have provisions that require the community or immigrant service provider to report any allegations of mistreatment or abuse to ORR. Care provider facilities must maintain copies of its agreements or documentation showing attempts to enter into such agreements and provide copies to ORR upon request.

C. Management of Personnel and Volunteers

1. **(GRANTEE NAME)** must develop, implement, and document a staffing plan based on the populations served, the scope and type of provided services, anticipated requirements, current and projected staff vacancies, and project budgets. The staffing plan must:
 - a. Include staffing ratios in accordance with State licensing requirements, and as required by ORR's policies and guidelines;
 - b. Include a UC to Case Manager ratio of 8:1, unless waived by ORR; and,
 - c. Include a UC to Clinician ratio of 12:1, unless waived by ORR.
2. **(GRANTEE NAME)** must complete background investigations on all staff, contractors, and volunteers prior to hire to ensure the candidate is suitable for employment to work with minors in a residential setting. Background checks must be completed in accordance with ORR's minimum standards and State licensing requirements. The results must be included in the employee's personnel file. If State licensing requirements do not require a national criminal history fingerprint check, **(GRANTEE NAME)** must complete the check using a public or private vendor. If there is an additional cost associated with this fingerprint check, the cost may be included in **(GRANTEE NAME)**'s budget plan.

3. Requirements for all hired staff. All staff must:
 - Be at least 21 years of age;
 - Exhibit integrity and good moral character to provide appropriate care to UC;
 - Possess the relevant experience and/or qualifications to work with UC and UC with special needs; and,
 - Be properly trained and licensed, as necessary.

4. **(GRANTEE NAME)** may not hire, continue employment, or enlist the services of any contractor or volunteer who:
 - Has engaged in any form of child abuse or neglect, including domestic violence;
 - Has been convicted of engaging or attempting to engage in sexual abuse facilitated by force, overt or implied threats of force, coercion or if the victim did not consent or was unable to consent or refused; and/or,
 - Is undergoing civil or administrative adjudication or has been civilly or administratively adjudicated for engaging in an activity listed above.

5. **(GRANTEE NAME)** must consider incidents of sexual harassment in determining whether to hire anyone or to enlist the services of any contractor or volunteer. **(GRANTEE NAME)** must ask all applicants about previous misconduct in written applications or interviews for hiring. Applicants or employees must disclose any misconduct, whether the conduct occurs on or off duty. **(GRANTEE NAME) personnel policies and procedures must provide that** material omissions regarding such misconduct or providing materially false information will be grounds for termination.

6. **(GRANTEE NAME)** must have job descriptions and selection criteria for all staff positions that state the qualifications, performance standards, and responsibilities for each position. (Each job description must include a section on Essential Functions as mandated by the Americans with Disabilities Act).

7. **(GRANTEE NAME)** must obtain prior approval for the positions noted in the table below. The table also includes job descriptions and minimum qualifications for positions that require ORR approval as well as those that do not. Exceptions to the minimum qualifications require ORR’s explicit written approval prior to hire and ORR may require supervision plans and additional training.

Positions Requiring ORR Prior Approval		
Position	Job Description	Minimum Qualifications
Program Director	Overall management of the programmatic, administrative, financial, and operational systems related to the provision of care and services; provision of regular and timely reports to ORR regarding operations, services, and finances; establishing a respectful and supportive workplace environment; elevating any issues or concerns to ORR.	Master’s degree in social work or an equivalent degree in education, psychology, sociology, or other relevant behavioral science degree or bachelor’s degree plus 5 years’ experience in child welfare administration, child protective services; and, 2 years of experience in program management or as director of a licensed child care program. Possess the administrator’s license for the care provider’s facility.
Assistant Program Director	Serves as secondary liaison with ORR. The need for an Assistant Program Director will vary depending on the number of unaccompanied children served at a care provider facility.	Bachelor’s degree in education, psychology, sociology or other relevant behavioral science plus 5 years of progressive employment experience with a social services or childcare agency or organization.

Clinician	Conducts mental health assessments; provides ongoing individual and group counseling services, screens for human trafficking concerns, and provides crisis intervention services.	Master's degree in social work with clinical experience in the program, or Master's degree in psychology, sociology, or other relevant behavioral science in which direct clinical experience is a program requirement, or a bachelor's degree plus 5 years clinical employment experience. Must be licensed or eligible for licensure.
Lead Clinician	Coordinating clinical services, training new clinicians, and supervising the clinical staff.	Master's degree in social work, 2 years of postgraduate direct service delivery experience or a Master's degree or Ph.D. in psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement, plus 2 years of postgraduate direct service delivery experience/or bachelor's degree plus 5 years clinical employment experience in the behavioral sciences. Must have supervisory experience and be licensed to provide clinical services in the State where the care provider is located.
Lead Case Manager	Responsible for coordinating case management and safe and timely release services, training new case managers, and supervising the work of other case manager.	Master's degree in the behavioral sciences, human services or social services fields or bachelor's degree and at least 3 years progressive employment experience that demonstrates supervisory and case management experience.
Prevention of Sexual Abuse (PSA) Compliance Manager	Oversees implementation and ongoing compliance with the Interim Final Rule on UC Sexual Abuse and Sexual Harassment standards at care provider facilities.	Bachelor's degree in behavioral sciences, human services, or social service fields and at least 1 year experience working with child welfare standards, best practices, and compliance issues.

Positions NOT Requiring ORR Prior Approval		
Position	Job Description	Minimum Qualifications
Case Manager ⁶	Assesses the needs of unaccompanied children in care, develops Individual Service Plans, screens for human trafficking concerns, facilitates the safe and timely release or discharge of children and youth, documents the provision of services in case files.	Bachelor's degree in the behavioral sciences, human services or social services fields. Child welfare and/or case management experience is strongly encouraged.
Medical Coordinator	Arrange or partners with other health professionals regarding health and safety standards for out-of-home child care, child care licensing requirements, disease reporting requirements for care providers, immunizations for children, injury prevention for children, medication management and knowledge of community health and mental health resources for children. If the size of the program does not justify hiring a full time Medical Coordinator, the responsibilities may be combined with another position.	High school diploma or equivalent degree and a minimum of 1 year employment experience in the child welfare field working with children and/or adolescents in a social service setting.
Teacher	Provides educational services and assessments, including curriculum building meeting <u>Flores</u> standards for education requirements.	Bachelor's degree; certification by the relevant governing authority, Teaching English as a Second Language/Teaching English to Speakers of Other Languages certification or other appropriate accrediting body and additional training to meet the special needs of unaccompanied children.
Trainer	Conduct trainings, select or develop training materials; maintain records on training program attendance, trainings offered, and evaluation measures. This position does not have to be full time and the responsibilities may be combined with another position.	Bachelor's degree.

⁶ This position may require ORR approval if the Case Manager is conducting clinical assessments.

Youth Care Worker	Provide direct supervision of children in care, and maintain line-of-sight at all times	High school diploma or equivalent degree and a minimum of 1 year employment experience in the child welfare field working with children and/or adolescents in a social service setting.
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8. **(GRANTEE NAME)** must maintain a personnel file for each employee, whether part-time or full-time, that documents the employee’s credentials, competencies, and performance, and provide access to ORR upon request. The employee personnel file must be up-to-date and must include the criteria for the employee’s selection, hiring, suspension, or termination.

a. Personnel files must include at the minimum:

- Resume;
- Job Description
- Employment application;
- Professional references;
- Educational records/diploma;
- Professional licensure (if applicable);
- Form I-9, Employment Eligibility Verification, and appropriate identification documentation;
- Results of medical examination (as required by State licensing, including results of TB tests and immunization records);
- Child Abuse Mandated Reporter agreement (signed);
- Confidentiality policy acknowledgement;

- Most recent performance review (signed);
 - Child abuse and neglect record check results (for all jurisdictions lived in for the past 5 years);
 - National FBI criminal background check and State repository check results (for all jurisdictions lived in for the past 5 years);
 - Driver's Record and Clearance (if transporting children and youth); and,
 - Record of completion of mandated trainings and required acknowledgements.
- b. **(GRANTEE NAME)** must have policies and procedures for using and managing volunteers and interns (this includes those working in foster care).⁷ This includes:
- Establishing requirements for their selection;
 - Ensuring that each volunteer and intern complete pre-service and annual training, if applicable;
 - Using paid staff to supervise all volunteers and interns;
 - Requiring authorization for any volunteers or interns to accompany unaccompanied children and care provider staff outside the facility for trips, medical appointments, or other visits;
 - Requiring all volunteers and interns to complete a volunteer application, provide disclosures, and references; and,
 - Conducting background checks on all volunteers and interns.

D. Code of Conduct and Conflict of Interest Requirements

⁷ Family and friends of the foster family may interact with unaccompanied children as they would in a normal community setting without having to complete the volunteer requirements listed above.

1. **Code of Conduct**

- a. **(GRANTEE NAME)** must create and implement a Code of Conduct that reflects the ethical standards of a reputable professional organization, such as the National Association of Social Workers, Child Welfare League of America, or the American Public Health Human Services Association. The Code of Conduct must specifically address the employee's obligations with respect to interactions and interventions with unaccompanied children, staff, and external stakeholders.
- b. **(GRANTEE NAME)** must train all employees on the Code of Conduct and have a "whistleblower policy" that provides staff an opportunity to report suspicious unethical, inappropriate or illegal activities without negative consequence. **(GRANTEE NAME)** must include proof in the employee's file that the employee has received training in the Code of Conduct. **(GRANTEE NAME)** must have policies and procedures for the discipline or termination of personnel who violate the Code of Conduct.
- c. The Code of Conduct is required to indicate that staff must:
 - o Respect the boundaries inherent in the relationship between unaccompanied children and care provider staff both while in ORR care and after release (for example staff should not take an unaccompanied child to his or her home (with the exception of community-based foster care parents) or the home of the employee's personal acquaintances);
 - o Enforce zero tolerance and other policies to prevent, detect and respond to sexual abuse and harassment by not engaging in any kind of sexual activity or personal relationship with unaccompanied children, or former unaccompanied children; or parents, guardians, or sponsors of unaccompanied children;
 - o Not provide legal advice to UC;
 - o Only provide therapeutic counseling if properly licensed and authorized;

- Maintain professional standards and manner when dealing with children and youth, visitors or fellow employees by dressing appropriately and refraining from giving money or gifts, using inappropriate language, proselytizing religion or making unauthorized disclosures of confidential information, or campaigning on behalf of a political party, politician or interest group;
 - Not discriminate against any person on the basis of race, color, religion, national origin, or sex; lesbian, gay, bisexual, transgender, questioning or intersex status; veteran status, age, or disability;
 - Employ strength-based behavior management approaches and never hit, harass, humiliate or degrade an unaccompanied child or other staff member;
 - Cooperate with official investigations (Child Protective Services, State licensing, etc.) as well as other legally sanctioned investigations, such as those conducted by law enforcement;
 - Report any criminal or inappropriate conduct of other staff and never participate in the activities of a criminal gang; and,
 - Protect fellow care provider staff and unaccompanied children from retaliation if they disclose or threaten to disclose the existence of an illegal or unsafe practice.
2. **(GRANTEE NAME)** staff are required to timely report to care provider management any misconduct (on or off duty). Failure to report misconduct or reporting false information will be grounds for termination.
- a. Misconduct may include but is not limited to:
- Any criminal arrests and/or convictions;
 - Any child abuse and/or neglect allegations, adjudications, or convictions (whether criminal, civil or administrative); and,

- Any engagement or attempt to engage in sexual activities facilitated by force, overt or implied threats of force or coercion; or if the victim did not consent or was unable to consent or refuse.
- b. Timely reporting is defined as no later than 24 hours from when a subject has knowledge of an arrest, conviction, or allegation, or earlier if the subject has unsupervised access to unaccompanied children. Other unethical conduct may also be the basis for disciplinary action and/or termination. Program Directors or other care provider management officials must report any disciplinary action and/or termination of any employee to ORR.

3. Conflict of Interest

- a. **(GRANTEE NAME)** staff are prohibited from taking unfair advantage of any professional or personal relationship or from exploiting their position to further their personal, religious, political, financial, or business interests.
- b. **(GRANTEE NAME)** must establish and maintain a written Conflict of Interest policy applicable to all staff, board members, contractors, sub-contractors, sub-grantees, volunteers, and other internal stakeholders. The policy must:
 - Identify and define conduct that creates a conflict of interest or a potential conflict of interest;
 - Prohibit employees from having any direct or indirect financial interests in the transactions of services of the program;
 - Require staff to recuse themselves from the decision-making process if there is a conflict of interest or a potential conflict of interest;
 - Require staff to disclose any conflicts of interest prior to their involvement in a decision related to or affected by the conflict; and,
 - State that failure to disclose conflicts of interest or potential conflicts of interest may result in discipline or termination of employment.

E. Training

1. **(GRANTEE NAME)** must ensure all prospective employees meet all required educational and professional experience qualification and demonstrate that ability to provide culturally competent services and all employees, contractors, and volunteers complete pre-service training prior to having direct contact with UC and complete the required annual training.
2. Newly hired employees must complete pre-service training prior to having direct contact with unaccompanied children. **(GRANTEE NAME)** must provide pre-training on the following:
 - ORR's Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment involving Unaccompanied Children;
 - All State and local licensing requirements; and,
 - State license required trainings (for example, CPR, first aid, mandatory reporting).
3. Staff who are required to have professional certifications must abide by continuing education requirements necessary to maintain licensure. In addition, all care provider staff must complete 40 hours of training annually of which 2 hours must involve training on the Flores settlement agreement, the HSA of 2002, the TVPRA of 2008, the Perez-Olano settlement agreement, and 10 hours on ORR policies and procedures. Foster care providers and foster families are subject to all ORR training and documentation requirements. In addition, the foster care providers must ensure that foster parents meet the competencies required at the time of licensing and focus the foster parent pre-service and ongoing training on developing these competencies.
4. **(GRANTEE NAME)** must develop annual staff trainings based on the following areas⁸:
 - State licensing requirements, laws, regulations, and policies relevant to the ORR UC

⁸ Care providers have two years to complete. They are not required to cover all topic areas within the same year.

Program;

- ORR operational policies and relevant guidance⁹;
- The Safe and Timely Release process;
- Cultural competency, including awareness of and sensitivity to different cultural backgrounds;
- Prohibition against providing legal advice or counsel;
- Strength-based behavior management approaches, such as using conflict resolution, problem solving skills, using rewards and consequences and de-escalation techniques and helping children and youth learn accountability and self-control;
- Prohibition against conflicts of interest;
- Crisis/intervention procedures and techniques;
- Immigration and child welfare systems (local, national, international);
- Child development theory;
- Issues related to loss and family separation;
- Common health and mental health issues;
- First aid and cardiopulmonary resuscitation (CPR);
- Medication management;
- Infection control procedures and Occupational Safety and Health Administration (OSHA) or equivalent course that covers blood borne pathogens, airborne pathogens, and employee safety;

⁹ Care providers must have policies and procedures for the prompt dissemination, training, and implementation of new or updated ORR policies and procedures.

- Working with victims of human trafficking and other crimes;
 - Mandatory child abuse and neglect reporting requirements: prevention, signs, and reporting;
 - Professional boundaries;
 - Emergency and disaster preparedness;
 - Code of Conduct and Conflicts of Interest;
 - Grievance policies and procedures; and,
 - Incident reporting.
5. **(GRANTEE NAME)** must provide training to all new contractors and volunteers, where the level and type of training provided is based on the services they provide and the level of contact they have with unaccompanied children. Contractors hired for a term that is expected to last one year or more must undergo the standard 40 hours of training required for all care provider employees. All contractors and volunteers must undergo pre-service training prior to having direct contact with UC.
6. **(GRANTEE NAME)** must document all trainings completed by staff and place a copy in the staff's personnel file, including:
- The date, number of hours, and subject-matter of the employee's orientation training;
 - The date and number of hours of in-service training completed by the employee in each topic area listed above;
 - A confirmation that the employee understood each training that he/she completed; and,
 - The name of the individual and/or entity providing the training.

F. Grant Administration

1. **(GRANTEE NAME)** must submit a detailed project plan of the approach, activities, staffing, and timelines which is approved by ORR and is in compliance with respective State residential care licensing requirements, the Flores settlement agreement, applicable federal laws and regulations, and the ORR policies and procedures. Any modifications must be discussed with the ORR Project Officer prior to implementation.
2. **(GRANTEE NAME)** must submit a program budget for ORR and ACF's Office of Grants Management (OGM) approval that accurately reflects proposed activities as described in the project plan.
3. **(GRANTEE NAME)** must notify the ORR Project Officer of any significant delays or issues regarding implementation of grant activities.
4. **(GRANTEE NAME)** must regularly consult with the ORR Project Officer and other ORR staff while implementing grant activities during each phase of the project. Consultation shall include, but is not limited to, participation in status meetings by telephone to review project implementation or as required by ORR.
5. **(GRANTEE NAME)** must provide ORR with unrestricted access to clear, timely, and accurate information about all aspects of the program. This access includes, but is not limited to: activities, policies, and financial information; documentation on individual UC and provided services; and unrestricted physical access to **(GRANTEE NAME)'s** premises, buildings, staff and UC in the programs physical custody; and any physical property on the premises, such as video monitoring equipment and footage.
6. **(GRANTEE NAME)** must ensure that all Sub-Recipients comply with respective state residential care licensing requirements, the Flores settlement agreement, pertinent federal laws and regulations, and the ORR policies and procedures, unless otherwise expressly waived (in writing) by authorized ORR staff.

7. **(GRANTEE NAME)** must submit the following documents to the ORR Project Officer:

- a. All applicable State and local licensures, incorporations, and/or authorizations for **(GRANTEE NAME)** and any Sub-Recipient at the beginning of each Federal fiscal year.
- b. A description of responsibilities and activities of all organizations, individuals, or Sub- Recipients providing services to UC within 30 days of ORR's award date. All Sub- Recipients are subject to approval by the ORR Project Officer and must include the following considerations:
 - o Memoranda of Understanding (MOU) or similar instrument, with organizations or individuals selected for receipt of sub-awarded funds;
 - o A detailed description of the Sub-Recipients' activities, if not adequately described in the MOUs (or similar instrument) or project plan (may include a monitoring tool jointly developed by Project Officer and Grantee);
 - o Complete budget for each Sub-Recipient;
 - o Schedule for monitoring Sub-Awardees with respect to location, dates, and agenda will be reported in **(GRANTEE NAME)** quarterly reports to ORR;
 - o Reports following monitoring visits of sub-awardees and immediately notifies the ORR Project Officer of any serious concerns and will submit the final report within 30 days following the monitoring visit; and,
 - o Prompt notification to ORR Project Officer of any changes regarding Sub-Recipient.
- c. Report of all State defined residential care placement restrictions to be submitted within 7 days of date of ORR award.
- d. Notify the ORR Project Officer immediately but no later than 24 hours after the care provider, service provider/contractor or Sub- Recipient receives a revocation or suspension of a license, incorporation or authorization to provide services.

- e. Notify the ORR Project Officer immediately but no later than 24 hours after the care provider, service provider/contractor or Sub-Recipient receives any citation from a State or local licensing agency or other accrediting agency and any citation for health, safety or environmental code violations.
- f. List of all State mandated staff trainings, including required timeline for completion dates within 30 days of date of ORR award.
- g. All materials (e.g., forms and other tools) used or created for residential services for UC. Materials are subject to approval by ORR Project Officer and must be submitted to the Project Officer 30 days prior to being implemented.
- h. Quarterly performance and financial reports are to be uploaded into GrantSolutions unless otherwise directed by OGM or ORR..

8. (GRANTEE NAME) also agrees:

- a. To comply with HHS policy and regulations, unless otherwise expressly waived in the approved application and all other applicable Federal statutes and regulations in effect during the time that it is receiving grant funding.
- b. To amend the approved project plan as needed to comply with standards, goals, and priorities established by the Director;
- c. To submit quarterly performance and financial reports in a timely fashion based on the schedule that is described in Section VIII of this agreement.
- d. To abide by provisions of the Service Contract Act, Code of Federal Regulations (CFR) Title 29 and abide by applicable State wage determination guidelines in its program.

G. Adherence to ACF Policy on Grants to Faith-Based Organizations

Consistent with the ACF Policy on Grants to Faith-Based, ACF is mindful that potential grantees may have religious objections to providing certain kinds of services. ACF is committed to providing the full range of legally permissible services to people who need them, and to do so in a timely fashion and in a manner that respects the diverse religious and cultural backgrounds of those we serve. At the same time, ACF is also committed to exploring ways for organizations to partner with ACF and other grantees even if they object to providing specific services on religious grounds.

The following are ways in which organizations with such objections may be able to participate in human services programs:

- Serve as subgrantees: In many cases, subgrantees do not need to provide every service for which the grantee is responsible, so long as all clients served have access to all services required under the grant in a timely and respectful manner. Grantees must ensure that their overall program provides all of the required services, but grantees can use subgrantees to provide some services. Under this arrangement, as long as other subgrantees are readily available to provide clients with the objected-to services, a subgrantee may participate in the grant program while declining to provide services to which they have religious objection.
- Apply in a consortium: A second possibility is for faith-based organizations to apply in a consortium with one or more partners. The consortium would allow for a division of responsibility consistent with each organization's principles. Again, as long as clients have timely access to all required services, different organizations could divide up the services provided.
- Notify grantor: A third possibility in some circumstances would be for the grantee to notify the federal program office responsible for the grant if a client's needs or circumstances may require services, including referrals, to which the organization has a religious objection. It would then be the federal agency's responsibility to follow through with the needed services, or, if appropriate, transfer the case to another provider.

ACF will consider any combination of these approaches and is open to considering other approaches that would accomplish the goal of ensuring that people have access to a full range of services while enabling qualified faith-based organizations to participate in the delivery of those services in a manner consistent with their principles.

H. Responsibilities of ORR

ORR hereby agrees to the following:

1. To confirm project plan (which includes approach, activities, timelines, and results expected) and budget, and discuss minor modifications;
2. To submit and/or review FFR SF-425 to be sure it accurately reflects proposed activities;
3. To participate in status meetings by telephone to review project implementation (monthly, or as required by the ORR Project Officer or other ORR staff);
4. To keep (GRANTEE NAME) informed of policy, regulatory and legal developments as they affect the implementation of the project;
5. To review and approve (GRANTEE NAME) Sub-awards of organizations providing residential services;
6. To review and approve additions or hiring of key personnel, including those of Sub-Awardee of organizations providing residential services, in a timely manner;
7. To review all internal policies, procedures, and protocols used or created for the residential services for DUCO in a timely fashion;
8. To provide training and technical assistance, as needed, regarding project implementation, and residential service delivery; and,
9. To promptly review written requests for prior approval of deviations from the project plan or approved budget. Any changes that affect the terms and conditions of the grant award or revisions/amendments to the Cooperative Agreement or to the approved scope

of activities will require prior approval by the ORR Project Officer and the Grants Management Specialist in the Office of Grants Management (OGM).

SECTION V: Budget and Financial Arrangement

The approved budget is reflected in the Notice of Award (NoA). The award will be based on the ORR and the OGM approved negotiated budget and project plan.

The Government shall not be obligated to reimburse the recipient for costs incurred in excess of the total amount allotted to this project, and the recipient shall not be obligated to continue performance under the Agreement (including actions under the termination clause) or otherwise to incur costs in excess of the amount allotted to this Agreement unless and until ORR and the OGM have notified the recipient in writing that additional funds have been awarded. No notice, communication, or representation from any person other than the Grants Management Specialist shall authorize the expenditure of additional funds. The United States Government will not be obligated for any excess costs in the absence of a written notice of authorization from the Grants Management Officer. Changes issued pursuant to this Agreement shall not be considered an authorization to the recipient to exceed the allotted amount of this Agreement unless specifically stated by the Grants Management Officer.

SECTION VI: Monitoring

ORR will conduct announced and unannounced monitoring activities throughout the project period. The purpose of ORR monitoring is to ensure compliance with the Flores settlement agreement, pertinent federal laws and regulations, and ORR policies and procedures.

Performance and compliance measures are reflected in:

- The grant application, as funded;
- Program requirements contained in the authorizing statutes;
- Program regulations and guidelines incorporated in the grant award;
- Program grant and administrative requirements contained in regulations and policy;
- Relevant public policy requirements (assurances, certifications);

- This agreement;
- The ORR Policy Guide and relevant procedures; and,
- Special programmatic terms and conditions, if any .

ORR monitoring activities will include desk and on-site (announced and unannounced) monitoring and site visits. ORR will monitor or conduct site visits on programs based on some of the following factors:

- Costs and Total Support – high cost projects
- Complexity – projects with multiple service components;
- Age and Experience of Program – newly established program, one receiving Federal funds for the first time, one with inexperienced key personnel, or one whose legislation has recently undergone substantial change, may require closer scrutiny than a long established program;
- Prior Indication of Compliance issues – available audit or evaluation findings, recipient requests for assistance, or data on financial stability of an organization;
- Length of Grant – multi-year award, particularly one up for continuation awards that have never been visited may take precedent over new ones;
- Time Since Last Visit – if program has not been recently or previously visited;
- Geographic Location – proximity to other recipients, accessibility to program office;
- Agency Priority – high priority / visibility projects within the agency, high interest to Congress, the executive branch, or the public; and,
- Potential for Dissemination – programs / projects that show potential for developing exemplary practices suitable for dissemination.

ORR will provide (GRANTEE NAME) with a monitoring report following formal monitoring visits or if required site visits, that will include citations for noncompliance, recommendations, a corrective action plan if needed, timelines for reporting, and consequences for not responding.

The monitoring report is not exhaustive of all that is reviewed during the monitoring visit. Rather, the report highlights the key issues in need of attention, as determined by the monitor and based on the review of all ORR policies and procedures. After review of the monitoring report, a formal corrective action plan should be submitted to the designated Project Officer within 30 business days. The corrective action plan will identify objectives, specific actions, persons responsible and date of completion for each monitoring citation.

SECTION VII: Continuation Applications

(GRANTEE NAME) must submit an ORR provided continuation application by June 1, or a later date determined by ORR. For continuation applications, (GRANTEE NAME) will provide the following information:

1. Standard Forms: SF 424 Application for Federal Assistance, SF 424A Budget Information for Non-Construction Programs, and SF 424B Assurances for Non-Construction Programs;
2. Certification Regarding Lobbying
3. Budget worksheets and narrative;
4. Program Description and Work plan;
5. Current State Residential Care License;
6. Proof of Insurance;
7. Facility lease or bank mortgage note on property (as applicable);
8. Indirect Cost Rate approval, if any;
9. Current Program Organizational Chart;
10. Staffing and Volunteer Roster;
11. Copy of all Child Protective Services reports, allegations and CPS investigations;
12. Property/Inventory List;
13. Project/Performance Site Location(s) form

(GRANTEE NAME) must use the current version of all standard applications and reporting forms.

Current versions of the forms are available at: <https://www.grants.gov>

SECTION VIII: Applicable Regulations

(GRANTEE NAME) must provide all residential services for UC in compliance with respective state residential care licensing, the Flores settlement agreement, pertinent federal laws and regulations, including Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment involving Unaccompanied Children, 45 C.F.R. 411, and ORR policies and procedures. Other applicable federal regulations are discussed in the attached Standard Terms and Conditions.

SECTION IX: Records and Reports

For quarterly performance reports, (GRANTEE NAME) will use the ACF Performance Progress Report ACF-OGM SF-PPR form. Performance Reports are due quarterly based on the project period start date.

For financial status reports, (GRANTEE NAME) will use the SF-425 form, which will include report of expenditures and unliquidated obligations. Quarterly financial reports are due every 90 days based on the project period start date.. The Annual Financial Status and Performance report is due 90 days after the end of the budget period. The Final Financial Status and Performance report is due 90 days after the end of the project period.

Funds awarded under this Cooperative Agreement shall be accounted for and reported upon separately from all other grant activities.

(GRANTEE NAME) must use the current version of all reporting forms. Current versions of the forms are available at: <https://www.grants.gov>

All correspondence and reports related to this agreement must include the Grant Number and should be uploaded to GrantSolutions at <https://home.grantsolutions.gov/home/>. Notification of submission should be sent via email to the ORR Project Officer.

SECTION X: Project Contacts

(GRANTEE NAME) designates the following person as project contact for this cooperative agreement:

Name:

Title

Address

Telephone:

Fax:

Email:

ORR designates the following person as ORR Project Officer for this cooperative agreement:

Name: (Insert appropriate name)

Address: (Insert address)

Telephone: (Insert appropriate information)

Fax: (Insert appropriate information)

Email: (Insert email)

SECTION XI: Duration of Agreement

This agreement will be effective February 1, 2017- January 31, 2020. Annual continuations will be entertained on a non-competitive basis, subject to availability of funds, satisfactory

performance of the project, capacity needs and a determination that continued funding is in the best interest of the Federal Government.

Jonathan Hayes
Director
Office of Refugee Resettlement

Date

Name:
Title:
(GRANTEE NAME)

Date

OFFICE OF REFUGEE RESETTLEMENT

An Office of the Administration for Children & Families

Children Entering the United States Unaccompanied: Section 2

Safe and Timely Release from ORR Care

Published: January 30, 2015

Categories: Unaccompanied Children's Services

2.1 Summary of the Safe and Timely Release Process

The Office of Refugee Resettlement (ORR) has policies and procedures in place to ensure unaccompanied alien children in ORR care are released in a safe, efficient, and timely manner. ORR's policies require the release of unaccompanied alien children to parents, guardians, relatives, or individuals designed by the child's parents, referred to as "sponsors." Safe and timely release (also known as "family reunification") must promote public safety and ensure that sponsors are able to provide for the physical and mental well-being of children.

ORR evaluates potential sponsors' ability to provide for the child's physical and mental well-being, as required by law. ORR also protects children from smugglers, traffickers, or others who might seek to victimize or otherwise engage the child in criminal, harmful or exploitative activity. The process for the safe and timely release of an unaccompanied alien child from ORR custody involves several steps, including: the identification of sponsors; sponsor application; interviews; the assessment (evaluation) of sponsor suitability, including verification of the sponsor's identity and relationship to the child (if any), background checks, and in some cases home studies; and post-release planning.

Revised 6/18/19

2.2 Sponsor Application Process

ORR begins the process of finding family members and others who may be qualified to care for an unaccompanied alien child as soon as the child enters ORR's care. Parents, relatives, or close family friends may apply to have the child released to their care.

Revised 6/18/19

2.2.1 Identification of Qualified Sponsors

The ORR care provider (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Care Provider>), the ORR funded facility that cares for the child, interviews the child as well as parents (see the section below on how ORR confirms relationship with child), legal guardians, and/or family members to identify qualified custodians ("sponsors"). If a child is either too young or there are other factors that prohibit the care provider from obtaining potential sponsor information from the unaccompanied alien child, the care provider may seek assistance from the child's consulate in collaboration with the **ORR Federal Field Specialist (ORR/FFS)** (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal Field Specialist>) or from a reputable family tracing organization. Finding a sponsor for the child is an ongoing process that continues during the unaccompanied alien child's stay in ORR care and custody in the event that the primary potential sponsor or primary release plan is not approved.

ORR releases children to a sponsor in the following order of preference:¹ parent; legal guardian; an adult relative (brother, sister, aunt, uncle, grandparent or first cousin); an adult individual or entity designated by the parent or legal guardian (through a signed declaration or other document that ORR determines is sufficient to establish the signatory's parental/guardian relationship); a licensed program willing to accept legal custody; or an adult individual or entity seeking custody when it appears that there is no other likely alternative to long term ORR care and custody. ORR has grouped UAC cases into the following categories.²

- **Category 1:** Parent or legal guardian (This includes qualifying step-parents that have legal or joint custody of the child or teen)
- **Category 2A:** An immediate relative--a brother; sister; grandparent or other close relatives (aunt, uncle, first cousin) who previously served as the UAC's primary caregiver. (This includes biological relatives, relatives through legal marriage, and half-siblings).
- **Category 2B:** An immediate relative-- including aunt, uncle, or first cousin who was not previously the UAC's primary caregiver. (This includes biological relatives, relatives through legal marriage).
- **Category 3:** Other sponsor, such as distant relatives and unrelated adult individuals
- **Category 4:** No sponsors identified

Although ORR gives preference to a parent or legal guardian when determining release plans, there are instances when ORR does not release an unaccompanied alien child to a parent or legal guardian. These include:

- There has been a court ordered termination of parental rights over the child.
- There is substantial evidence that the child would be at risk of harm if released to the parent or legal guardian.

In some cases, an unaccompanied alien child enters the United States with her biological child. In those cases, ORR identifies a sponsor for the unaccompanied alien child as well as for the infant or toddler. In most instances, it is in the best interest of the unaccompanied alien child and her biological child to be released to the same sponsor. For case processing purposes, the sponsor is assigned the same category for the infant as for the UAC mother. This is true even if the potential sponsor would be assigned a different category (based on their relationship status) if he or she were to sponsor the infant alone.

Revised 6/18/19

2.2.2 Contacting Potential Sponsors

The child's **care provider** (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Care Provider>) is responsible for implementing safe screening methods when contacting and communicating with potential sponsors. These methods are to ensure that a potential sponsor does not pose a risk to the unaccompanied alien child, to other children in the care provider facility or to care provider staff.

Safe screening methods include:

- Use of appropriate interpreters
- Identity of the sponsor is obtained
- Verification of family relationships
- Coordination with the unaccompanied alien child's parents, legal guardians, or closest relatives prior to contacting non-relative adult potential sponsors
- Screening for exploitation, abuse, trafficking, or other safety concerns
- Engaging the child to communicate openly with care provider staff about his or her own sense of safety

Posted 1/27/15

2.2.3 The Family Reunification Application

All potential sponsors must complete an application in order for a child to be released to them from ORR custody (the "Family Reunification Application").

Within 24 hours of identification of a potential sponsor for a child or youth, the care provider or the ORR National Call Center sends the sponsor a package with the application and related documents (called the Family Reunification Packet or FRP).

The application package includes the following documents:

- Family Reunification Packet Cover Letter
- Authorization for Release of Information
- Family Reunification Application
- Sponsor Care Agreement
- A flyer with contact information on organizations offering a Legal Orientation Program for Custodians (LOPC)
- A flyer with contact information for the UAC Sexual Abuse Hotline
- Fingerprint instructions
- Sponsor Handbook
- Letter of Designation for Care of a Minor (If parent or legal guardian wishes to specify)
- Sponsor Declaration
- A flyer warning sponsors of potential fraud schemes

The care provider is available to help the potential sponsor complete the application. The care provider also informs potential sponsors that they may submit additional information to support the application and reminds potential sponsors of the deadlines for completing the forms. The sponsor may also receive assistance in completing the application at some fingerprinting locations.

Revised 6/18/19

2.2.4 Required Documents for Submission with the Application for Release

In addition to completing and signing the Family Reunification Application (FRA) and the Authorization for Release of Information, potential sponsors must provide documentation of identity, address, and relationship to the child they seek to sponsor.³ Potential sponsors must also submit documentation verifying the identity of the children they seek to sponsor, and evidence verifying the identity of all adults residing with the sponsor and all adult caregivers

identified in a sponsor care plan. In addition to their use as evidence of the foregoing, all documentation submitted under this section is used as part of the overall sponsor assessment process. See **Section 2.4 Sponsor Assessment Criteria and Home Studies** (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-2#2.4>). As a result, ORR may in its discretion require potential sponsors to submit additional documentation beyond the minimums specified below.

Proof of Sponsor Identity

To verify their identity, all potential sponsors must submit original versions or legible copies of government-issued identification documents. They may present either one selection from List A or two or more documents from List B. If a potential sponsor presents selections from list B, at least one selection must contain a legible photograph. Expired documents are acceptable for the purpose of establishing identity.

LIST OF ACCEPTABLE DOCUMENTS

LIST A
U.S. Passport or U.S. Passport Card
Permanent Resident Card or Alien Registration Receipt Card (Form I-551)
Foreign Passport that contains a photograph
Employment Authorization Document that contains a photograph (Form I-766)
U.S. Driver's License or Identification Card

OR

LIST B
U.S. Certificate of Naturalization
U.S. Military Identification Card
Birth Certificate
Marriage Certificate
Court order for name change
Foreign national identification card
Consular passport renewal receipt that contains a photograph
Mexican consular identification card
Foreign driver's license that contains a photograph
Foreign voter registration card that contains a photograph
Canadian border crossing card that contains a photograph
Mexican border crossing card that contains a photograph with valid Form I-94
Refugee travel document that contains a photograph
Other similar documents

Proof of identify of adult household members and adult care givers identified in a sponsor care plan

All potential sponsors must submit documentation verifying the identity of non-sponsor adults in their household or in a sponsor care plan. For all such adults, potential sponsors must submit at least one identification document that contains a photograph. The document may be from either List A or List B above, and may be an original version or a legible copy of the document. Expired documents are acceptable for the purpose of establishing identity. In addition, potential sponsors may submit an original version or legible copy of an ORR Verification of Release Form, but only to verify the identity of adults under the age of 21, and only if the form contains a photograph. ORR will not accept a Verification of Release as proof of identity if it does not contain a photograph, and/or is for anyone 21 and older.

Proof of Immigration Status or U.S. Citizenship

All potential sponsors must submit at least one original version or legible copy of a non-expired government-issued document to prove their immigration status or U.S. citizenship, if applicable. For administrative purposes, ORR considers any potential sponsor who provides an expired document or is unable to provide any documents to be without status. ORR does not provide individual immigration status information to DHS.

ORR may use the macro-level information related to immigration status or presumed immigration status for statistical reporting. ORR uses individual potential sponsor immigration status information to determine whether a sponsor care plan is necessary in the event the sponsor is required to leave the United States (see **Section 2.6 Sponsor Immigration Status and Release of Unaccompanied Alien Children**).

LIST OF ACCEPTABLE DOCUMENTS

PROOF OF IMMIGRATION STATUS
Valid visa
Legal permanent resident card (green card)
Notice to Appear

PROOF OF IMMIGRATION STATUS
Other Federal government issued documentation providing immigration status information
OR
PROOF OF U.S. CITIZENSHIP
U.S. passport
U.S. birth certificate
Naturalization certificate
Citizenship Certificate
State Department Form 240 – Report of Birth Abroad of a Citizen of the United States
Court order
Other government issued document sufficient to prove U.S. citizenship

Proof of Address

All potential sponsors must submit at least one form of documentation verifying their current address. Acceptable forms of documentation include original versions or legible copies of:

- A current lease or mortgage statement dated within the last two months before submission of the FRA;
- A utility bill, addressed in the sponsor’s name and dated within the last two months before submission of the FRA;
- A bank statement dated within the last two months before submission of the FRA;
- A payroll check stub issued by an employer, dated within the last two months before submission of the FRA;
- A piece of mail from a county, state, or federal agency (with the exception of ORR) with the sponsor’s name and residential address and dated within the last two months before submission of the FRA;
- A notarized letter from a landlord on the business stationery of the real property owner confirming the sponsor’s address; and
- Other similar documents reliably indicating that the sponsor resides at the claimed address, dated within the last two months before submission of the FRA.

ORR may use alternative methods to verify address. For example, ORR may send a letter containing specific instructions to the address given by the sponsor, and provide a timeline by which the sponsor must comply with the instructions.

Proof of Child’s Identity

The potential sponsor or child’s family must provide the unaccompanied alien child’s birth certificate or a legible copy of the child’s birth certificate.

Proof of Sponsor-Child Relationship

The potential sponsor must provide at least one form of evidence verifying the relationship claimed with the child.⁴ Acceptable documents include original versions or legible copies of:

- Birth certificates;
- Marriage certificates;
- Death certificates;
- Court records;
- Guardianship records;
- Hospital records;
- School records;
- Written affirmation of relationship from Consulate; and
- Other similar documents.

Category 2A potential sponsors providing evidence of “primary caregiver”

Category 2A sponsors who are not grandparents or adult siblings must prove they are or were the UAC’s primary caregiver. A primary caregiver is defined as any person who is primarily entrusted with the child’s care and who lives with the child.

If the potential sponsor has any guardianship documents or other documents from a state or foreign government they must submit this with the Family Reunification Application. ORR also accepts sworn affidavits from potential sponsors in addition to corroborating interviews the Case Manager has with the child, potential sponsor, and other family members to establish whether the potential sponsor was a primary giver to the child.

Category 3 potential sponsors without a bona fide pre-existing relationship

Category 3 potential sponsors who are unable to provide verifiable documentation of a familial relationship with the unaccompanied alien child must submit evidence that reliably and sufficiently demonstrates a bona fide social relationship with the child and/or the child’s family that existed before the child migrated to the United States. Care providers must attain sufficient corroboration to be confident that they have received needed verification of the

relationship between the potential sponsor and the child or child's family. If a Category 3 potential sponsor does not submit evidence that reliably and sufficiently demonstrates a bona fide preexisting social relationship between the potential Category 3 sponsor and the child and/or the child's family, ORR may take this into account when determining the suitability of the case for release. In such cases ORR may require that the potential Category 3 sponsor, the UAC, and the child's family, establish ongoing regular contact while the child is in ORR care, prior to a release recommendation.

Criminal History

If a potential sponsor has been charged with or convicted of any crime or investigated for the physical abuse, sexual abuse, neglect, or abandonment of a minor, he or she must provide related court records and police records, as well as governmental social service records or proof of rehabilitation related to the incident.

If a sponsor, household member, or adult caregiver provides any false information in the application of release and/or accompanying documents or submits fraudulent documents for the purposes of obtaining sponsorship of the child, ORR will report the incident to HHS/Office of the Inspector General (OIG) and to U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI). Fraudulent documents include documents on which the address, identity, or other relevant information is false or documents that have been manufactured or altered without lawful authorization. ORR will deny release if it is determined that fraudulent documents were submitted during the application of release process.

Revised 7/03/19

2.2.5 Legal Orientation Program for Custodians

All potential sponsors of children and youth under the care of ORR should attend a presentation provided by the Legal Orientation Program for Custodians (LOPC). The purpose of this program is to inform potential sponsors of their responsibilities in ensuring the child's appearance at all immigration proceedings, as well as protecting the child from mistreatment, exploitation, and trafficking, as provided under the Trafficking Victims Protection Reauthorization Act of 2008. The program also provides information about possible free legal counsel (pro bono legal services) for the youth or child during the immigration court process.

The Office of Legal Access Programs (OLAP), within the Executive Office for Immigration Review (EOIR) at the U.S. Department of Justice, manages the LOPC and contracts with legal service organizations around the country to provide LOPC services to potential sponsors in their local communities or in metropolitan areas served by the program. EOIR is the entity in the federal government that is also responsible for adjudicating immigration cases by fairly, expeditiously, and uniformly interpreting and administering the nation's immigration laws.

The unaccompanied alien child's **case manager** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case Manager](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case%20Manager)) is responsible for informing potential sponsors about all procedures related to the child's case--including attendance at an LOPC presentation. The Family Reunification Packet (FRP) that goes to each potential sponsor includes an *Authorization for Release of Information* that the sponsor must sign before the case manager may schedule an appointment for LOPC services. All potential sponsors should submit the *Authorization for Release of Information* immediately and prior to submitting the complete FRP to ensure timely scheduling of their LOPC session.

Upon receipt of the *Authorization*, the case manager schedules an appointment for a potential sponsor to attend a presentation with one of the LOPC providers around the country. Alternatively, the case manager contacts the **LOPC National Call Center at (888) 996-3848** and arranges for the Call Center to schedule an LOPC appointment for the potential sponsor or mail an LOPC Information Packet to the sponsor.

When evaluating family members and other potential sponsors, ORR considers whether they have attended an LOPC presentation. Attendance at an LOPC presentation is a factor in the release assessment.

Revised 12/4/17

2.2.6 Additional Questions and Answers about this Topic

Q: Will sponsors receive the Family Reunification Packet through the mail or electronically?

A: Case managers will work with sponsors to identify the best way to get the packets to them, whether electronically or by fax transmission or postage paid overnight mail.

Q: Do sponsors need assistance from an attorney or a paid representative to complete the packet?

A: No. The unaccompanied alien child's case manager will be able to help the potential sponsor complete the form and explain the process.

Q: Is it possible for an unaccompanied alien child's spouse to be a sponsor?

A: ORR considers release to an unaccompanied alien child's adult spouse on a case by case basis.

Q: Is it possible for family members in the United States to proactively contact ORR about children who may have entered the country unaccompanied?

A: Yes. Family members may call the ORR National Call Center, at (800) 203-7001.

Posted 1/27/15

2.3 Key Participants in the Release Process

ORR's sponsor assessment and release decision process requires coordination among care provider staff, nongovernmental third-party reviewers (Case Coordinators), ORR staff, other Federal agencies, stakeholders, and Child Advocates, where applicable.

Case Managers (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case Manager>) communicate with potential sponsors, gather necessary information and documentation, talk to any relevant stakeholders, and assess sponsors to formulate a recommendation to the Case Coordinator. **Case Coordinators** (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case Coordinators>) concurrently review all assessment information on an unaccompanied alien child and sponsor to also make a recommendation. Once Case Managers and Case Coordinators agree on a particular recommendation for release, the **ORR/FFS** (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal Field Specialist>) makes a final release decision. If the Case Manager and Case Coordinator cannot agree on a recommendation, the case is elevated to the ORR/FFS for further guidance.

Revised 6/18/19

2.3.1 ORR/Federal Field Specialists (ORR/FFS)

ORR/FFS are ORR's field staff located regionally throughout the country and are assigned to a group of care providers within a particular geographic region. They have the authority to approve all unaccompanied alien children transfer and release decisions; oversee care providers to ensure all services are properly provided and implemented; and serve as a local liaison to community stakeholders, including other Federal agencies, local legal service providers, communities, Child Advocates, etc. ORR/FFS also provide guidance, direction, and technical assistance to care providers.

ORR/FFS also make final decisions as to whether home studies are conducted and/or post-release services are provided.⁵ ORR/FFS coordinate all aspects of a child's case with care provider staff, Case Coordinators, stakeholders, and other Federal agencies.

Revised 6/18/19

2.3.2 Case Managers

Care provider Case Managers perform a variety of duties, including coordinating the completion of assessments of unaccompanied alien children, completing individual service plans, assessing potential sponsors, making transfer and release recommendations, and coordinating the release of a child or youth from ORR care and custody. (The care provider provides a range of services through other trained staff that are described in Section 3: Services.)

The role of the Case Manager within the release process is to initiate and maintain ongoing communication with the potential sponsor, gather sponsor information, and assess whether the potential sponsor is a suitable sponsor who can safely provide for the physical and mental well-being of the child or youth. When communicating with the potential sponsor, the Case Manager:

- Provides direct assistance on completing the sponsor application packet and ensuring provision of supporting documentation;
- Involves the sponsor in making a plan for individualized services for the unaccompanied alien child, as appropriate;
- Keeps the sponsor informed of the child's progress and current functioning;
- Provides the sponsor with detailed information about the child's needs in order to fully assess the sponsor's ability to provide care and services, including completing a sponsor care plan, when necessary;
- Discusses services that are available in the sponsor's community for the child; and
- Shares relevant information on the unaccompanied alien child in accordance with applicable privacy and information-sharing policies and in collaboration with the unaccompanied alien child and the child's clinician in a way that best serves the child's safety and well-being.

The Case Manager's role is also to ensure that information is gathered or shared with the appropriate staff and stakeholders during the sponsor assessment process. The Case Manager provides weekly status updates to the unaccompanied alien child's Case Coordinator and ORR/FFS on the progress in achieving a safe and timely release with family members as well as potential challenges that may delay a release. The Case Manager provides weekly status updates (monthly for children in LTFC) to the UAC on the child's case and provision of services, preferably in person. The Case Manager informs other stakeholders of the progress of a child's case, including notification that an unaccompanied alien child may not have a potential sponsor, and any final release decisions. Stakeholders may include local legal service providers and attorneys of record, other local service providers, Child Advocates, post-release and home study providers, and other Federal agencies. Case Managers, in collaboration with the ORR/FFS and Case Coordinator, will also work with law enforcement officials regarding an unaccompanied alien child's pending release if the minor has outstanding criminal charges or other issues.

Revised 6/7/18

2.3.3 Case Coordinators

Case Coordinators are non-governmental contractor field staff assigned to one or more care providers primarily to review unaccompanied alien children cases and provide transfer and release recommendations to ORR staff. The Case Coordinator is responsible for integrating all areas of assessment from the Case Manager, Child Advocates, where applicable, and other stakeholders into a release plan that will provide for the unaccompanied alien child's physical and mental well-being. After staffing and reviewing a case, Case Coordinators and Case Managers must agree on a release recommendation. If there is a disagreement or a particularly complex case, then the case will be elevated to the ORR/FFS for further guidance.

- Providing timely review and assessment of potential sponsors and unaccompanied alien children to make recommendations for release to ORR in conjunction with the Case Manager;
- Assisting ORR in ensuring that children are placed in the least restrictive setting while receiving all appropriate services;
- Meeting with individual unaccompanied alien children and care provider staff at designated ORR-funded care provider sites;
- Providing targeted child welfare-based assistance to care provider staff, as directed by ORR staff;
- Making recommendations for home study and post-release services for at-risk children;
- Making placement recommendations for children who require more specialized levels of care, such as long-term foster care and residential treatment centers;
- Participating in collaborative meetings with local stakeholders; and
- Participating in staffing of cases with care providers and designated ORR staff.

Revised 8/1/16

2.3.4 Child Advocates

ORR may appoint **Child Advocates** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Child Advocate](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Child%20Advocate)) for victims of trafficking and other vulnerable children. Child Advocates are third parties who make independent recommendations regarding the best interests of a child. Their recommendations are based on information that is obtained from the child and other sources (e.g., the child's parents, potential sponsors, government agencies, and other stakeholders). Child Advocates formally submit their recommendations to ORR and/or the immigration court in the form of Best Interest Determinations (BIDs). ORR considers BIDs when making decisions regarding the care, placement, and release of unaccompanied alien children, but it is not bound to follow BID recommendations.

As required by the TVPRA, ORR provides Child Advocates with access to information necessary to effectively advocate for the best interests of children with whom they are working. After providing proof of appointment, Child Advocates have access both to their clients and to their clients' records. Child Advocates may access their clients' entire original case files at care provider facilities, or request copies from care providers.⁶ Further, they may participate in case staffings.

Child Advocates and ORR maintain regular communication, informing each other of considerations or updates that impact service provision and release planning.

Child Advocates' duties include:

- **Client Visits:** The Child Advocate meets with the unaccompanied alien child regularly and speaks with the child's care provider staff in order to understand the child's background and current situation.
- **Decision Making:** The Child Advocate helps the unaccompanied alien child understand legal and care-related issues, explains the consequences of decisions made in response to those issues, and assists the child in making decisions when the child requests such help.
- **Best Interests Advocacy:** The Child Advocate develops a service plan containing best-interest recommendations with respect to the care, placement, and release options; and keeps the care provider, ORR, and the legal service provider or attorney of record apprised of the plan and advocacy efforts.
- **Case updates:** The Child Advocate collaborates and regularly communicates with the care provider, ORR, and other stakeholders in the planning and performance of advocacy efforts. For children who have been released from ORR care, Child Advocates provide timely updates as appropriate or as requested by ORR.

In most cases, ORR appoints Child Advocates while children are in its custody. However, in its discretion, ORR may appoint Child Advocates for unaccompanied alien children after their release from ORR care.

Posted 8/1/16

2.4 Sponsor Assessment Criteria and Home Studies

As noted in the **Section 2.2 Application for Safe and Timely Release of an Unaccompanied Alien Child from ORR Care**, the application process for release of an unaccompanied alien child involves a number of steps, including background checks (see **Section 2.5 ORR Policies on Requesting Background Checks**) and submission of the application by the sponsor. This section describes the criteria ORR uses to assess each potential sponsor's ability to provide for the physical and mental well-being of the unaccompanied alien child, and the role of home studies in the process.

The sponsor assessment reviews a sponsor's strengths, resources, risk factors and special concerns within the context of the unaccompanied alien child's needs, strengths, risk factors, and relationship to the sponsor. ORR also determines whether to conduct a home study, as required by the law or as necessary to ensure the welfare of the child

Revised 3/15/16

2.4.1 Assessment Criteria

ORR considers the following factors when evaluating family members and other potential sponsors:

- The nature and extent of the sponsor's previous and current relationship with the child or youth and the unaccompanied alien child's family, if a relationship exists.
- The sponsor's motivation for wanting to sponsor the child or youth.
- The unaccompanied alien child's parent or legal guardian's perspective on the release to the identified potential sponsor (for cases in which the parent or legal guardian has designated a sponsor).
- The child or youth's views on the release and whether he or she wants to be released to the individual.
- The sponsor's understanding of the unaccompanied alien child's needs, as identified by ORR and the care provider.
- The sponsor's plan to provide adequate care, supervision, access to community resources, and housing.
- The sponsor's understanding of the importance of ensuring the unaccompanied alien child's presence at all future hearings or proceedings, including immigration court proceedings, and the sponsor's attendance at a Legal Orientation Program for Custodians (LOPC) presentation. See section 2.2.5.
- The linguistic and cultural background of the child or youth and the sponsor, including cultural, social, and communal norms and practices for the care of children.
- The sponsor's strengths, resources, and mitigating factors in relation to any risks or special concerns of the child or sponsor, such as a criminal background, history of substance abuse, mental health issues, or domestic violence and child welfare concerns.
- The unaccompanied alien child's current functioning and strengths in relation to any risk factors or special concerns, such as children or youth who are victims of human trafficking; are a parent or are pregnant; have special needs, disabilities or medical or mental health issues; have a history of criminal, juvenile justice, or gang involvement; or a history of behavioral issues.

Revised 12/4/17

2.4.2 Home Study Requirement

The care provider screens each case to determine whether to conduct a home study of the potential sponsor as required under the **Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA)** (<http://www.gpo.gov/fdsys/pkg/BILLS-110hr7311enr/pdf/BILLS-110hr7311enr.pdf>). Information about the child is collected during initial placement into an ORR facility and throughout his or her stay. The care provider then uses the information collected about and from the child in conjunction with the sponsor assessment process to determine whether to conduct a **home study** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Home Study](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Home%20Study)). The TVPRA requires home studies under the following circumstances:

1. The child is a victim of a severe form of trafficking in persons;
2. The child is a special needs child with a disability as defined by section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);
3. The child has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened; or
4. The child's sponsor clearly presents a risk of abuse, maltreatment, exploitation or trafficking, to the child based on all available objective evidence.

ORR also requires a home study before releasing any child to a non-relative sponsor who is seeking to sponsor multiple children, or who has previously sponsored or sought to sponsor a child and is seeking to sponsor additional children. ORR requires a home study for children who are 12 years and under before releasing to a non-relative sponsor.

In circumstances in which a home study is not required by the TVPRA or ORR policy, the Case Manager and Case Coordinator may recommend that a home study be conducted if they agree that the home study is likely to provide additional information required to determine that the sponsor is able to care for the health, safety and well-being of the child. See **Footnote 5**.

The care provider must inform the potential sponsor whenever a home study is conducted, explaining the scope and purpose of the study and answering the potential sponsor's questions about the process. In addition, the home study report will be provided to the potential sponsor if the release request is denied. See also Section 2.7.7.

Home Study Report and Final Recommendation

A home study consists of interviews, a home visit, and a written report containing the home study case worker's findings. A home study assesses the potential sponsor's ability to meet the child's needs, educates and prepares the sponsor for the child's release, and builds on the sponsor assessment conducted by the care provider staff to verify or corroborate information gathered during that process. The home study is conducted as a collaborative psycho-educational process in which the home study case worker identifies areas where additional support, resources, or information are needed to ensure a successful sponsorship, and provides corresponding psycho-educational assistance. The final recommendation must present a comprehensive and detailed assessment of the sponsor's ability to care for the needs of the child and address any additional information that emerges during the course of the home study regarding the sponsor, the sponsor's household or the child.

The home study provider must contact the care provider within 24 hours of home study referral acceptance, and must also contact the sponsor to schedule the home visit within 48 hours of referral acceptance. The home study provider makes a recommendation to ORR about release with the sponsor. The ORR Federal Field Specialist takes the home study provider's recommendation into consideration when making a release decision. ORR has final authority on release decisions.

The home study provider submits the written report within 10 business days of receipt of the referral. Any requests by the home study provider to extend beyond 10 business days or to cancel a home study must be submitted in writing to the ORR Federal Field Specialist for consideration.

All releases following home studies require post-release services.

Must a child receive a Trafficking Eligibility or Interim Assistance Letter from HHS prior to being referred for a TVPRA-mandated home study under #1 above?

No, a child does not need to receive a Trafficking Eligibility Letter from HHS prior to being referred for a home study. A care provider may refer a child for a home study under #1 above if, during the assessment for trafficking, the care provider determines the child is a victim of a severe form of trafficking in persons.

In determining whether a TVPRA-mandated home study is required under #3 above, care providers consider the following questions:

What is physical abuse?

Physical abuse is an act that results in physical injury, such as red marks, cuts, welts, bruises, broken bones, missing or broken teeth or muscle strains. Acts of physical abuse include but are not limited to punching, beating, kicking, biting, hitting (with a hand, stick, strap or other object), burning, strangling, whipping, or the unnecessary use of physical restraint.

Is physical abuse intentional?

Generally, physical abuse is intentional; however, physical abuse can occur when physical punishment goes too far. In other words, an accidental injury of a child may be considered physical abuse if the act that injured the child was done intentionally as a form of punishment.

Must a child have physical injuries to meet the standard for physical abuse under #3?

No, in some cases, a child may not have physical injuries at the time the care provider makes an assessment. Children may be in various stages of the healing process or thoroughly healed from the physical abuse by the time they arrive in ORR care.

For the purposes of #3, who can physically or sexually abuse a child?

A parent, legal guardian, caregiver or other adult with a special relationship to the child can physically or sexually abuse a child.

Who is considered to be a caregiver or adult with a special relationship?

A caregiver is defined as any person who is entrusted with the child's care and who lives with the child. Other adults with a special relationship to the child could include a teacher, priest, or health care provider.

What is sexual abuse?

Sexual abuse of a child by a parent, legal guardian, caregiver or other adult with a special relationship to the child includes any of the following acts, with or without the consent of the child or youth:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- Contact between the mouth and any body part where the adult has the intent to abuse, arouse, or gratify sexual desire;
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument where the adult has the intent to abuse, arouse, or gratify sexual desire;
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks where the intent is to abuse, arouse, or gratify sexual desire;
- Any attempt, threat, or request by the adult to engage in the activities described above;
- Any display by the adult of his or her uncovered genitalia, buttocks, or breast in the presence of the child; and
- Voyeurism.

State laws on statutory rape are not the standard in assessing whether a youth has been sexually abused for the purposes of #3. Care providers use the definition from the ORR rule concerning sexual abuse and harassment; however, for the purposes of determining when a home study is required, the perpetrator is limited to a parent, legal guardian, caregiver or other adult with a special relationship to the child.

Under what circumstances is a child's health or welfare considered to have been significantly harmed or threatened?

Care providers assess the totality of the circumstances in determining whether a child's health or welfare has been significantly harmed or threatened. In evaluating a specific case, care providers take into consideration not only the definitions of physical and sexual abuse listed

above, but also the circumstances surrounding the incident and any behaviors that the child or youth exhibits as a result of the abuse. Circumstances to consider include but are not limited to: the amount of time that has passed since the abuse, the period of time in which the abuse occurred, the cultural context in which the abuse occurred, the age of the child or youth at the time of the abuse, and the relationship between the youth and the perpetrator.

Care providers take into consideration the situations and behaviors listed below, but do not make a determination based solely on the presence or absence of one of them.

- The child experiences on-going medical issues from physical injuries.
- The child exhibits negative or harmful behaviors, thoughts or emotions, such as, but not limited to, excessive hostility or aggression towards others, fire setting, cutting, depression, eating disorders suicidal ideation or substance abuse.

In evaluating difficult cases, the care provider should consult with their ORR/FFS.

Revised 1/9/17

2.4.3 Additional Questions and Answers on This Topic

Q: What happens if a new sponsor is identified during the sponsor assessment process?

A: If there are multiple potential sponsors, the ORR-funded care provider will exhaust all efforts to facilitate a release to a parent or legal guardian while also contacting and evaluating other potential sponsors concurrently. ORR has release order preferences and will evaluate sponsors concurrently in accordance with the preference orders to determine the best placement for the child.

Posted 1/27/15

2.5 Sponsorship Assessment Background Check Investigations

One of ORR's priorities is ensuring the safe release of unaccompanied alien children to an appropriate sponsor. Consistent with ORR's mission and in compliance with requirements found at 8 U.S.C. 1232(c)(3)(A) to perform an independent finding that a potential sponsor has not engaged in any activity that would indicate a potential risk to the child, ORR requires a background check of all potential sponsors and their adult household members.

To begin the background check process, the potential sponsor and adult household members must first complete the Authorization for Release of Information form (if applicable), submit fingerprints (if required) and provide a copy of a valid government issued photo identification. Adult caregivers identified in a sponsor care plan also require background checks, as outlined in the chart at section 2.5.1. The type of background checks performed on a sponsor and adult household members is dependent in part on the sponsor's relationship, if any, with the child. See section 2.2.1 Identification of Qualified Sponsors for a description of sponsor categories.

All potential sponsors and adult household members undergo a public records background check of criminal history and sex offender registry databases. Sponsors in Categories 2B and 3, as well as some Category 1 and 2A sponsors, adult household members, and adult caregivers identified in a sponsor care plan require fingerprint background checks that are processed through Federal partners.

ORR transmits fingerprint submissions (if required) to the U.S. Department of Justice's (DOJ) Federal Bureau of Investigation (FBI) to perform criminal history checks.⁷ After completing these checks, the FBI submits the results to the Department of Health and Human Services/Program Support Center (HHS/PSC). HHS/PSC interprets the results and notifies ORR that the biometric and biographic checks conducted by DOJ are complete. HHS/PSC also provides copies of the results to ORR.

In some cases, ORR requires sponsors, adult household members, and adult caregivers to undergo a background check search of state child abuse and neglect (CA/N) registries maintained by individual states. In these cases, HHS/PSC works with the relevant state agency or directs the subject of the check to request results from the relevant state agency in compliance with state law and regulation.

Revised 6/18/19

2.5.1 Background Check Requirements

The following table lists the types of background checks performed, and explains when they are performed, based on the potential sponsor's relationship to the unaccompanied alien child and other release considerations. The table only indicates the minimum requirements for the background check process for sponsors and others. ORR may require additional checks, verifications, or procedures for sponsors and others in any category if there are any unresolved issues or questions related to the well-being of the child.

Type of Background Check	Purpose	Persons Checked	When Performed
Public Records Check	Identifies arrests or convictions of sponsors, adult household members, or others. If a check reveals a criminal record or safety issue, it is used to	Potential Sponsors in Categories 1-3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	In all cases

	evaluate the sponsor's ability to provide for a child's physical and mental well-being.		
Sex Offender Registry Check, conducted through the U.S. Department of Justice National Sex Offender Public Website	Identifies sponsors and others that have been adjudicated as sex offenders through a national search and, if available, a local public registry search.	Potential Sponsors in Categories 1-3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	In all cases
FBI National Criminal History Check, based on digital fingerprints or digitized paper prints	Determines whether a sponsor or adult household member (as applicable) has a criminal history, has a profile in DHS IDENT, has been convicted of a sex crime, or has been convicted of other crimes that compromise the sponsor's ability to care for a child.	Potential Sponsors in Category 1 and Category 2A. Potential Sponsors in Categories 2B and 3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	Where a public records check reveals possible disqualifying factors under 2.7.4; or where there is a documented risk to the safety of the unaccompanied alien child, the child is especially vulnerable, and/or the case is being referred for a home study In all cases. Where a public records check reveals possible disqualifying factors under 2.7.4; or where there is a documented risk to the safety of the unaccompanied alien child, the child is especially vulnerable, and/or the case is being referred for a home study
Child Abuse and Neglect (CA/N) Check, obtained on a state by state basis as no national CA/N check repository exists	Checks all localities in which the sponsor or household member has resided in the past 5 years.	Potential Sponsors in Categories 1-3 Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	In cases that require a home study, and cases where a special concern is identified. In any case where a sponsor is required to undergo a CA/N check.
State Criminal History Repository Check and/or Local Police Check	Assists in locating police or arrest records, or other criminal offense details, as needed.	Potential Sponsors in Categories 1-3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	Used on a case-by-case basis when there is an unresolved criminal arrest or issue that is still in process.

Revised 6/18/19

2.5.2 Results of Background Checks on Release Decisions

ORR uses the results from background checks to determine whether release to a potential sponsor is safe. A potential sponsor may be denied based on the results of a background check, and a release decision may remain undecided until ORR obtains the results of a potential sponsor's criminal history or child abuse and neglect reports.

The biometric and biographical information, including fingerprints, are shared with FBI to investigate criminal history through the National Criminal Information Center and may be used consistent with their authorities. Biometric and biographical information may be shared with federal, state or local law enforcement or state child welfare agencies, as necessary, to conduct criminal history searches or search for adverse child welfare findings.

Criminal History and Adverse Child Welfare Finding Results

In the event that a background check of a potential sponsor or, if applicable, adult household member, reveals criminal history or a safety risk, the care provider and ORR evaluate this information and request the potential sponsor to provide any additional information that may demonstrate the potential sponsor's ability to provide for the child's physical and mental well-being.

If release is not barred by **Section 2.7.4**, the decision to release a child or youth to a sponsor in these circumstances is based on all the following considerations:

- The severity of the criminal and/or child abuse/neglect history;
- The length of time that has passed since the criminal act or child abuse/neglect allegation occurred;
- The relationship of the potential sponsor and other adult household members to the child or youth; and

- The evidence, if any, of rehabilitation since the criminal act or child abuse/neglect allegation occurred.

In cases where the proposed sponsor or an adult household member has been charged with, but not convicted of, a crime, ORR may postpone a final release decision until the legal issue is resolved.

In cases where ORR has released a child and later obtains derogatory information on a sponsor or sponsor household member, ORR determines whether the information if known prior to release would have led to a denial of sponsorship or presents some other high risk child welfare concern. In these instances ORR contacts state CPS and/or local law enforcement (as necessary) with jurisdiction over the sponsor's home and provides them with ORR's findings. ORR may contact the sponsor in certain situations to inform them of child welfare concerns post release in these instances, especially where it concerns an individual in the sponsor's home.

Summary Table of Results of Background Checks and Next Steps

The following table shows procedures following the results of background checks.

BACKGROUND CHECK RESULTS	NEXT STEPS
No arrest record; check completed	Proceed with release decision-making process. See Section 2.7 Recommendations and Decisions on Release.
Criminal arrest record and/or substantiated adverse child welfare findings; check completed	Determine whether release is barred. See Section 2.7.4 Deny Release Request. If release is not barred, elevate safety issues for third party review. For any findings that could affect safe release, care provider and/or ORR will obtain additional documents to determine current situation (e.g., sponsor is on probation, criminal charges are resolved, etc.). Final release decision shall take into account the criminal records and all other relevant information that is available.
Criminal history pending results; check not complete	ORR/FFS will provide instructions to care provider
CA/N pending results	ORR may choose to release a child pending CA/N results if there are no significant child welfare concerns associated with the sponsor or an adult in the sponsor's home, with the UAC or other children.

Revised 6/18/19

2.5.3 Commonly Asked Questions on the ORR Background Check Process

Q1: Where can a sponsor get his or her fingerprints taken?

A1: ORR funds a network of digital fingerprint providers at locations that are not affiliated with law enforcement entities. Sponsors may also go to any local police department for paper fingerprinting services in the event a digital fingerprint provider is not conveniently located near a sponsor's location. Fingerprinting services are not available at ORR headquarters or at HHS/PSC offices.

Q2: Are potential sponsors required to disclose to the care provider that they have a record of a criminal charge or child abuse?

A2: Yes. The sponsor must immediately advise the care provider of this situation and gather detailed documentation of the charges, dispositions, police reports, and evidence of rehabilitation.

Q3: What happens if a public records or sex offender registry check returns disqualifying findings for a sponsor, adult household member, or adult caregiver identified in the sponsor care plan?

A3: The Case Manager informs the sponsor, and provides the sponsor with a copy of the results. The sponsor and household member/adult caregiver may dispute the results, and provide further evidence or information that a check was not performed correctly (e.g., the wrong date of birth was used, the individual's name was spelled incorrectly, etc.). The Case Manager reruns the check using the corrected information. If further information is required, such as additional background checks, the Case Manager contacts the sponsor and household member/adult caregiver to obtain the information, or make other arrangements so that the safety risk to the unaccompanied alien child is mitigated (e.g., taking steps so that the household member no longer resides in the sponsor's home, identifying a new adult caregiver, etc.).

Q4: What happens if an adult household member refuses to cooperate with a background check?

A4: ORR may deny release when an adult household member refuses to cooperate with a background check. In such cases, ORR considers the totality of the circumstances, including the adult household member's refusal and all other relevant and available information to determine whether the release process may continue. ORR determines the best interests of a child and does not release any child to a sponsor until ORR has determined that it is safe to do so.

Q5: Do background checks expire?

A5: Yes. The FBI National Criminal History Check, Child Abuse and Neglect (CA/N) Check, and State Criminal History Repository Check and/or Local Police Check all expire 270 days from the day results are received. The Public Records Check and Sex Offender Registry Check expire 90 days from the day ORR receives results. ORR requires new background checks if the previous results have expired prior to ORR approving the child's release; this includes obtaining a new set of fingerprints (re-fingerprinting) when applicable.

Q6: Does ORR share the results of the FBI fingerprint checks with other parties?

A6: ORR does not release the results of the FBI fingerprints to outside organizations or individuals, or to ORR care providers. The FBI searches DHS databases that may contain overlapping records. The FBI system automatically initiates a notification to the DHS system if a particular record has been searched.

Q7: Can DHS use information gathered from the ORR background check process to enforce immigration policies against potential sponsors or others?

A7: Until September 30, 2019, DHS is restricted from using a background check subject's information for immigration enforcement actions such as placing

a subject in detention, removal, referring the individual for a decision on removal, or starting removal proceedings. Generally stated, they include: certain felonies; an association with a business that employs minors and does not pay a legal wage or prevents the minor from going to school; or an association with prostitution. The felonies include: (A) an aggravated felony as defined in 8 U.S.C. 1101(a)(43)); (B) child abuse; (C) sexual violence or abuse; or (D) child pornography. An aggravated felony, is defined at 8 U.S.C. § 1101(a)(43), and includes a listing of 21 different kinds of crimes.

If the subject of a background check is concerned about having been charged or convicted of a crime, Case Managers make a request that the subject talk to an attorney about whether their criminal history would fit the definition.

Revised 6/18/19

2.6 Sponsor Immigration Status and Release of Unaccompanied Alien Children

ORR uses immigration status information to determine whether a sponsor care plan is necessary in the event the sponsor is required to leave the United States. ORR does not disqualify potential sponsors based solely on their immigration status or for law enforcement purposes.

If the sponsor has an outstanding order of removal, or a pending order of removal that is related to an underlying criminal act, the decision to release a child or youth to a sponsor in these circumstances is based on the considerations described in Section 2.5.2. ORR bars release to any unrelated individual who has an outstanding order of removal.

How does ORR obtain information about immigration status?

During the sponsor assessment process, case managers ask sponsors about their immigration status and ask them to provide documentation sufficient to prove their immigration status (see Section 2.2.4 Required Documents for Submission with the Application for Release).

What is in a sponsor care plan?

A sponsor care plan identifies the individual that will assume care of an unaccompanied alien child if the sponsor becomes unable to care for the child (see Section 2.7.6 Issues Related to Recommendations and Decisions).

Revised 6/18/19

2.7 Recommendations and Decisions on Release

ORR care providers must make a recommendation to release a child to a potential sponsor after the care provider has evaluated the sponsor, completed the background checks, and collected necessary documentation to prove the sponsor's identity and relationship to the child or youth. The recommendation must take into consideration all relevant information, including the report and recommendations from a home study, if conducted; laws governing the process; and other factors in the case. The ORR care provider makes a recommendation for release if the care provider concludes that the release is safe and the sponsor can care for the physical and mental well-being of the child.

- The care provider **Case Manager** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case Manager](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case%20Manager)) and the **Case Coordinator** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case Coordinators](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#Case%20Coordinators)) must make a recommendation to the **ORR/FFS** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal Field Specialist](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal%20Field%20Specialist)) on the release of the unaccompanied alien child to a particular sponsor. If the Case Manager and Case Coordinator cannot agree on a particular recommendation, or if the case is particularly complicated, they may refer the case directly to an ORR/FFS for guidance on how to proceed.
- After receiving the recommendation, the **ORR/FFS** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal Field Specialist](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Federal%20Field%20Specialist)) or other **ORR/Headquarters staff** ([https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Headquarters Staff](https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-guide-to-terms#ORR/Headquarters%20Staff)) reviews the recommendation.
- The ORR/FFS makes a release decision in consideration of the recommendations from the care provider, the Case Coordinator, and other stakeholders, including the home study provider and the Child Advocate, where applicable.

Only ORR (or ACF) has the authority to make the final decision on a release. The Case Manager, Case Coordinator, and other stakeholders have an important role in making recommendations. In some cases, the ORR/FFS may send a case back to the Case Coordinator and Case Manager to obtain additional information before he/she makes a release decision.

The ORR/FFS makes one of the following release decisions:

- Approve release to sponsor
- Approve release with post-release services
- Conduct a home study before a final release decision
- Deny release
- Remand for further information

Revised 06/29/18

2.7.1 Approve Release Decisions

A recommendation for a release without a home study or post-release services is made after a thorough assessment of the sponsor, the sponsor's family unit, and the needs of the child or youth are taken into consideration. The ORR/FFS makes this release decision when he/she determines that the release is a safe release, the sponsor can care for the health and well-being of the child, and the sponsor understands that the child is to appear for all immigration proceedings.

Posted 1/27/15

2.7.2 Approve Release with Post-Release Services

The ORR/FFS may approve a release with post-release services when the release is determined to be safe and appropriate, but the unaccompanied alien child and sponsor need additional assistance to connect them to appropriate resources in the community or to address other concerns, such as mental health or other needs that could benefit from ongoing assistance from a social welfare agency. The sponsor must consent before services may be provided and may withdraw his or her consent at any time after services have begun, since post-release services are a voluntary service. See **Section 6.2 Post Release Services** (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-6#6.2>).

Revised 4/15/19

2.7.3 Conduct a Home Study Before a Final Release Decision Can Be Made

The Case Manager and Case Coordinator will recommend to the ORR/FFS that a home study be conducted prior to making a release recommendation. If the ORR/FFS agrees, he/she will approve that a home study be conducted before a final release decision can be made. The home study provider uses a standardized template to complete the review; however, the provider may include any additional supporting documentation regarding the sponsor or the child or youth, as applicable.

Once the Case Manager and Case Coordinator receive the home study results, they will review the case in light of the home study and make a release recommendation to the ORR/FFS. (See **Section 2.4.2 Home Study Requirements**. (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-2#2.4.2>))

Posted 1/27/15

2.7.4 Deny Release Request

ORR will deny release to a potential sponsor if any one of the following conditions exists:

- The potential sponsor is not willing or able to provide for the child's physical or mental well-being;
- The physical environment of the home presents risks to the child's safety and well-being;
- Release of the unaccompanied alien child would present a risk to him or herself, the sponsor, household, or the community; or,

ORR may deny release to a Category 1 potential sponsor, and will deny release to a Category 2A/2B or Category 3 potential sponsor, if any one of the following conditions exists:⁹

- The potential sponsor or a member of the potential sponsor's household:
 - Has been convicted of (including plea of no contest to) a felony involving child abuse or neglect, spousal abuse; a crime against a child or children (including child pornography); or a crime involving violence, including rape, sexual assault or homicide;
 - Has been convicted within the last five years of a felony involving physical assault, battery, or drug-related offenses;
 - Has been convicted of a misdemeanor for a sex crime, an offense involving a child victim, or a drug offense that compromises the sponsor's ability to ensure the safety and well-being of the child;
 - Has been convicted of alien smuggling or a crime related to trafficking in persons; or
 - Has other criminal history or pending criminal charges or child welfare adverse findings from which one could reasonably infer that the sponsor's ability to ensure the safety and well-being of the child is compromised;

or

- A potential sponsor or a member of the potential sponsor's household has one of the following substantiated adverse child welfare findings:¹¹
 - Severe or chronic abuse or neglect;
 - Sexual Abuse or other sexual offenses;
 - Abuse or neglect of other children in the household;
 - Long-term mental illness or deficiency;
 - Long-term alcohol or drug induced incapacity; or
 - Involuntary termination of the parental rights to another child.

Revised 6/18/19

2.7.5 Remand Release Request – Decision Pending

The ORR/FFS may remand the release request, which means that the ORR/FFS is sending the recommendation back to the Case Manager for additional information or additional actions before a final release decision can be made. ORR records the date of the remand and the decision will be pending further review until the documentation is provided or actions are taken.

Posted 1/27/15

2.7.6 Issues Related to Recommendations and Decisions

Safety Plan

Case managers, in consultation with Case Coordinators, prepare a safety plan, as needed, to address any outstanding needs the child may have after he/she is released and to ensure the child's safe and successful integration into the sponsor family unit and community. The goal of the safety plan is to ensure the child's safety. The safety plan also has guidance for sponsors on participating in post-release services and on other areas of care critical to the child's adjustment in the family and the community, such as maintaining mental health services for the unaccompanied alien child, accessing any needed special education, helping the child avoid drugs and alcohol, and using appropriate parenting techniques.

Sponsor Care Plan

A sponsor care plan identifies an adult caregiver who will assume care of an unaccompanied alien child if the sponsor becomes unable to care for the child. ORR requires a sponsor care plan for sponsors who may leave the United States, including all sponsors who are not U.S. citizens or lawful permanent residents (green card holders). The goal is to ensure an unaccompanied alien child has a caregiver, despite any complications resulting from the sponsor's immigration situation.

The plan:

- Identifies an adult caregiver, and their relationship to the UAC and sponsor, if any;
- Includes copies of the adult caregiver's vetting information (background check results, identifying documentation, etc.);
- Includes the adult caregiver's contact information;
- Discusses how the adult caregiver is notified that a transfer of care is required, if required;
- Provides that the adult caregiver will abide by the terms of the *Sponsor Care Agreement*;
- Includes the date the UAC's Case Manager discusses the plan with the child's sponsor and the adult caregiver identified in the plan; and,
- Includes additional information and materials (e.g., a Safety Plan), as appropriate or when required by ORR.

A copy of the sponsor care plan is maintained in the UAC's case file, provided to the sponsor, and to the adult caregiver identified in the plan.

Revised 6/7/18

2.7.7 Notification of Denial

If the ORR Director denies the reunification application of an unaccompanied alien child's parent or legal guardian, the ORR Director notifies the parent/legal guardian by sending a denial letter to the parent/legal guardian within 30 business days of receiving all the required information and documentation in a specific case. If the sole reason for denial of release is concern that the unaccompanied alien child is a danger to himself/herself or the community, the ORR Director sends a copy of the denial letter to the child.

The denial letter includes:

- An explanation of the reason(s) for the denial;
- Instructions on how to obtain the child's case file;
- The supporting materials and information that formed the basis for ORR's decision; and
- An explanation of the process for requesting an appeal of the denial (see Section 2.7.8 (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-2#2.7.8>)). The explanation also informs the prospective sponsor that he or she may submit additional information to support an appeal request.

If ORR denies sponsorship to a potential sponsor who is not the parent or legal guardian of the child, the care provider notifies the potential sponsor, providing the reasons for the denial verbally. If the sole reason for denial of release is concern that the unaccompanied alien child is a danger to himself/herself or the community, the Director notifies the child in writing of the reason for denial as described above.

Revised 5/2/17

2.7.8 Appeal of Release Denial

The parent/legal guardian may seek an appeal of the ORR Director's denial decision by submitting a written request to the Assistant Secretary for Children and Families within 30 business days of receipt of the final decision from the ORR Director. The appeal request must state the basis for seeking the appeal, and may include any additional information that the requester believes is relevant to consideration of the request. The request may seek an appeal without a hearing or may seek a hearing.

Without a Hearing: If the requester seeks an appeal without a hearing, the Assistant Secretary will consider only the denial letter and the information referenced therein, as well as the appeal request and any additional supporting materials or information submitted by the requester. The Assistant Secretary will notify the requester of a decision within 30 business days of receiving the request. If more information is needed to make a decision, or for good cause, the Assistant Secretary may stay the request until he or she has the information needed. In these cases, the Assistant Secretary will send a written explanation to the parent/legal guardian, communicating a reasonable process and timeframe for addressing the situation and making a determination.

With a Hearing: If the requester seeks a hearing, the Assistant Secretary will schedule a teleconference or video conference, per the requester's preference, at which time the requester (or the requester's representative) may explain the reasons why he or she believes the denial was erroneous. The Assistant Secretary will consider the testimony and evidence presented at the hearing, in addition to the original denial letter and information referenced therein, to make a determination. The Assistant Secretary will notify the requester of the decision in writing within 30 business days following the hearing.

The Assistant Secretary makes a determination based on the relevant law, regulations, and policies concerning release decisions (see Section 2.7.4 (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-2#2.7.4>) for the basis of a release denial). Any evidence submitted to the Assistant Secretary by ORR is shared with the requester in compliance with privacy protections. The Assistant Secretary conducts a de novo review and may affirm or overturn the ORR Director's decision, or send the case back to ORR for further action. Appeals are recorded, and the requester may request a copy of the recording. The Assistant Secretary's decision to affirm or overrule the ORR Director's decision to deny release to a parent/legal guardian is the final administrative decision of the agency on the application that had been under consideration. However, if there is new information or a change in circumstances regarding the reunification application of a parent/legal guardian, or regarding the unaccompanied alien child's circumstances, a new reunification application may be submitted that highlights the change(s) and explains why such changes should alter the initial decision. Similarly, if ORR discovers new information or becomes aware of a change in the circumstances of the parent/legal guardian and/or the unaccompanied alien child, ORR may assess the case anew.

Denial for sole reason that the unaccompanied alien child is a danger to himself/herself or the community

If the sole reason for denial of release is concern that the unaccompanied alien child is a danger to himself/herself or the community, the unaccompanied alien child may seek an appeal of the denial as described above, provided the parent/legal guardian is not seeking an appeal. If the child expresses a desire to seek an appeal, ORR appoints a child advocate to assist the unaccompanied alien child in seeking the appeal. The unaccompanied alien child may seek such appeal at any time after denial of release while the child is in ORR custody.

Revised 5/2/17

2.8 Release from Office of Refugee Resettlement (ORR) Custody

Release from the ORR custody is a three-step process:

- After care planning, which occurs during the entire safe and timely release process.
- Transfer of physical custody of the child, which occurs as soon as possible once an unaccompanied alien child is approved for release.
- Closing the case file, which occurs within 24 hours of the unaccompanied alien child's discharge.

Posted 1/27/15

2.8.1 After Care Planning

Throughout the release process, care providers work with the child and sponsor so that they can plan for the child's after care needs. This involves working with the sponsor and the unaccompanied alien child to:

- Prepare them for post-ORR custody
- Assess the sponsor's ability to access community resources
- Provide guidance regarding safety planning, sponsor care plans, and accessing services for the child

Once the sponsor assessment is complete and a sponsor has been approved, the sponsor enters into an agreement with the Federal government in which he or she agrees to comply with the following provisions (see **Sponsor Care Agreement**)

(<https://www.acf.hhs.gov/programs/orr/resource/unaccompanied-childrens-services#Family Reunification Packet for Sponsors>):

- Provide for the physical and mental well-being of the child, including but not limited to, food, shelter, clothing, education, medical care and other services as needed.
- For those who are not the child's parent or legal guardian, make best efforts to establish legal guardianship with the local court within a reasonable time.
- Attend a legal orientation program provided under the Department of Justice/Executive Office for Immigration Review's (EOIR) Legal Orientation Program for Custodians (Sponsors), if available where he or she resides.
- Depending on where the unaccompanied alien child's immigration case is pending, notify the local Immigration Court or the Board of Immigration Appeals within 5 days of any change of address or phone number of the child (Form EOIR-33). (If applicable, file a Change of Venue motion on the child's behalf.¹⁰ A "change of venue" is a legal term for moving an immigration hearing to a new location.)

- Notify the DHS/U.S. Citizenship and Immigration Services within 10 days of any change of address by filing an Alien's Change of Address Card (AR-11) or electronically at <http://www.uscis.gov/> (<http://www.uscis.gov/ar-11>) (<http://www.uscis.gov/ar-11>) Visit (<https://www.acf.hhs.gov/disclaimers>) disclaimer page (<https://www.acf.hhs.gov/disclaimers>).
- Ensure the unaccompanied alien child's presence at all future proceedings before the DHS/Immigration and Customs Enforcement (ICE) and the DOJ/EOIR.
- Ensure the unaccompanied alien child reports to ICE for removal from the United States if an immigration judge issues a removal order or voluntary departure order.
- Notify local law enforcement or state or local Child Protective Services if the child has been or is at risk of being subjected to abuse, abandonment, neglect or maltreatment or if the sponsor learns that the child has been threatened, has been sexually or physically abused or assaulted, or has disappeared. (Notice should be given as soon as it is practicable or no later than 24 hours after the event or after becoming aware of the risk or threat.)
- Notify the National Center for Missing and Exploited Children at 1-800-843-5678 if the unaccompanied alien child disappears, has been kidnapped, or runs away. (Notice should be given as soon as it becomes practicable or no later than 24 hours after learning of the child's disappearance.)
- Notify ICE at 1-866-347-2423 if the unaccompanied alien child is contacted in any way by an individual(s) believed to represent an alien smuggling syndicate, organized crime, or a human trafficking organization. (Notice should be provided as soon as possible or no later than 24 hours after becoming aware of the information.)
- In case of an emergency, such as serious illness, destruction of home, etc., temporarily transfer physical custody of the child to another person who will comply with the terms of the *Sponsor Care Agreement*.
- In the event that a sponsor who is not the child's parent or legal guardian is no longer able and willing to care for the unaccompanied alien child and is unable to temporarily transfer physical custody, notify ORR using the ORR National Call Center, at 1-800-203-7001.

The agreement includes the notice that the release of the unaccompanied alien child to the sponsor's care does not grant the child any legal immigration status and that the child must present himself or herself for immigration court proceedings.

The care provider also provides the sponsor with a Sponsor Handbook that outlines the responsibilities in caring for the unaccompanied alien child's needs for education, health, obtaining legal guardianship, finding support to address traumatic stress, keeping children safe from child abuse and neglect and from trafficking and exploitation. The handbook reiterates the importance of continuing with immigration proceedings and includes links to EOIR's website and forms. The handbook discusses laws related to employment, such as the Federal law prohibiting minors under the age of 18 from working in hazardous occupations.

After care planning includes the care provider explaining the following to the unaccompanied alien child and the sponsor:

- The U.S. child abuse and neglect standards and child protective services that are explained on the Administration for Children and Families **Child Welfare Information Gateway** (<https://www.childwelfare.gov/>) website.
- Human trafficking indicators and resources
- Basic safety and how to use the 9-1-1 number in emergency situations.

The care provider notifies all stakeholders of the child's discharge date and change of address and venue, as applicable. Where applicable, ORR also provides Child Advocates with access to their clients' documents and forms, and helps child advocates to remain informed about their clients' after-care plans and legal proceedings. The care provider coordinates with the legal service provider or attorney of record to help complete the necessary legal forms. Stakeholders notified of the change of address and, if applicable, request for change of venue for the immigration case include the U.S. Immigration and Customs Enforcement (ICE) Office of Chief Counsel and the U.S. Executive Office for Immigration Review (EOIR) Immigration Court Administrator.

Revised 6/7/18

2.8.2 Transfer of Physical Custody

Once ORR approves an unaccompanied alien child for release, the care provider collaborates with the sponsor to ensure physical discharge happens as quickly as possible (within 3 calendar days after ORR approves the release). The care provider notifies DHS prior to the physical release to allow DHS an opportunity to comment on the imminent release as well as time to prepare any DHS paperwork for the ICE Chief Counsel's office.

The care provider ensures that all the child's belongings—including those he or she had at the time they entered ORR custody and any they acquired during their stay—are given to the child and sponsor at time of release. The care provider also makes sure that the child and sponsor have copies of files or papers needed for the child to obtain medical, educational, legal or other services following release.

Whenever possible, sponsors are expected to come to the care provider or to an offsite location designated by the care provider for the transfer of physical custody of the child.

Escorting Children to a Sponsor

Under extenuating circumstances (e.g., a sponsor cannot travel due to a medical condition), ORR may approve an unaccompanied alien child to be escorted to a sponsor. Similarly, if a sponsor pick-up would result in delay of a timely release of the child, ORR may approve an escort for an unaccompanied alien child.

If an unaccompanied alien child's final destination involves air travel and the sponsor will not be traveling with the child, the care provider must follow the procedures in the table below concerning care provider escorts and airline escorts.

Unaccompanied alien children who are under the age of 14 years old traveling via air may only be escorted by care provider staff, unless an ORR/FFS Supervisor has approved the use of an airline escort in advance.

The sponsor is responsible for the unaccompanied alien child's transportation costs and, if the care provider is escorting the child, for the care provider's transportation or airfare. If an airline escort is used, the sponsor is responsible for paying the airline's unaccompanied alien minor service fee.

Under no circumstances will ORR pay for the sponsor's airfare. Sponsors are not required to use a travel agent proposed or used by a care provider if they are able to find lower airfare using another agent or airline, provided escort conditions are met.

The following table summarizes procedures for each method of transfer.

Method of Transfer	Pre-transfer Steps	At point of Transfer
Sponsor pick-up at care provider facility	<ul style="list-style-type: none"> Case manager collaborates with the sponsor on selecting a date and time for the sponsor to pick-up the child Case manager notifies the sponsor that he/she is required to bring the same valid government issued photo identification previously submitted by the sponsor in the FRP (see Section 2.2.4) 	<ul style="list-style-type: none"> Care provider checks the sponsor's identification upon arrival by comparing it to the identification previously submitted by the sponsor in the FRP (see Section 2.2.4) If the sponsor's identification matches the identification previously submitted, care provider gives the sponsor the unaccompanied alien child's release documents and personal possessions Care provider advises the sponsor, if traveling by airplane, to check in the child at the ticket counter with a copy of the child's DHS form I-862, Notice to Appear Care provider may not release the child unless the sponsor presents the same valid government issued photo identification he or she submitted in the FRP.
Care provider escort to offsite transfer location	<ul style="list-style-type: none"> Case manager collaborates with the sponsor in selecting a time and location for transfer, and flights for the child and care provider escort Case manager notifies the sponsor that he/she is required to bring the same valid government issued photo identification previously submitted by the sponsor in the FRP to the transfer location Case manager arranges for the sponsor to pay for the child and care provider escort's transportation costs, including airline tickets where applicable Case manager prepares a copy of the sponsor's identification that was submitted in the FRP, for the care provider escort to take to the transfer location 	<ul style="list-style-type: none"> If traveling by air, at the departure airport, care provider escort checks in the child at the ticket counter with a copy of the child's DHS form I-862, Notice to Appear At the transfer location, care provider escort compares the sponsor's identification with the copy previously submitted by the sponsor in the FRP. If the identification documents correspond, care provider escort releases the child to the sponsor and provides the sponsor with the release documents and the child's personal effects and papers Care provider escort may not release the child unless the sponsor presents the same valid government issued photo identification he or she submitted in the FRP. If the sponsor does not produce valid identification, if the care provider escort has concerns regarding the sponsor's identity, or if the care provider escort has concerns regarding the safety of the situation upon meeting the sponsor, the care provider escort will return with the child to the care provider facility
Travel via airline's unaccompanied alien minor escort policy (only for youth 14 years of age and older)	<ul style="list-style-type: none"> Case manager contacts the airline to obtain information on airline escort requirements, in order to ensure that they are adequate to protect the safety of the child, and to ensure that both the sponsor and the care provider can meet the requirements Case manager arranges for the sponsor to pay for the child's airplane ticket and for the airline unaccompanied alien minor escort fee Case manager ensures that the government issued photo identification submitted by the sponsor in the FRP will be acceptable to the airline to complete custody transfer The care provider instructs the sponsor to meet the unaccompanied alien child and 	<ul style="list-style-type: none"> At the departure airport, care provider checks in the unaccompanied alien child at the ticket counter with a copy of the DHS form I-862, Notice to Appear, and a copy of the approved identification of the sponsor picking up the child At the departure airport, care provider gives the child their personal possessions and documents and a copy of the sponsor's approved identification, and mails an additional copy of the release documents to the sponsor At the destination airport, the sponsor arrives two hours before the child's arrival time, and contacts the care provider immediately to check in. The airline follows its standard procedures for escorting a child traveling alone to the designated parent or guardian The care provider contacts the sponsor shortly after the child's scheduled arrival time to confirm the child's transfer from the airline representative to the sponsor

	escort at the airport with the identification they submitted in the FRP, and to follow the requirements of the airline's unaccompanied alien minors escort policy	• If the sponsor fails to arrive at the airport or fails to contact the care provider upon arrival at the airport, the care provider will notify the ORR/FFS and the Project Officer, and the child will either be returned to the care provider or taken to another nearby care provider facility.
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When arranging for children to travel with airline escorts, care providers should also refer to the U.S. Department of Transportation recommendations for unaccompanied alien minors traveling by air ("When Kids Fly Alone").

Revised 6/18/19

2.8.3 Closing the Case File

The care provider completes a Discharge Notification form within 24 hours of the physical discharge of a youth, and then emails the form to DHS and other stakeholders. Once a child is released to a sponsor, ORR's custodial relationship with the child terminates.

Although the custodial relationship ends, the care provider keeps the case file open for 30 days after the release date in order to conduct the Safety and Well Being Follow Up Call (see Section 2.8.4) and document the results of the call in the case file. The care provider closes the case file record after completing the Safety and Well Being Follow Up Call.

Revised 3/14/16

Section 2.8.4 Safety and Well Being Follow Up Call

Care providers must conduct a Safety and Well Being Follow Up Call with an unaccompanied alien child and his or her sponsor 30 days after the release date. The purpose of the follow up call is to determine whether the child is still residing with the sponsor, is enrolled in or attending school, is aware of upcoming court dates, and is safe. The care provider must document the outcome of the follow up call in the child's case file, including if the care provider is unable to contact the sponsor or child after reasonable efforts have been exhausted. If the follow up call indicates that the sponsor and/or child would benefit from additional support or services, the care provider must refer the sponsor or child to the ORR National Call Center and provide the sponsor or child the Call Center contact information. If the care provider believes that the child is unsafe, the care provider must comply with mandatory reporting laws, State licensing requirements, and Federal laws and regulations for reporting to local child protective agencies and/or law enforcement.

Revised 3/14/16

2.8.5 Post-Release Services for UAC with Zika Virus Disease or Infection

Testing

ORR follows CDC guidance and recommendations for Zika virus laboratory testing. CDC recommends testing for all pregnant UAC without symptoms, but who are from or traveled through areas with ongoing Zika virus transmission and are within 2–12 weeks of arrival in the United States. Other UAC who develop two or more symptoms consistent with Zika may be tested for Zika virus upon consultation with a healthcare provider.

Post-Release Referrals

Pregnant UAC who are diagnosed with Zika virus disease, have laboratory results compatible with Zika virus infection, or have laboratory results that cannot rule out Zika virus infection will be referred for post-release services. Similarly, UAC who delivered while in ORR care will be referred for post-release services if they were diagnosed with Zika virus disease, had laboratory results compatible with Zika virus infection, or had laboratory results that cannot rule out Zika virus infection while pregnant.

In some cases, asymptomatic pregnant UAC are released pending lab results. In those cases, ORR will communicate their test results to them and their new healthcare provider. If their results are compatible with Zika virus infection or if Zika virus infection cannot be ruled out, ORR will refer them for post-release services.

Post-Release Services

Post-release services for eligible UAC described above include the full range of post-release services with a focus on connecting the UAC to prenatal care and maternal-child resources.

For more information about the Zika virus, please go to the CDC website at: www.cdc.gov/zika/index.html (<http://www.cdc.gov/zika/index.html>)

Posted 5/2/16

2.8.6 Release for Children with Legal Immigration Status

Some unaccompanied alien children may obtain legal immigration status while in ORR care. ORR may also discover during the process of placing and providing services to a child that he or she already has legal immigration status or is a U.S. citizen. By law, ORR is not authorized to have custody of children with legal immigration status or U.S. citizenship. Therefore, these children cannot remain in ORR's care, and ORR must promptly release them from ORR-funded care provider facilities.

As soon as ORR determines that an unaccompanied alien child may be eligible for legal status, ORR begins development of a Post Legal Status Plan. The case manager develops the plan, and ORR approves it, tailoring it to the needs and pending immigration status of the child.

As is the case for all UAC, ORR continually makes efforts to reunify children who have promising immigration cases with family members. However, if no parent, legal guardian, relative, or other suitable adult is available, ORR and the care provider, as part of the development of the Post Legal Status Plan, identify alternative placements for the child, including specialized programs, state or county entities or licensed nonprofit organizations that will take custody of the child. In limited circumstances, children with certain types of immigration status may be eligible for release into ORR's Unaccompanied Refugee Minors (URM) Program. Placement in the URM Program is limited by type of immigration status and the availability of appropriate placement options. ORR will not release children on their own recognizance under any circumstances.

Posted 5/8/17

2.9 Bond Hearings for Unaccompanied Alien Children

Consistent with the Ninth Circuit Court of Appeals decision in *Flores v. Sessions*, unaccompanied alien children have the opportunity to seek a bond hearing with an immigration judge.

In a bond hearing, an immigration judge decides whether the child poses a danger to the community.¹² For the majority of children in ORR custody, ORR has determined they are not a danger and therefore has placed them in shelters, group homes, and in some cases, staff secure facilities. For these children, a bond hearing is not beneficial.

The burden is on the requestor to demonstrate that the child can be released because he or she is not a danger to the community. An immigration judge's decision that the unaccompanied alien child is not a danger to the community supersedes an ORR determination on that question, unless the immigration judge's decision is overturned by the Board of Immigration Appeals (BIA). However, even if an immigration judge decides the child is eligible for bond (meaning the child does not pose a danger to the community and need not remain in an ORR facility for that reason), in all cases release from ORR custody cannot occur until ORR has identified, evaluated and approved an appropriate sponsor in accordance with **Section 2** (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-2>) of this policy guide. An immigration judge does not rule on any of the following:

- release to a sponsor;
- the unaccompanied alien child's placement or conditions of placement while in ORR custody; or,
- releasing the child on his or her own recognizance.

ORR also takes into consideration the immigration judge's decision in the bond hearing about the youth's level of danger when assessing the youth's placement and conditions of placement.¹³

Although these hearings are known as "bond hearings," ORR does not require payment of any money in the event a court grants bond.

Requesting a Bond Hearing

A request for a bond hearing may be made by the child in ORR care, by a legal representative of the child, or by parents/legal guardians on their children's behalf. These parties may submit a written request for a bond hearing to the care provider using the ORR form, *Notice of Right to Request a Bond Hearing*, or through a separate written request that provides the information requested in the form. ORR provides the *Notice of Right to Request a Bond Hearing* to UAC in secure and staff secure facilities.

A request for a bond hearing must minimally include:

- The full name and alien registration number ("A number") of the child;
- If a parent or legal guardian, or an appointed legal representative, is making the request, the parent/legal guardian's or legal representative's name;
- The location of the care provider facility;
- The date of the request; and
- The signature(s) of the requesting child, the parent/legal guardian, and/or legal representative.

There is no filing fee to submit a request for a bond hearing to the care provider.

A child (or his or her legal representative) may also request a bond hearing by making an oral request in immigration court.

Bond Hearings Proceedings

Bond hearings are usually held at the immigration court where the request for a bond hearing is filed.

If the immigration judge finds an unaccompanied alien child eligible for bond, and ORR does not appeal, then ORR follows its sponsor assessment and release procedures as described in **Section 2** (<https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-2>) of this policy guide.

Appeals

Either party may appeal the immigration judge's decision to the BIA. Because ORR cannot release a child until it identifies a suitable sponsor, an immigration judge's finding that the unaccompanied alien child is not a danger to the community does not necessarily result in a release of the child while an appeal is pending.

Age Outs

If an unaccompanied alien child becomes 18 years old during the pendency of a bond hearing or bond hearing appeal, ORR forwards the request for a bond hearing and any relevant information to the local DHS/ICE Office of Chief Counsel's office.

Further Requests for Bond Hearing

If an immigration judge (or BIA, when appealed) determines that an unaccompanied alien child is ineligible for bond, such decision is final unless the child can demonstrate a material change in circumstance to support a second request for a bond hearing.

Revised 7/19/17

Footnotes

1. As per the release order preference outlined in *Flores v. Reno Stipulated Settlement Agreement*, No. 85-4544-RJK (Px) (C.D. Cal., Jan 17, 1997).
2. These categories were created for program use, to help identify potential sponsors. They are not intended to replace the legal order of preference established in *Flores*.
3. The care provider may offer assistance to potential sponsors in securing necessary documentation, but it is ultimately the potential sponsor's responsibility to find and submit them.
4. Verification of the potential sponsor's relationship to the child is a minimum step required by the TVPRA to determine a potential sponsor's suitability and capability of providing for the child's physical and mental well-being. See 8 U.S.C. § 1232. As a result, as stated above, ORR may in its discretion require the submission of multiple forms of evidence.
5. ORR/FFS Supervisors are the final authority for approving discretionary home studies (See Section 2.4.2)
6. Child advocates must keep the information in the case file, and information about the child's case, confidential from non-ORR grantees, contractors, and Federal staff.
7. As part of the FBI background check process, DHS databases are searched. The FBI also forwards biographic information to ICE's Law Enforcement Support Center (LESC). Neither HHS/PSC or ORR verify any records produced by DHS for background check purposes.
8. An *Authorization for Release of Information* is not required for sponsors, adult household members, or adult care givers identified in a sponsor care plan undergoing a sex offender registry check. An *Authorization for Request of Information* also is not required for sponsors, adult household members and adult caregivers identified in a sponsor care plan undergoing a public records check. However, sponsors will receive notice that public records and sex offender registry checks will be performed, and will have an opportunity to explain the results of these checks to ORR. ORR will also provide a method for disputing the results of checks. (See Section 2.5.3 (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-2#2.5.3>), Q4)
9. ORR will also reject any sponsor care plans that identify an adult care giver who has any of the disqualifying criteria.
10. See U.S. Dept. of Health and Human Services, Children's Bureau. *Grounds for involuntary termination of parental rights*, at 2. Washington, DC: Child Welfare Information Gateway, Jan. 2013.
11. The Change of Venue motion must contain information specified by the Immigration Court. A Change of Venue motion may require the assistance of an attorney. For guidance on the "motion to change venue," see the Immigration Court Practice Manual at www.justice.gov/eoir/vii/OCIJPracManual/ocij_page1.htm (http://www.justice.gov/eoir/vii/OCIJPracManual/ocij_page1.htm). For immigration case information please contact EOIR's immigration case information system at 1-800-898-7180. Visit EOIR's website for additional information at: www.justice.gov/eoir/formslist.htm (<http://www.justice.gov/eoir/formslist.htm>).
12. Immigration judges also consider risk of flight. However, ORR does not make a determination of flight risk for the purpose of deciding whether a child is released. If an immigration judge offers an opinion about a youth's risk of flight, ORR takes the judge's opinion into consideration when assessing the child's placement and conditions of placement, but the decision does not affect release.
13. Please see footnote above concerning risk of flight.

<Back (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-1>) - Next
(<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-3>)>

Last Reviewed: August 23, 2019



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Refugee Resettlement | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/orr

The UAC Manual of Procedures

(UAC MAP)

For ORR Staff, Contractors, and Grantees

Section 2: Safe and Timely Release from ORR Care

Office of Refugee Resettlement
Office of the Director
Division of Policy and Procedures
July 2019 – Version 4.1

Section 2: Safe and Timely Release from ORR Care

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Look for these **icons** for quick cues on what is required for a specific procedure or a reference to a particular policy in the UAC Policy Guide.

-  [UAC Policy Guide \(ORR Guide to Children Entering the United States Unaccompanied\)](#)
-  Email
-  Mail
-  Tasks associated with a deadline
-  Form or other template
-  UAC Portal
-  Phone Call

2.1 Summary of the Safe and Timely Release Process

 [See Section 2.1 of UAC Policy Guide](#)

OVERVIEW

This section includes procedures for sponsor applications, assessments and background checks of potential sponsors, the roles and responsibilities of key participants in the release process, home study requirements, recommendations and decisions on release, including notifications of denial and procedures for appealing denial by a parent/guardian or UAC, procedures for release from ORR, including release to a sponsor, release for children with legal immigration status, procedures for post-release services and a safety and well-being follow up call, and closing the case file.

ORR expects care providers and ORR staff and contractors to protect Personally Identifiable Information (PII) when communicating information about sponsors and UAC. These procedures are described in [Appendix 2.1 How to Protect PII and Create Password Protected Files Documents](#) that are uploaded in the UAC Portal do **not** need password protection.

2.2 Sponsor Application Process

 [See Section 2.2 of UAC Policy Guide](#)

OVERVIEW

ORR and its care providers work to ensure safe and timely release of each UAC from care whenever possible. This requires care providers to identify and contact potential sponsors as quickly as possible while maintaining the safety and well-being of the child. Potential sponsors complete a *Family Reunification Application (FRA)* and other forms and submit documents that are part of the larger Family Reunification Packet (FRP) (available in English and Spanish). ORR expects potential sponsors to complete the Family Reunification Packet **within 7 calendar days of receipt of the packet.**

The Family Reunification Packet includes the following and is available on the home page of the [UAC Portal](#) and on the [ORR Website](#) under [Key Documents for the UAC Program](#):

- *Family Reunification Packet Cover Letter*
- *Authorization for Release of Information*
- *Family Reunification Application*
- *Sponsor Care Agreement*
- *Legal Orientation Program for Custodians Overview*
- *UAC Sexual Abuse Hotline Flyer*
- *Fingerprinting Instructions*
- *Sponsor Handbook*
- *Letter of Designation for Care of a Minor* (used when a parent or legal guardian wishes to specify another person to sponsor his or her child)
- *Sponsor Declaration*
- *Privacy Notice for Sponsors*
- *Privacy Notice for Parents and Legal Guardians*
- *Fraud Warning*

The *Sponsor Handbook* includes other information and is available on the UAC Portal as well as the ORR Website.

Key Players	Responsibilities
Case Manager	Interviews UAC and parent or legal guardian (if possible) to identify a potential sponsor and contacts caregivers in country of origin to corroborate information and rule out trafficking issues, identifies any safety concerns regarding contact with potential sponsor, contacts sponsor and explains process for safe and timely release, and assists sponsor with other steps in completing the family reunification process.

Case Coordinator	Makes recommendations on family reunification cases; serves as a main contact for the care provider program when concerns arise during the assessment, and assists in concurrent planning to find a suitable sponsor.
FFS	Serves as the official ORR representative in the field tasked with oversight of UAC cases; provides critical policy and procedural guidance to stakeholders involved in the care, custody, and release of UACs; serves as final decision maker on family reunification cases and elevates complex cases for further ORR input as needed.
Contract Field Specialist (CFS)	ORR contract staff who serve as liaisons to provide technical assistance as needed. Assist care provider in obtaining documents from prior UAC care provider and assist care provider in contacting consulate to verify UAC birth certificate, and other duties.

Related Forms/Instruments	Used By
Family Reunification Packet (FRP)	Case Manager, Sponsor
<i>Sponsor Handbook</i>	Sponsor

The UAC Portal has a Case Status page that appears on the Case Management tab when a user clicks on an individual UAC’s A number (see [Fig. 2.1](#)). Along with capturing a snapshot of a UAC’s case at any given time, the function allows ORR to monitor cases to make sure assessments and communications occur within expected timeframes. Some fields on the page are auto-populated. Other fields require manual input.

Fig. 2.1 Case Status Page

UAC Case Status				
Child Assessments				
Initial Intakes Assessment	Last Updated:			
Assessment For Risk	Last Updated:			
UAC Assessment	Last Updated:			
Medical				
Initial Medical Exam	Date Evaluated:	11/01/2017		
TB Screening	Outcome:			
Immunizations (IME Only)	Last Updated:			
Home Study and Post-Release Service Cases				
Home Study	Type of Home Study:	Date Referred:	Date Accepted:	
Post Release Services	Type of PRS:	PRS ONLY	Date Referred:	11/01/2017 Date Accepted: 11/01/2017
Family Reunification				
Sponsor Assessment	Date Completed: <input type="text"/>			
Family Reunification Application Sent to Sponsor	Date Sent:	<input type="text"/>	Date Received:	<input type="text"/>
Proof of Sponsor Identity	Date Completed: <input type="text"/>			
Proof of Sponsor Address	Date Completed: <input type="text"/>			
Proof of Relationship Between UAC and Sponsor	Date Completed: <input type="text"/>			
<input type="button" value="> Save"/> <input type="button" value="> Reset"/>				

Background Checks			
Internet Criminal			
Sponsor: Maria Moreno	Date Requested:	N/A	Date Result Received: N/A
Sex Abuse Registry			
Sponsor: Maria Moreno	Date Requested:	N/A	Date Result Received: N/A
Immigration			
Sponsor: Maria Moreno	Date Requested:	N/A	Date Result Received: N/A
FBI Criminal History (fingerprint)			
Sponsor: Maria Moreno	Date Requested:	N/A	Date Result Received: N/A
CA/N			
Sponsor: Maria Moreno	Date Requested:	N/A	Date Result Received: N/A
Legal			
Know Your Rights and Legal Screening:	Date Completed:		
Release Recommendations			
Case Manager Release Request:	Last Updated:		
Case Coordination Release Request:	Last Updated:		
ORR Release Request Decision:	Last Updated:	11/01/2017	Release Approved:

2.2.1 Identification of Qualified Sponsors

 [See Section 2.2.1 of the UAC Policy Guide](#)

Quick Glance: Determining Sponsor Category

Potential sponsors fall into three categories, of which one has two-subgroups. Best practice in child welfare is for children to be placed with family whenever possible. The sponsor category has implications for showing proof of relationship, whether the sponsor must have a home study prior to release, and other considerations. Some close relationships that may have a strong family association in a cultural context, for example, “godparent,” falls outside the definition of a “family” relationship, and are considered as a category 3 sponsor. The following table is the typical order of preference for release, but may differ depending on the results of all assessments, background checks, and/or the needs of the UAC.

In the event the sponsor is unable to complete the application process in a timely manner, the case manager may conduct concurrent case planning. Concurrent case planning means the case manager continues to work with the original applicant, but looks at other sponsor options or release options for UAC. Concurrent case planning must be reviewed with the case coordinator who would elevate the case to the FFS.

Relationship Type	Category
Father, Mother	Category 1
Step-Parent (who adopted UAC)	Category 1
Legal Guardian with proof of court-ordered guardianship	Category 1

Grandfather, Grandmother	Category 2A
Aunt, Uncle	Category 2A or 2B
Sister, Brother	Category 2A
Half-sibling	Category 2A
Step-Parent (who did not adopt UAC)	Category 2A or 2B
Brother-in-law, Sister-in-law	Category 2A or 2B
First Cousin	Category 2A or 2B
Adult Nephew or Niece	Category 2A or 2B
Other Distant Relatives	Category 3
Godparent (unrelated)	Category 3
Unrelated Sponsor	Category 3
Institutional/Organizational Sponsor	Category 3

NOTES:

- In cases involving a UAC who enters the country with her child, ORR assigns the UAC mother’s sponsor category to her child. This is true even if the potential sponsor would be assigned a different category (based on their relationship status) if he or she were to sponsor the infant alone.
- Category 2A sponsors are grandparents, adult siblings (including half-siblings and step-siblings through a legal marriage); and other close adult relatives who were a primary caregiver to the child. Category 2B sponsors are close adult relatives (non-grandparents and non-adult siblings) who were not a primary caregiver to the child.
- Case managers note whether a Category 2 sponsor is a 2A or 2B in the *Release Request* and in the *Sponsor Assessment*.

Please contact the UAC Policy Inbox (UACPolicy@acf.hhs.gov) if you need clarification regarding sponsor categories related to a particular case (i.e., distant relative cases).

PROCEDURES

1. **Within 24 hours of placement of the UAC in ORR custody**, the case manager:
 - Reviews the Intakes tab in the UAC Portal for any notes or contact information that was entered into the DHS referral to ORR, or to determine if the UAC was separated from a parent or other relative at time of apprehension.
 - Interviews the UAC to identify who he or she was expecting to live with in the United States and anyone else the UAC knows in the United States in order to help identify a potential sponsor.

- Identifies any safety concerns for the UAC if he/she were to have contact with the family in country of origin or the potential sponsor.
- Contacts the UAC's parent or legal guardian (following safety protocols in regard to trafficking, smuggling, abuse or neglect concerns, criminal history information, or any other safety concerns) to notify them of the UAC's placement, identify family members or close friends who reside in the United States and who may have been expecting the UAC, and requests that they send the UAC's birth certificate immediately.
- Advises the UAC's parent or legal guardian that ORR may release the UAC to a qualified sponsor in the United States who completes the application process and provides documentation to show proof of the sponsor's identity and the sponsor's relationship to the UAC.  

2.2.2 Contacting Potential Sponsors

 [See Section 2.2.2 of the UAC Policy Guide](#)

PROCEDURES

1. **Within 24 hours of identification of a potential sponsor**, the case manager explains to the potential sponsor the requirements of the sponsorship process by:
 - Providing an overview of ORR's function, principal tasks and participants, and the ORR connection to U.S. immigration proceedings by:
 - Stressing the fact that ORR is a federal agency within the U.S. Department of Health and Human Services and is dedicated to the welfare of unaccompanied alien children and that ORR is not an enforcement nor an immigration agency;
 - Advising that the UAC has been placed in immigration proceedings while in ORR care;
 - Explaining the role of the care provider's organization and that all services are free of charge to the UAC and to the sponsor;
 - Explaining the role of the case manager in assisting the potential sponsor with the family reunification process (include the case manager's contact information);
 - Emphasizing that the sponsor should be aware of potential fraud schemes (See [Quick Glance: Protecting Sponsors from Fraud Schemes](#))

- Informing the sponsor of the ORR family reunification process and the potential sponsor's responsibilities by:
 - Reviewing the Family Reunification Packet (FRP) and all forms that are included in the packet;
 - Explaining other documentation requirements that are part of the packet, such as proof of address, proof of relationship, etc.;
 - Explaining the importance of listing all household members on the application;
 - Explaining the process for fingerprinting, if applicable. This includes notifying the sponsor that ORR will submit fingerprint information to the FBI for criminal history checks and explaining the restrictions on DHS' ability to target the subject of a fingerprint check for immigration enforcement purposes using information obtained from ORR (see [Quick Glance: DHS Restrictions on Use of Information Obtained from ORR](#)).
 - Explaining other background checks, including that internet criminal public records checks and sex offender registry checks **will** be performed for all sponsors, adult household members, and adult caregivers identified in a sponsor care plan;
 - Explaining that assistance from an attorney or any other paid representative is not required for completion of the packet;
 - Advising the sponsor to be wary of fraudulent phone calls asking for money to get the UAC released to him or her and directing their attention to the *Fraud Warning* flyer in the FRP (See [Quick Glance: Protecting Sponsors from Fraud Schemes](#)).
 - Explaining the importance of obtaining a *Letter of Designation for Care of Minor* from the UAC's parent or guardian if the potential sponsor is not a parent or legal guardian (and documenting efforts to obtain the letter if unsuccessful).
- Emphasizing the timeframes for returning the packet by:
 - Immediately submitting the *Authorization for Release of Information*;
 - Immediately submitting the sponsor's government issued photo ID;
 - Submitting the complete FRP **within 7 calendar days** (noting that the case manager can assist if the sponsor is unable to read or write in English or Spanish).
 - Scheduling fingerprinting **within 3 business days**
- Explaining ORR expectations for the potential sponsor if the UAC is released to the sponsor by:

- Explaining that the sponsor must attend a Legal Orientation Program for Custodians (see [2.2.5 Legal Orientation Program for Custodians](#)).
- Noting that the UAC may receive post-release services while in the care of the sponsor, should such services be warranted, and that participation in the service provision is voluntary. 📞

Quick Glance: DHS Restrictions on Use of Information Obtained from ORR

Case managers must convey the following information in correspondence and conversations with any potential sponsor required to undergo a fingerprint check and instruct the potential sponsor to share this information with any adult household members or adult caregivers who are also required to undergo a fingerprint check.

“Your fingerprints and other information, such as your name and date of birth, are shared DHS as part of the ORR background check process. DHS is restricted from using your information for immigration enforcement actions, including placing you in detention, removing you from the United States, referring you for a decision on removal, or starting removal proceedings. However, there are some exceptions. DHS may be able to use your information for immigration enforcement actions if you were convicted of, charge with, or are pending charges for a serious felony; if you have ever associated with a business that employs minors and does not pay a legal wage or prevents the minor from going to school; or if you have ever had an association with prostitution. Serious felonies include child abuse; sexual violence or abuse; child pornography; and aggravated felonies as defined in the U.S. Code of Laws.

Congress wrote this restriction into the Consolidate Appropriations Act of 2019, which is in effect until September 30, 2019. ORR does not know if the restrictions will continue beyond that date. Congress may impose these same restrictions, different restrictions, or not restrict DHS in the future.

ORR recommends that anyone who is concerned that DHS may be able to use their information for immigration enforcement actions speak with an attorney about whether their criminal history falls under these exceptions.”

The case manager must offer to send the below links to the potential sponsor.

- U.S. Code section that contains the definition of an aggravated felony – 8 U.S.C. 1101(a)(43)
<http://uscode.house.gov/view.xhtml?path=&req=1101&f=treesort&fq=true&num=371&hl=true&edition=prelim>
- Consolidated Appropriations Act, 2019. Pub. L. 116-6, Division A, Title II, §224.
<https://www.congress.gov/bill/116th-congress/house-joint-resolution/31/text>

Quick Glance: Protecting Sponsors from Fraud Schemes

Case managers and clinicians who contact potential sponsors must convey the following information in correspondence and conversations with potential sponsors to protect them from fraud schemes.

“There are no fees associated with the processing or reunification of an unaccompanied alien child. You do not need to pay money. No one should contact you and ask you for money, your bank account number, your credit card number, or ask you to send payment or a money order to another person or account.

However, you are responsible for the cost of your child’s transportation and, if the care provider is escorting the child, for the care provider’s transportation costs. If an airline escort is used, you are responsible for paying the airline’s unaccompanied minor service fee. Travel costs should only be paid directly to a company, usually the airline or the care provider facility. You are not required to use a travel agent used by the care provider. No one should ask you to pay travel costs to an individual or to a personal account.

If you are contacted and asked to pay or wire money for any cost other than transportation and escort fees, or if you are asked to pay or wire money to an individual or personal account, please immediately call [insert phone number of your care provider program’s licensed administrator] or the ORR National Call Center Help Line at (800) 203-7001.”

See [Appendix 2.2 How to Report Potential Fraud Schemes](#)

2. **Within 24 hours of identification of a potential sponsor**, the case manager sends the Family Reunification Packet (FRP) to the potential sponsor by email or by sending the UAC Portal home page link (<https://ucportal.acf.hhs.gov>) which features the FRP. The case manager updates the UAC Portal Case Status page with the date the FRP was sent to sponsor. **NOTE:** Emailing the FRP or sending the UAC Portal link is preferred whenever possible, but case managers may send the FRP by expedited mail or fax if necessary. 📧 📠 📞 📧 📧 📧
3. **Within 1 business day of emailing or providing the UAC Portal link** to the FRP for the potential sponsor (**within 5 business days** if the FRP is mailed), the case manager contacts the potential sponsor to:
 - Confirm receipt of the FRP.
 - Provide the potential sponsor with help in filling out the packet, if needed.

- Remind the potential sponsor and adult household members to immediately return the *Authorization for Release of Information* and a copy of the sponsor's and adult household members' government issued ID, as applicable.
 - Assist the potential sponsor in scheduling an appointment for the Legal Orientation Program for Custodians (see [2.2.5 Legal Orientation Program for Custodians](#)). **NOTE:** The case manager should capture the information about the appointment in either the *UAC Assessment* or *UAC Case Review*, depending on when the information was obtained.    
4. **Within the same 1 business day timeframe**, the case manager creates a new sponsor record or updates an existing record in the UAC Portal. Prior to creating a new record, the case manager searches for the potential sponsor's name and address in the UAC Portal to check if the sponsor has previously applied for sponsorship or if the address was previously used for sponsorship (see [Quick Glance: How to Check for Previous Sponsorship](#)). A UAC may have multiple potential sponsors, but the case manager must designate one sponsor as the "primary sponsor" in the Sponsor Information section of the UAC Portal.

NOTES:

- Creating the sponsor record initiates the sponsor assessment process used to evaluate a sponsor. Unless there are unexpected delays (such as a wait list for fingerprint checks or a case that requires the completion of a home study), ORR expects the care provider to complete the evaluation process within these timeframes:
 - **Cat 1 and Cat 2A:** 10 calendar days
 - **Cat 2B:** 14 calendar days
 - **Cat 3:** 21 calendar days  
- At this time the UAC Portal does not distinguish between Cat 2A or Cat 2B. Case managers should continue to designate these sponsors as Cat 2 for the dropdown designations but specify in the *Release Request* and other narrative documents whether the Cat 2 sponsor is designated a 2A or 2B.

Quick Glance: How to Check for Previous Sponsorship

To check if a sponsor or adult household member had previously sponsored another UAC, go to the Case Management section of the UAC Portal, select the UAC by clicking on the A # of the UAC. On the UAC Basic Information page click on "Go to Assessments" and the subsection "Sponsor Information" which includes a "Sponsor" button.

Clicking on the sponsor button takes you to a screen where you can search for a sponsor prior to adding a new sponsor to the system.

Search Sponsor >| Add New Sponsor

First Name: Last Name:

SSN: A #:

Address: City:

State: Country of Birth:

>| Search Sponsor >| Cancel

Fill in the name of the potential sponsor or the potential sponsor’s adult household members and then click “Search Sponsor” at the bottom. You can also do partial name searches, such as “Mig” for Miguel under First Name. (You should try various combinations of the name, including upper and lower case versions).

When you click on “search sponsor,” a table will populate that shows all matches. Look at all the records and see if the sponsor already exists in the UAC Portal.

Search Sponsor >| Add New Sponsor

First Name: Last Name:

SSN: A #:

Address: City:

State: Country of Birth:

>| Search Sponsor >| Cancel

SSN/A#	First Name	Last Name	Address	City	State	P Counter	A Counter	Flag
111111111	Fake	Fake	1 Main Street	New York	NY	1		No Assign Sponsor
	Fake	Fake	111 Main Street	Birmingham	AL	1		No Assign Sponsor
222222222	Fake 2	Fake 2	2 Main Street	New York	NY	2		No Assign Sponsor

In the table, the “P” counter (P = Potential) tracks the number of UAC that the sponsor has attempted to sponsor as a “potential sponsor.” The “A” counter (A = Actual) tracks the number of UAC who were “actually sponsored” by that sponsor. Clicking on the number below P or A will show you the UAC associated with the sponsor. (Note: In the sponsor information section, the number is to the right of the P and A counter. Screen shot below.)

Sponsor Information

First Name: Last Name:

SSN: A #:

Date of Birth: Country of Birth:

Does anyone in the Household have a Serious, Contagious Disease? (If yes, please explain in) Yes No

Sponsor Flag: P Counter: 8 A Counter: 1

If you need to flag a sponsor, select the sponsor and in the sponsor information section, check “flag” and in the note specify the reason. (See the Quick Glance: When to Flag a Sponsor, Other Adult, or Address.)

Sponsor Information

First Name: FakeSponsorMiguel2
SSN: 121212121
Date of Birth: 11/05/2001
Last Name: FakeSponsorMiguel2
A #: 121212121
Country of Birth: Afghanistan

Does anyone in the Household have a Serious, Contagious Disease? (If yes, please explain in Comments): Yes No
Do any of the Occupants Have Criminal Convictions or Charges, Other Than Minor Traffic Violations? (If yes, please explain in Comments): Yes No

Flag: **P Counter:** 3 **A Counter:** 2
Flag Note: test test test

Conduct a separate search of the address provided.

Search Sponsor >| Add New Sponsor

First Name: **Last Name:**
SSN: **A #:**
Address: Main Street **City:** Birmingham X
State: Alabama **Country of Birth:** --Select a country--

>| Search Sponsor >| Cancel

SSN/A#	First Name	Last Name	Address	City	State	P Counter	A Counter	Flag	
	Fake	Fake	10 Main Street	Birmingham	AL			No	Assign Sponsor

The address flag is located directly under the section on the sponsor name under the "Sponsor Information" section described above:

Sponsor's Relationship to UAC: Uncle **Sponsor Category:** Category 2
Address: 334 New Hampshire Ln
State: Alabama
City: St Johns
Zip Code: 056231
(If Zip Code is unknown, then enter "00000".)
Home Phone: **Work Phone:**
Email: **Fax:**
Address Flag:
Flag Address Note:
Comments:
Primary Sponsor?: Yes No

This search may also reveal matches with previous sponsorship. (Try various combinations of streets (i.e., "St., St, street, and Street"), city, and state.) Flag an address by clicking on the "address flag" and adding a corresponding note.

Search Sponsor >| Add New Sp

First Name: **Last Name:** fake
SSN: **A #:**
Address: **City:**
State: -- Select State -- **Country of Birth:** --Select a country--

>| Search Sponsor >| Cancel

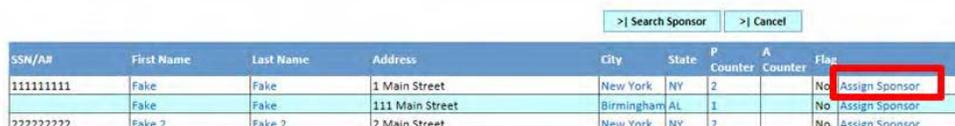
SSN/A#	First Name	Last Name	Address	City	State	P Counter	A Counter	Flag	
121212121	FakeSponsorMiguel2	FakeSponsorMiguel2	niaz test new address	fakecity	KY	3	2	Yes	Assign Sponsor
	fake maria	fake juan	3333	dc	DC	1	0	No	test test test Assign Sponsor
111111111	fake niaz	sponsor fake	123	agag	AR	2	1	Yes	Assign Sponsor
111111111	fake niaz	sponsor fake	123	agag	AR	1	0	Yes	Assign Sponsor
123123123	fake niaz	sponsor fake	123	123	AK	1	0	Yes	Assign Sponsor

NOTE: This search should be repeated as new information is obtained from the potential sponsor, including addresses, names of other adults in the household or adult identified in the sponsor care plan (i.e., the individual who is identified to take over the care of the UAC if the sponsor is deported, leaves the United States, or is unable to care for the UAC for another reason).

This search should also include searches of different combinations of the last names/surnames with the first names, and should include all versions of the name that the potential sponsor uses in the FRA and on their identification documents. Search all versions of the addresses that the potential sponsor uses in the FRA, identification documents, and in the proof of address documents. See **Section 2.2.3** for more information about additional checks.

5. If the potential sponsor already exists in the UAC Portal, the case manager clicks “assign sponsor” on the screen that appears following “search sponsor” and continues to search the record as new information is collected regarding sponsor’s address, household members, criminal background check, etc. If the sponsor has a new address, the case manager should update the address but should not create a new sponsor entry. See [Fig. 2.2](#). 

Fig. 2.2 Assign Sponsor



The screenshot shows a search results table with columns: SSN/AN, First Name, Last Name, Address, City, State, P Counter, A Counter, and Flag. The 'Assign Sponsor' button is highlighted in red in the first row.

SSN/AN	First Name	Last Name	Address	City	State	P Counter	A Counter	Flag
111111111	Fake	Fake	1 Main Street	New York	NY	2		No Assign Sponsor
	Fake	Fake	111 Main Street	Birmingham	AL	1		No Assign Sponsor
222222222	Fake 2	Fake 2	2 Main Street	New York	NY	2		No Assign Sponsor

6. If the sponsor is not in the system, the case manager creates a new sponsor record in the UAC Portal for each potential sponsor to whom an FRP is sent and enters the required sponsor information. See [Figure 2.3](#). The case manager continues to update the record as new information is received. If the case manager identifies fraud or other identified safety concerns at this time, he/she should elevate this to the FFS to determine if the person should be added to the UAC Portal in the event that the person attempts to sponsor a UAC in the future. 

Figure 2.3 Add New Sponsor

The screenshot shows a web form titled "Search Sponsor". It contains several input fields: "First Name" (with "Fake" entered), "Last Name" (with "Sponsor" entered), "SSN", "Address", "State" (a dropdown menu showing "-- Select State --"), "A #:", "City", and "Country of Birth" (a dropdown menu showing "-- Select a country --"). At the bottom of the form are two buttons: ">| Search Sponsor" and ">| Cancel". A red rectangular box highlights the ">| Add New Sponsor" button located in the top right corner of the form area.

7. If a check for previous sponsorship indicates that a potential sponsor has previously sponsored or previously attempted to sponsor a UAC in ORR care, the case manager assesses the sponsor's compliance:
 - For successful sponsorships, by obtaining proof that the previously sponsored UAC continues to reside with the sponsor (if still a minor), was registered in school as a minor or in accordance with state laws, attended his/her immigration court hearings (if scheduled), and the resources that the sponsor used to meet the UAC's needs.
 - In all cases, by obtaining the following records from the care provider where the previously sponsored UAC was in care: the sponsor's *FRA* and supporting documentation; the *Sponsor Assessment*; background checks; Home Study report, if applicable; *Release Request*; and safety and well-being follow-up call notes (or related information) and whether the case was referred for post release services (PRS) and the name of the PRS provider. See the [Quick Glance: Requesting Records from Other Care Provider Programs](#).

The case manager reviews the information provided and compares the information to the current case noting any discrepancies or red flags and then documents the findings in the *UAC Case Review*. 🔄📄🔍✉

Quick Glance: Requesting Records from Other Care Provider Programs

REQUESTING CARE PROVIDER

For Operational Care Provider Programs

If a care provider program needs to obtain documents from another care provider program in order to review records related to a previous sponsorship or attempted sponsorship, the case manager emails a separate password protected document to the care provider from which the records are being requested that include the UAC name and A#, the name of the care provider program from which the records are being requested, the reason for the request, and the documents that are requested. Care providers may use the template located in [Appendix 2.15 Prior Sponsorship Information Request](#) – contact your assigned CFS for a Word version.

The subject line should read: [Name of Care Provider storing the file] File Request: [UAC's last 4 A#] for [Name of Care Provider requesting the file].

Care providers may also contact other programs directly with questions regarding a UAC's case.

For Closed Care Provider Programs

The case manager follows the directions above for requesting documents from another care provider, but instead of emailing the request to the program the case manager emails the request to the CFS, who forwards the request to the designated point of contact listed in the most recent version of the *Closed Program Case Files* list.

RESPONDING CARE PROVIDER

Within 24 hours of receiving the request, the care provider from which the documents were requested replies to all parties on the email with the requested records attached.

2.2.3 The Family Reunification Application

 [See Section 2.2.6 of the UAC Policy Guide](#)

PROCEDURES

1. The sponsor returns the *FRA*, preferably **within 7 calendar days of receipt**. The case manager updates the Case Status page with the date the *FRA* was received and uploads the *FRA* into the UAC Portal under the UAC Documents tab. See [Fig. 2.1](#).



2. The case manager updates the sponsor record in the UAC Portal and conducts a new search for the name and addresses of adult household members and the adult caregiver identified in the sponsor care plan to determine if they have previously applied for sponsorship or if the address has been used previously by other sponsors (see [Quick Glance: How to Check for Previous Sponsorship](#)). 
3. If the search for previous sponsorship and previous use of the address reveals additional information, the case manager documents the information in the Comments section of the Sponsor Information section of the UAC Portal. If the additional information is of concern and requires elevation to the case coordinator and FFS, the case manager “flags” the applicable sponsor name or address and notes the reason in the “notes” box. See the [Quick Glance: When to Flag a Sponsor, Other Adult, or Address](#). The case manager elevates any findings from any of the searches to the case coordinator for relevance to the current case.  

Quick Glance: When to Flag a Sponsor, Other Adult, or Address

ORR staff and care providers use the “flag” button to elevate issues of concern that arise during the sponsor assessment process. These include (but may not be limited to):

- When a review of previous sponsorship indicates lack of compliance with the terms of release (such as failure to follow up with immigration proceedings, failure to follow through with PRS, UAC school registration, etc.).
- Finding that UAC in previous sponsorship is still a minor but no longer resides with the sponsor.
- Finding that the sponsor or other adults have used the same address in sponsorship applications numerous times.
- Finding that the sponsor, household members, or adult caregiver identified in the sponsor care plan meet the criteria for “may deny” release decisions.
- Child Abuse, child sexual abuse or neglect, trafficking, or domestic violence reported to have been perpetrated by the sponsor after the release of a UAC.

The presence of a “flag” indicates that further input from the case coordinator and FFS is needed. If a “flag” already exists in the record, the case manager or case coordinator or FFS documents the new information in the “comments” box near the bottom of the screen:

Comments:

Primary Sponsor?: Yes No

Household Information: >| Add New Row

			-- Select Gender --		-- Select Relationship --	Yes	Partial	No	
<input type="text"/>	<input type="text"/>	<input type="text"/>	-- Select Gender --	<input type="text"/>	-- Select Relationship --	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Background Check
<input type="text"/>	<input type="text"/>	<input type="text"/>	-- Select Gender --	<input type="text"/>	-- Select Relationship --	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Background Check
<input type="text"/>	<input type="text"/>	<input type="text"/>	-- Select Gender --	<input type="text"/>	-- Select Relationship --	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Background Check

(First Name, Last Name, and Gender are required fields to save Household Information.)

NOTE: The UAC Portal does not allow flagging of adult household members or adult caregivers. In those cases, flag the sponsor and include the reason in the comments box.

4. **Upon receipt of a copy of the potential sponsor’s, adult household members’, and /or adult caregiver’s photo ID(s),** the case manager:
 - Performs a criminal public records check and sex offender registry check for the potential sponsor, adult household members, and adult caregiver identified in a sponsor care plan. The case manager saves a copy and/or screenshot of these checks in the UAC Documents tab of the UAC’s Assessment file in the UAC Portal. Any findings from the checks are elevated to the case coordinator and FFS. See [2.5 Sponsorship Assessment Background Check Investigations](#) for more information.
 - Initiates the fingerprinting process and assists the sponsor and household members with scheduling a fingerprint appointment, if applicable (see [Appendix 2.14 Fingerprinting Requirements](#))
 - Assists the potential sponsor in scheduling an appointment for the Legal Orientation Program for Custodians. (see [2.2.5 Legal Orientation Program for Custodians](#)) .    

2.2.4 Required Documents for Submission with the Application for Release

 [See Section 2.2.4 of the UAC Policy Guide](#)

PROCEDURES

Proof of Sponsor Identity

1. Potential sponsor submits original versions or legible copies of government issued ID as evidence verifying his/her identify (see [Quick Glance: List of Acceptable Proof of Identity Documents](#)).   

2. The case manager offers guidance to potential sponsor on how to obtain the documentation, emphasizing to the sponsor that the proof of identity document will be required prior to release of the child. However, it is ultimately the potential sponsor’s responsibility to find and submit documentation.  

3. The case manager reviews the proof of identity provided and uploads the documents to the UAC Documents tab in the UAC Portal copying all pages of the document, front and back sides. **NOTE:** The sponsor must be able to provide this ID at the time of the UAC’s release; staff conducting the transfer of custody will verify the ID.  

Quick Glance: List of Acceptable Proof of Identity Documents																			
<p>All potential sponsors may present either one selection from List A or two or more documents from List B. If a potential sponsor presents selections from List A or B, at least one selection must contain a legible photograph. (Expired documents (for up to two years) are acceptable for the purpose of establishing identity.) Sponsors must submit a least one document that contains a photograph for adult household members and adults identified in a sponsor care plan.</p>																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">List A</th> </tr> </thead> <tbody> <tr><td style="padding: 2px;">U.S. Passport or U.S. Passport Card</td></tr> <tr><td style="padding: 2px;">Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</td></tr> <tr><td style="padding: 2px;">Foreign Passport that contains a photograph</td></tr> <tr><td style="padding: 2px;">Employment Authorization Document that contains a photograph (Form I-766)</td></tr> <tr><td style="padding: 2px;">U.S. Driver’s License or Identification Card</td></tr> </tbody> </table>	List A	U.S. Passport or U.S. Passport Card	Permanent Resident Card or Alien Registration Receipt Card (Form I-551)	Foreign Passport that contains a photograph	Employment Authorization Document that contains a photograph (Form I-766)	U.S. Driver’s License or Identification Card	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">List B</th> </tr> </thead> <tbody> <tr><td style="padding: 2px;">U.S. Certificate of Naturalization</td></tr> <tr><td style="padding: 2px;">U.S. Military Identification Card</td></tr> <tr><td style="padding: 2px;">Birth Certificate</td></tr> <tr><td style="padding: 2px;">Marriage Certificate</td></tr> <tr><td style="padding: 2px;">Court order for name change</td></tr> <tr><td style="padding: 2px;">Foreign national identification card</td></tr> <tr><td style="padding: 2px;">Consular passport renewal receipt that contains a photograph</td></tr> <tr><td style="padding: 2px;">Mexican consular identification card</td></tr> <tr><td style="padding: 2px;">Foreign driver’s license that contains a photograph</td></tr> <tr><td style="padding: 2px;">Foreign voter registration card that contains a photograph</td></tr> <tr><td style="padding: 2px;">Canadian border crossing card that contains a photograph</td></tr> </tbody> </table>	List B	U.S. Certificate of Naturalization	U.S. Military Identification Card	Birth Certificate	Marriage Certificate	Court order for name change	Foreign national identification card	Consular passport renewal receipt that contains a photograph	Mexican consular identification card	Foreign driver’s license that contains a photograph	Foreign voter registration card that contains a photograph	Canadian border crossing card that contains a photograph
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Mexican consular identification card																			
Foreign driver’s license that contains a photograph																			
Foreign voter registration card that contains a photograph																			
Canadian border crossing card that contains a photograph																			

	Mexican border crossing card that contains a photograph with valid Form I-94
	Refugee travel document that contains a photograph
	Other similar documents

4. The case manager confirms the identity of all potential sponsors and documents the accurate name and date of birth in the Proof of Identity section of the *Sponsor Assessment*. See [2.4.1 Assessment Criteria](#) for more information about the *Sponsor Assessment*. The case manager updates the Case Status page with the date the Proof of Identity was completed. See [Fig. 2.1](#).  
5. The case manager or the CFS verifies the UAC's and/or potential sponsor's birth certificates or other foreign government issued documents with the Consulate under the following circumstances:
 - The authenticity of the original birth certificate or other foreign government issued document is questionable or the document appears to be fraudulent or altered.
 - The birth certificate provided is for another individual.

NOTE: The FFS supervisor determines the point of contact for each program. If the case manager is responsible, he/she will copy the FFS on the email to the Consulate. If the CFS is responsible, then the case manager will ask the CFS, copying the FFS, to contact the Consulate.  

Proof of Identity of Other Adults

All potential sponsors must submit documentation verifying the identity of other adults in the sponsor's household or adult identified in a sponsor care plan.

1. The potential sponsor submits at least one identification document that contains a photograph for each adult household member and adult identified in a sponsor care plan. See the [Quick Glance: List of Acceptable Proof of Identity Documents](#). The document may be an original or a legible copy.  

NOTE: If a member of the potential sponsor's household or an adult caregiver is a former UAC who was in ORR care, the potential sponsor may submit an original version or legible copy of the ORR *Verification of Release* form issued to the UAC at time of release. The document may only be used to verify the identity of adults under the age of 21, and only if the form contains a photograph. ORR will not accept a *Verification of*

Release as proof of identity if it does not contain a photograph, and/or is for anyone 21 and older.  

2. The case manager reviews proof of identity for the adult household members and adult identified in the sponsor care plan and uploads the documents to the UAC Portal (front and back of the ID). The case manager confirms that the document is acceptable in the Proof of Identity section of the *Sponsor Assessment*. The case manager updates the Case Status page with the date the Proof of Identity review was completed. See **Fig. 2.1**.  

Proof of Immigration Status or U.S. Citizenship

1. The potential sponsor submits documentation to prove their immigration status or U.S. citizenship, if applicable (see [Quick Glance: List of Acceptable Proof of Immigration or U.S. Citizenship Documents](#)).  
2. The case manager reviews the document(s) provided to ensure that the document(s) are sufficient to prove immigration status or U.S. citizenship and that the name, date of birth, and other identifying information in the document(s) match the identifying information contained in other documents provided by the potential sponsor and adult caregiver (e.g., birth certificate, proof of identity, address, or relationship documents, etc.).
3. If the potential sponsor provided their alien number, the case manager also calls the Executive Office for Immigration Review (EOIR) immigration court information hotline at **800-898-7180** to obtain information regarding the potential sponsor's and/or adult caregiver's immigration case. An alien number is required in order to access immigration information from the EOIR hotline.
4. The case manager uploads the document(s) to the UAC Documents section of the UAC Portal and enters the potential sponsor's immigration status in the "Legal Status" field found in the Sponsor Information section of the UAC Portal. 
5. The case manager documents the potential sponsor's immigration status, what documents the potential sponsor submitted, and any information obtained from the EOIR hotline in the "Proof of Immigration Status or U.S. Citizenship" section of the *Sponsor Assessment* and the *Release Request*. 
6. The case manager determines if a sponsor care plan is required (see [2.7.6 Issues Related to Recommendations and Decisions](#)).
NOTE: If the potential sponsor is unable to provide documentation to prove immigration status or U.S. citizenship or is only able to provide expired documents, the potential sponsor is consider to be without status and a sponsor care plan is required.

Quick Glance: List of Acceptable Proof of Immigration or U.S. Citizenship Documents

Potential sponsors and adult caregivers must provide as many forms of evidence needed to verify their immigration status or U.S. citizenship. Acceptable documents include original versions or legible copies of the documents listed below.

Proof of Immigration Status	Proof of U.S. Citizenship
<ul style="list-style-type: none"> Valid visa Legal permanent resident card (green card) Notice to Appear Other Federal government issued documentation providing immigration status information 	<ul style="list-style-type: none"> U.S. passport U.S. birth certificate Naturalization papers Court order Other government issued document sufficient to prove U.S. citizenship

Proof of Address

- The case manager ensures the proof of address submitted matches the address on the sponsor’s application as well as the address that was previously searched in the UAC Portal. The case manager uploads the proof of address document provided by the potential sponsor to the UAC Portal, enters the type of document and the address on the document into the Proof of Address section of the *Sponsor Assessment*, and enters the address in the sponsor information section of the UAC Portal. See the [Quick Glance: Acceptable Proof of Address Documents](#).  

Quick Glance: Acceptable Proof of Address Documents

All potential sponsors must submit at least one form of documentation verifying their current address. Acceptable forms of documentation include original versions or legible copies of:

- A current lease or mortgage statement dated within the last two months before submission of the *Family Reunification Application (FRA)*;
- A utility bill, addressed in the sponsor’s name and dated within the last two months before submission of the *FRA*;
- A bank statement dated within the last two months before submission of the *FRA*;
- A payroll check stub issued by an employer, dated within the last two months before submission of the *FRA*;

- A piece of mail from a county, state, or federal agency (with the exception of ORR) with the sponsor's name and residential address and dated within the last two months before submission of the *FRA*;
- A notarized letter from a landlord on the business stationary of the real property owner confirming the sponsor's address; and
- Other similar documents reliably indicating that the sponsor resides at the claimed address, dated within the last two months before submission of the *FRA*.

If the potential sponsor is unable to submit any of the above documents, the case manager may send a letter to the potential sponsor's address following these instructions.

Address a plain white envelope to the sponsor's address and include as the return address the case manager's name and care provider's address (do not include the care provider facility name).

Create a unique code word that is used only once and refer to the code word in the letter to the sponsor with instructions for the potential sponsor to call the case manager upon receipt of the letter and refer to the code word as evidence that the letter was delivered to the individual and address (include a copy of the letter in UAC's case file and upload a copy to the UAC Portal).

NOTE: The case manager may not accept a photograph or video submitted by the sponsor as proof of address.

2. The case manager verifies that the address provided by the sponsor is a residential address by:
 - Entering the address into SmartyStreets.com to verify that the address is classified as residential under the RDI (Residential Delivery Indicator) category and that the address is not classified as P (post office box) under the Record Type category.
 - Entering the address into Google to verify that it is a valid address in Google Maps and in Google Earth (check the camera view to ensure it is pointing at the address and not across the street or adjacent).
3. The case manager documents in the Proof of Address section of the *Sponsor Assessment* that verification of residential address has been completed through SmartyStreets, Google Maps, Google Earth, and UAC Portal search and updates the UAC Portal as needed with the results. The case manager saves the results of the search in a file that is uploaded in the UAC Documents tab. The case manager updates the Case Status page with the date the Proof of Address was completed. See [Fig. 2.1](#).  
4. If the sponsor does not submit an acceptable proof of address document or if the case manager cannot confirm that the address provided is a residential address or that the

sponsor lives at that address, the case manager documents this in the Proof of Address section of the *Sponsor Assessment* and elevates the issue to the case coordinator and the FFS.  

Proof of Sponsor-Child Relationship

1. The case manager gathers proof of relationship between the UAC and a potential sponsor to determine the sponsor category and to determine the existence of a prior relationship between the UAC and the potential sponsor and/or the UAC’s family with the potential sponsor (If a UAC does not have a birth certificate, the case manager elevates the case to the FFS). 

2. The case manager uploads the documents provided by the sponsor to the UAC Portal. The case manager documents all information in the Proof of Relationship section of the *Sponsor Assessment* along with confirmation that the case manager was able to verify the sponsor-UAC relationship. See [Quick Glance: Acceptable Proof of Relationship Documents](#). The case manager updates the Case Status page with the date the Proof of Relationship was completed. See [Fig. 2.1](#).  

Quick Glance: Acceptable Proof of Relationship Documents	
Potential sponsors must provide as many forms of evidence needed to verify the relationship claimed. Acceptable documents include original versions or legible copies of the list below (not an exhaustive list).	
<i>Parent (Cat 1)</i>	<ul style="list-style-type: none"> • Birth certificates • Court records • Parent’s valid/non-expired or expired (up to two years) government issued photo ID <p>NOTE: The FFS may approve a DNA test for a potential sponsor who says he/she is a biological parent (Cat 1).</p>
<i>Step-parent (who has legally adopted UAC) (Cat 1)</i>	<ul style="list-style-type: none"> • Birth certificates • Parent’s valid/non-expired or expired government issued photo ID • Step-parent’s valid/non-expired or expired government issued photo ID • Marriage certificate • Court order documents confirming adoption or legal guardianship has been established
<i>Legal guardian (Cat 1)</i>	<ul style="list-style-type: none"> • Court order documents confirming adoption or legal guardianship • Birth certificates

	<ul style="list-style-type: none"> • Legal guardian’s valid/ non-expired or expired government issued photo ID • Guardianship records • Death certificates • Hospital records
<p><i>Other related sponsors (Cat 2A/2B or 3)</i></p>	<ul style="list-style-type: none"> • Birth certificates • Trail of familial birth and/or death certificates showing that the UAC and the sponsor are related (this includes the UAC’s birth certificate) • Marriage certificates • Hospital records • Court records • Guardianship records • Baptismal certificate • Primary Caregiver Affidavit (certain 2As only)
<p><i>Unrelated sponsors (Cat 3)</i></p> <p>Cat 3 unrelated potential sponsors who are unable to provide verifiable documentation of a family relationship with the UAC must submit evidence that reliably and sufficiently demonstrates a bona fide social relationship with the child and/or the child’s family that existed before the UAC migrated to the United States.</p> <p>The care provider should gather as many documents as needed to prove prior relationship. This table includes acceptable documents for corroboration purposes (not an exhaustive list).</p>	<ul style="list-style-type: none"> • Birth certificates • Birth certificate or Record Not Found (government issued document) • Government issued photo ID (verify in person or via video conference that you are speaking to the correct individual) • Marriage certificate • UAC parent’s death certificate or death certificates of other family members • Baptismal certificate • Hospital records • School records/diploma • Remittance receipts evidencing financial support of UAC • For proof of recent travel or living in the UAC’s family in country of origin: passport including passport stamps, land deeds of sponsor and minor’s family, government issued ration cards • Photographs or social media posts (labeled) • Family session(s) case notes (clinician and case manager observations of interactions/conversations between UAC and potential sponsor) • Consulate verification of birth certificate • Assessment based on interviews with UAC, UAC’s family, UAC’s caregiver in home country, and sponsor’s neighbors (make all efforts to conduct in-person or via video conference); explanation of potential sponsor’s

	relationship with the UAC in the <i>Family Reunification Application</i> , confirmed by UAC's family.
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Unrelated Category 3 Sponsors Who Have No Preexisting Relationship with the UAC or the UAC's Family

In cases where it has been established that there is no available relative sponsor, or sponsor with a bona fide social relationship to the unaccompanied alien child (UAC) that existed before the child migrated to the United States, an individual with no bona fide social relationship may be considered as a sponsor for release after the case manager:

1. Notifies and staffs the case with the case coordinator and the Federal Field Specialist (FFS) at or before, but no later than, the next weekly staffing meeting.
2. Completes the *Sponsor Assessment* in its entirety, obtains the potential sponsor's ID, and completes the public records check and sex offender registry check prior to step 3.
3. Facilitates regular contact between the potential sponsor, the UAC, and the UAC's family while the UAC is in ORR care, if appropriate.
4. Regularly monitors the contact between the potential sponsor, the UAC, and the UAC's family.
5. Coordinates with the FFS, case coordinator, and the child's clinician (in cases where clinical concerns are identified with the child) to determine if it is in the child's best interest to pursue release to the potential sponsor, while taking the lack of preexisting relationship and the UAC's and/or UAC's family's wishes into account when making a recommendation for release. In addition, the sponsor's motivation for sponsorship should be determined to be in good faith, absent of any potential trafficking concerns, and sponsor demonstrates the ability to provide adequate care for the UAC.
6. Documents this information in the Proof of Relationship section of the *Sponsor Assessment*, the *UAC Case Review*, and the *Release Request*. ✓

Evidence of being a Primary Caregiver (Category 2A sponsors who are non-grandparents/non-adult siblings only)

If the potential sponsor has any guardianship documents or other documents from a state or foreign government they must submit this with the Family Reunification Application. ORR also accepts sworn affidavits from potential sponsors in addition to corroborating interviews the Case Manager has with the child, potential sponsor, and other family members to establish whether the potential sponsor was a primary giver to the child.

1. The case manager contacts the potential Category 2A close adult relative sponsor (who is not a grandparent or adult sibling) and requests:
 - a. Temporary guardianship documents (please note full legal guardianship or adoption would mean the sponsor is a Category 1) from a state or foreign government.
or
 - b. The case manager requests that the sponsor submit a sworn affidavit attesting that they were the child's primary caregiver. The affidavit includes the following information:
 - That the child lived in the same home with the sponsor.
 - The amount of time the child lived with the sponsor.
 - The amount of time the child lived with the sponsor, for which the sponsor claims they were the child's primary caregiver.
 - Where the child's biological parents lived at the time.
 - Why the child's biological parents were unable to provide primary care for the child.
 - Whether the child's biological parents asked/consented to the sponsor being the primary caregiver.
 - Who took the following responsibilities for the child, while the child lived with the sponsor:
 - Bathed the child
 - Fed the child
 - Made health care arrangements
 - Disciplined the child
 - Financially supported the child
 - Supervised the child
 - Consoled/Comforted the child
 - Attestation that the sponsor did not sexually or physically abuse the child, or through their negligence allow others to sexually or physically abuse the child
 - Attestation that the sponsor did not abandon or mistreat the child.
2. For purposes of 2(b) above the case manager conducts interviews with the child, the sponsor, and other family members to corroborate the information in the affidavit.
3. The case manager identifies Category 2A sponsors in the *Release Request* and in the *Sponsor Assessment*.

Missing Documentation or Incomplete FRA

1. If the potential sponsor does not complete the FRA or submit the required proof of identity, immigration status/U.S. citizenship, address, relationship, etc., the case manager consults with the case coordinator and the FFS. **NOTE:** In these cases, the case manager does **NOT** submit a *Release Request*. 📞/✉️
2. The case manager enters the sponsor's name and information in the sponsor information section of the UAC Portal for the UAC and in the sponsor information section of the *UAC Case Review*, documenting the reason why the sponsor was pursued or attempted to sponsor a UAC and decided to withdraw or ORR decided to cancel pursuit of the sponsor. 📝
3. The case manager flags potential sponsors who disclose information that demonstrate a safety concern or potential risk to the child in the UAC Portal (See [Quick Glance: How to Check for Previous Sponsorship](#) and [Quick Glance: When to Flag a Sponsor, Other Adult, or Address](#)). 📝

Reporting Fraudulent Information and/or Documents

If a sponsor, household member, or adult caregiver provides fraudulent information during the sponsor assessment process for the purpose of obtaining sponsorship of a UAC, the care provider must report the incident to the U.S. Department of Health and Human Services Office of the Inspector General (UAC@oig.hhs.gov) and U.S. Immigration and Customs Enforcement Homeland Security Investigations tip line: USICE HSI Tip Line (HSITipLine.Collaboration@ice.dhs.gov). ✉️

State Issued Identity Documents

If the case manager has evidence that a potential sponsor has submitted altered or fraudulent state-issued Identity documents (such as an ID card or driver's license), the case manager should send an email to the reporting agency for the state and copy the FFS (email addresses for the state agencies are included in [Appendix 2.3 Reporting Agencies for Suspected Document Fraud for Most Common ID Documents in Key States](#)). All reports should include any information about the potential sponsor or the circumstances surrounding the fraud.

The U.S. Department of Health and Human Services Office of the Inspector General must be copied in the correspondence with the state agency (UAC@oig.hhs.gov). If the suspected fraud is in a state not identified as a key state in Appendix 2.3, the case manager should contact the assigned FFS and case coordinator. 📞/✉️

2.2.5 Legal Orientation Program for Custodians

 [See Section 2.2.5 of the UAC Policy Guide](#)

PROCEDURES

1. The case manager schedules the sponsor for an LOPC presentation using the LOPC's online scheduling system:

Website: <https://catholiccharitiesny.org/log-in>

In the email account section insert: **LOPC@archny.org**

Password: **Orientation1** (case sensitive)

NOTE: If the online scheduling system is unavailable, the case manager calls the LOPC Call Center for UAC at **(888) 996-3848** and arranges for the Call Center to set up an appointment for the sponsor. 

2. The case manager enters the sponsor's postal code or city and state in the online scheduling system to find the LOPC provider closest to the sponsor's home address. If a sponsor lives more than 60 miles from an LOPC provider or cannot travel to a provider, the case manager contacts the LOPC Call Center.

NOTE: Special instructions for case managers in the Harlingen/Brownsville area: If a sponsor lives more than 60 miles from a LOPC provider in the Harlingen/Brownsville area and is unable to travel to the provider, the case manager may schedule the sponsor for an online LOPC appointment. 

3. The case manager provides the sponsor confirmation of the appointment time, date and location by:
 - Printing out a copy of the online confirmation and mailing the confirmation to the sponsor; or
 - Entering a valid email address for the sponsor into the appropriate field of the online scheduling system, and the system will automatically generate and send an email confirmation to the sponsor;
 - If the LOPC appointment is scheduled to take place **within 48 hours of scheduling**, calling the sponsor and documenting the phone call in the UAC case file.    

2.2.6 Additional Questions and Answers about This Topic

 [See Section 2.2.6 of the UAC Policy Guide](#)

2.3 Key Participants in the Release Process

 [See Section 2.3 of the UAC Policy Guide](#)

2.3.1 ORR Federal Field Specialists (FFS)

 [See Section 2.3.1 of the UAC Policy Guide](#)

2.3.2 Case Managers

 [See Section 2.3.2 of the UAC Policy Guide](#)

2.3.3 Case Coordinators

 [See Section 2.3.3 of the UAC Policy Guide](#)

2.3.4 Child Advocates

 [See Section 2.3.4 of the UAC Policy Guide](#)

PROCEDURES

1. The care provider or other referring party completes Section 1 of the *Child Advocate Recommendation & Appointment Form* and sends it as an attachment to the local child advocate program by email.  
2. The child advocate program makes a recommendation for an individual Child Advocate based upon availability and the individual needs of the UAC. The child advocate program completes Section 2 of the *Child Advocate Recommendation & Appointment Form*. The child advocate program emails the form as an attachment to ORR/DUCO HQ at

DucsConsent@acf.hhs.gov and includes the appropriate points of contact (program staff, FFS, referring party).  

3. The designated ORR staff makes an appointment determination. The ORR staff documents the appointment determination by completing Section 3 of the *Child Advocate Recommendation & Appointment Form* and emails the form as a password protected attachment to the child advocate program, the care provider, and the designated ORR/FFS. The case manager uploads this appointment form to the UAC Portal as documentation.   
4. The child advocate program notifies the UAC’s legal service provider or attorney of record by sending the *Child Advocate Recommendation & Appointment Form*.  

[Appendix 2.4](#) is a screenshot of the *Child Advocate Recommendation & Appointment Form*. The fillable template can be found in the UAC Portal under Forms, Checklists and Other Tools – Administration.

2.4 Sponsor Assessment Criteria and Home Studies

 [See Section 2.4 of the UAC Policy Guide](#)

OVERVIEW

The care provider evaluates each potential sponsor’s ability to provide for the physical and mental well-being of the UAC. ORR determines if additional screening procedures or services, such as a home study, are necessary to ensure the welfare of the child.

ORR may in its discretion require potential sponsors to submit additional documentation before making a release decision.

Key Players	Responsibilities
Case manager or clinician	Responsible for interviewing potential sponsor, completing the <i>Sponsor Assessment</i> , and collecting other information to evaluate the sponsor.
Case coordinator	Consulted by case manager to determine if a home study is required.
FFS	Responsible for approving all home studies. Responsible for initiating home studies based on the results of an FBI background check. Steps in to determine if home study is needed when there is disagreement between case manager and case coordinator.
ORR Home Study Project Officers	Provide program oversight for referrals and work with providers who conduct home studies.

Home Study/Post Release Services Provider	Conducts home study.
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Related Forms/Instruments	Used By
<i>Sponsor Assessment Interviewing Guidance</i>	Case manager or clinician
<i>The Sponsor Assessment form</i>	Case manager or clinician
<i>The Home Study Assessment Report</i>	Home study provider
<i>Release Request</i>	Case manager, case coordinator, FFS

2.4.1 Assessment Criteria

 [See Section 2.4.1 of the UAC Policy Guide](#)

PROCEDURES

1. **Within five calendar days of identifying a potential sponsor**, the case manager or the clinician interviews the potential sponsor based on the *Sponsor Assessment Interviewing Guidance* (see [Quick Glance: Tips for Interviewing Sponsors](#)), completes the fillable *Sponsor Assessment* form and uploads the form to the UAC Portal. The file should be saved as **[Sponsor name]_Sponsor_Assessment_[date]**. Once the *Sponsor Assessment* form is uploaded, the case manager cannot make any changes or additions to the form.

The case manager or the clinician who conducted the interview and completed the *Sponsor Assessment* must certify that the potential sponsor was interviewed based on the *Interviewing Guidance* and must (electronically) sign and enter his/her name, title, and the date as certification in the *Sponsor Assessment* form. The case manager updates the Case Status page with the date the *Sponsor Assessment* was completed.

If the form is incomplete **within the 5 days due to missing information or documentation**, the case manager may save a copy for updating and upload the form later (see Step 3 below). But the case manager must complete the following sections in the initial *Sponsor Assessment* form within the **5 day timeframe** and upload it in the UAC Portal:

- Sponsor Basic Information (**NOTE:** ORR no longer collects Social Security Numbers (SSN) of sponsors.)
- Sponsor Cultural Information
- Family Relationships (including family tree, if applicable)
- Household Composition
- Previous Sponsorship
- Proof of Identity

- Criminal History
- UAC Journey and Apprehension
- Human Trafficking
- Fraud    

 [Appendix 2.5](#) is the *Sponsor Assessment Interviewing Guidance*.

 [Appendix 2.6](#) is the *Sponsor Assessment* form.

Quick Glance: Tips for Interviewing Sponsors

- Ask all questions as stated in the guidance. But if the sponsor answers more than one question in a single response, don't ask the pre-answered question again.
- Phrase all questions in a culturally appropriate manner to engage the potential sponsor.
- Be conversational and don't just read word for word.
- Ask follow up questions if needed.
- Don't feel the need to ask interview questions in order. Allow the interview to flow naturally.
- Follow up with more research and interviews with the UAC and others to address any discrepancies or inconsistencies identified in the interview.

The following is required for UAC with distant relative Cat 3 sponsor and optional for all other sponsor categories:

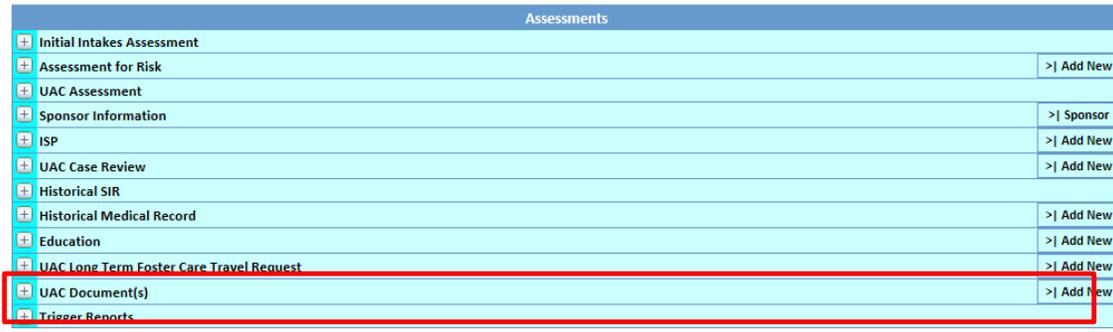
Ask the potential sponsor to create a family tree (genogram) when answering questions related to proof of relationship and family relationships. Upload the family tree to the UAC's case file. (Go to <http://www.genopro.com/genogram/template> for a template and help in creating a family tree.)

2. If the sponsor self-discloses criminal history in the interview (or if background checks reveal criminal history or a safety risk for the potential sponsor, adult household members, and adult identified in the sponsor care plan), the case manager elevates to the case coordinator and the FFS to determine if ORR should obtain court records, police reports, proof of rehabilitation, and letters of explanation of the incident.

If these records are no longer available because they have been expunged, the case manager should elevate to the FFS for next steps.  

[Figure 2.4](#) indicates where to upload the *Sponsor Assessment* in the UAC Portal.  

Figure 2.4 Where to Upload the Sponsor Assessment in the UAC Portal



3. If the case manager needs to update the *Sponsor Assessment* after **the 5 day timeframe**, he/she should create a new word document of the form using the following naming convention: **[Sponsor name]_Updated_Sponsor_Assessment_[date]**. The form may be updated as necessary but must be completed and uploaded to the UAC Portal **before the case manager submits the release recommendation to the case coordinator**. The number of *Sponsor Assessments* submitted per sponsor **may not** exceed two copies. Each copy must clearly indicate whether it is the initial assessment or the final version.



4. If the case manager determines during the sponsor assessment process that a sponsor or address should be flagged, the case manager should click on the editing icon highlighted in [Fig. 2.5](#) which opens the “Sponsor Information” tab under UAC Assessments to enter demographic, background check information, or other reason a sponsor, other adult, or address is flagged.

Fig. 2.5 Updating or Adding a Flag to the UAC Portal

Click on the edit icon highlighted below.



5. If a case manager is conducting concurrent planning, he/she should include this information in the *UAC Assessment* and *UAC Case Review* and indicate which sponsor is designated as the “Current Sponsor” since only one individual may hold this designation

at any time in the *UAC Case Review* (simply click the “yes” or “no” button in the sponsor information page for each sponsor). 

6. The case manager must complete the sponsor assessment process before:
 - The case manager submits a home study referral.
 - The case manager submits a release recommendation.

2.4.2 Home Study Requirement

 [See Section 2.4.2 of the UAC Policy Guide](#)

PROCEDURES

1. The case manager continuously consults with the case coordinator using information collected during the UAC’s initial assessment and throughout his/her stay in conjunction with the sponsor assessment process to determine if a home study of the potential sponsor is required. Home studies are **only** requested for potentially viable sponsors.  
2. **Within 2 business days** of the completion of the FRA and after consultation with the case coordinator, the case manager submits the *Release Request* with a recommendation to perform a home study and summarizes the following in the comments section ([Fig. 2.6](#) shows a partial snapshot of the *Release Request*):
 - *Initial Intakes Assessment*
 - *UAC Assessment*
 - FRA
 - Safety Plan, if applicable
 - Background check results
 - Relevant SIRs
 - *UAC Case Review*
 - *ISP*
 - For category 2A/B and 3 cases, information about the biological parents’ or legal guardians’ consent for release and/or provision of *Letter of Designation* for Care of a Minor
 - Any additional assessments, including psychological assessments, and additional documentation on the UAC related to the release assessment (e.g., juvenile delinquency records)
 - For discretionary home studies:

- What additional information will a discretionary home study be able to provide, other than what has already been gathered via the sponsor assessment process, to mitigate concerns and create a safer release scenario for the UAC
- What questions need to be answered by the discretionary home study   

Fig. 2.6 Case Manager Section of the Release Request

Release Request

Requester Information

Requester Name:

Requester Title: Requester Phone:

Type of Release: Release to Sponsor Release to Program

Sponsor Information

Name of Sponsor:

Date of Birth: AKA:

Country of Birth: Current Age:

If Other Non-immigrant Visa, Specify:

Legal Status:

If Other Immigrant Visa, Specify:

A Number: SSN:

Sponsor Email:

Sponsor's Relationship to:

Minor:

Is There Proof of the Relationship? Yes No

Provide Details on Relationship Including Official Documentation:

Sponsor Household Occupants:

Affidavits of Support:

Case Manager Recommendation

Case Manager Name:

Comments:

Is Attorney Contacted?: Yes No

Case Manager Recommendation:

Case Manager Recommendation after Home Study:

If Applicable, Cancellation Reason:

Updated Date/Time: Updated User:

3. If there is nonconcurrency between the case manager's recommendation and the case coordinator's recommendation on regarding the performance of a home study, the case coordinator **immediately** elevates the case to the FFS who will make a determination on whether or not to conduct a home study in the *Release Request* in the UAC Portal **within 1 business day** (see [2.7 Recommendations and Decisions on Release](#) below for more information about the *Release Request*).  
4. The case manager goes to the referral tab in the UAC Portal (See [Fig. 2.6 Case Manager Section of the Release Request](#) and [Fig. 2.7 Home Study Case Referral Section](#)) to complete the home study referral.

Fig. 2.7 Home Study Case Referral Section

(A)

Assessments	
Transfer Request	> Add New
Release Request	> Add New
Home Study Case Referral	> Add New
Discharge Notification	> Add New
Program Exit	> Add New
Trigger Reports	> Add New

(B)

Home Study Case Referral

Referring Facility Information

Referring Facility Name: Fake Facility * Referral ID:
 Facility/Case Manager: Referral Status:
 (Email Address):
 Alternative Email Addr:
 Acceptance Date: Expected Closure Date:

Sponsor Information

Sponsor Name: Fake Fake Sponsor Category: 2
 Sponsor City: New York Sponsor State: NY
 Sponsor Zip Code: 11001

Expedited: No Yes
 Reason Expedited: --Select--
 Special Instructions: --Select-- Reason for Referral: --Select--

Cross-Referenced Case

Relationship Group ID:

>| Save >| Send Case Referral >| Close Case Referral >| Cancel Case Referral >| Reset

ORR prioritizes Home Study and PRS TVPRA cases. Discretionary home study referrals may not be posted in the UAC Portal until the FFS approves the home study. See [Quick Glance: FFS Approval for Discretionary Home Studies](#).   

If a case is no longer in need of a home study or PRS, the case manager goes to the Home Study Case Referral tab in the Discharge Section and chooses the option to “Cancel Case Referral” for the specific case. The case manager also needs to update the *Release Request*.

The case manager ensures that all documentation is saved in the UAC Portal. The information includes:

- *Initial Intakes Assessment*
- *UAC Assessment*
- *Sponsor Assessment*
- *FRP*

- Safety Plan, if applicable
- Background check results
- Relevant SIRs (**NOTE:** Because HS/PRS providers cannot access SIRs, the case manager must send email copies to the provider.)
- *UAC Case Review*
- *ISP*
- For category 2A/B and 3 cases, information about the biological parents' or legal guardians' consent for release and/or provision of *Letter of Designation for Care of a Minor*
- Any additional assessments, including psychological assessments, medical records, and additional documentation on the UAC related to the release assessment (e.g., juvenile delinquency records)    

Quick Glance: FFS Approval for Discretionary Home Studies

In order to recommend a discretionary homes study, the case manager and case coordinator must have a reasonable expectation that results of the home study process (i.e., home visit, face-to-face interviews with the potential sponsor and household members) will provide additional information, other than what has already been gathered via the sponsor assessment process, which will mitigate concerns. Care providers should only request home studies for potentially viable sponsors. Concerns related to moving violations and DUI/DWIs (unless there are multiple charges in a relatively short period) unconnected to a well-founded child welfare concern are not to be used as the underlying basis for a discretionary home study.

The home study must focus on potential sponsor's ability to appropriately care for the UAC and the sponsor's ability to ensure the safety and well-being of the UAC.

The case coordinator elevates the recommendation to perform a discretionary home study to the FFS after justification for the home study recommendation has been documented in the Release Request as "Conduct Home Study—Discretionary."

If the FFS or case coordinator requests additional information, the case manager and/or case coordinator must respond within **1 business day**. If needed, the FFS may staff the case with the FFS supervisor.

The FFS sends their determination in writing within **1 business day** to the case coordinator and case manager.

5. When a case has a home study referral, the navigation tab on the UAC Portal includes a HS and PRS tab which is used by the HS/PRS provider to manage cases. See [Figure 2.8 HS and PRS Tab](#).

The home study provider selects cases from the National HS/PRS Referral List by clicking the accept button in the UAC Portal’s Referral Tab. (This moves the referral from the “waiting” list to the accepting provider’s “active” list until the home study is completed.)

Figure 2.8 HS and PRS Tab



NOTE: Each Friday, the home study provider must submit their active HS/PRS case list to DCS_HSPRS@acf.hhs.gov. The home study provider reviews all cases for duplication of services on the National Network Call on Tuesdays at 2:00 p.m. EST. If duplication is found, the providers reach a consensus to determine which provider will continue with the case.

6. The home study provider contacts the care provider to confirm acceptance and request missing (if any) referral documents (including SIRs).
7. The portal automatically removes UAC who turn 18 years of age while on the referral wait list because the UAC are no longer eligible for services.
8. **Within 2 business days of the home study provider’s referral acceptance**, the home study provider reviews the *Release Request* and staffs the case with the case manager, as needed.
9. **Within 10 business days of acceptance**, the HS/PRS provider uses the *Home Study Assessment Report* template to report findings of the home study and upload the template into the UAC Portal including a recommendation to the case manager.
10. The HS/PRS provider must submit any requests to extend the home study due date **beyond 10 business days** or to cancel a home study to the FFS for approval via email. Possible criteria for extension can include:
 - Additional household members moved in after the referral.
 - Concerns about additional household members who were not present at the home visit.
 - Inability for the provider to schedule a home visit due to the sponsor’s schedule.

11. If the case manager learns new information after the home study provider has submitted their final report, the FFS has the authority to request a home study addendum to the original home study provider to gather more information for an informed release decision. Care providers must go through their FFS to request a home study addendum. The FFS may request an addendum any time after the final home study report has been submitted, but in some circumstances, it may be necessary to request a new home study if the sponsor’s circumstances have significantly changed or if the home study was completed over a year prior to the current date.

Upon request by the FFS, the home study provider has **10 business days** to submit the addendum to the UAC Portal. The provider may only request one addendum per home study without FFS supervisor approval. 📧📧📧

NOTE: Home studies are only **valid for one year.** 📧

2.4.3 Additional Questions and Answers on This Topic

📖 [See Section 2.4.3 of the UAC Policy Guide](#)

2.5 Sponsorship Assessment Background Check Investigations

📖 [See Section 2.5 of the UAC Policy Guide](#)

OVERVIEW

ORR requires background checks for all potential sponsors, adult members of the household, and adult caregivers identified in sponsor care plans (adult caregivers). This section describes the required background checks based on sponsor category and other factors, the responsible parties for completing and reporting the results, and notifications and other follow up steps to ensure safety. All potential sponsors, adult household members, and adult caregivers must undergo a public records background check of criminal history and sex offender registry databases. Sponsors in Categories 2B and 3, as well as some Category 1 and 2A sponsors, adult household members, and adult caregivers require fingerprint background checks that are processed through Federal partners.

Key Players	Responsibilities
FFS	Reviews all fingerprint checks and provides guidance as to whether to continue assessment of a particular sponsor in light of check results.

Case coordinator	Makes recommendations regarding safety planning and child welfare recommendations.
Case manager	Conducts Public Records Checks (an Internet Criminal Public Records Check and Sex Offender Registry Check) for all potential sponsors, adult household members, and adult caregivers (individuals identified by undocumented sponsors who will take over the care of the UAC if the sponsor is deported or leaves the United States). Conducts State Criminal History Repository Checks and/or Local Police Checks, as needed.
HHS Program Support Center, Division of Children’s Services (PSC/DCS)	Conducts all Non-Public Records Checks – FBI National Criminal History Check (Fingerprint Check), FBI Biometric Services Unit (FBI/BSU) Civil Name Check, and Child Abuse and Neglect (CA/N) Check – on behalf of ORR.

Related Forms/Instruments	Used By
<i>Authorization for Release of Information</i>	Case manager, lead case manager, PSC/DCS
<i>Sponsor Check Coversheet</i>	Case manager, lead case manager, PSC/DCS
<i>CA/N Check Coversheet</i>	Case manager, lead case manager, PSC/DCS
<i>CA/N Check State Instructions</i>	Case manager, lead case manager, PSC/DCS
CA/N Check State Forms	Case manager, lead case manager, PSC/DCS

2.5.1 Background Check Requirements

 [See Section 2.5.1 of the UAC Policy Guide](#)

PROCEDURES

1. The case manager notifies all potential sponsors that an Internet Criminal Public Records Check and Sex Offender Registry Check will be performed for all sponsors, adult household members, and adult caregivers. The case manager also notifies the potential sponsor of any additional background checks that are required by ORR (see [Quick Glance: Overview of Background Checks Requirements](#)). The case manager advises adults to be truthful about criminal backgrounds before results are obtained as a lack of

information or explanation from the potential sponsor may affect the release decision.



NOTE: Adult caregivers must be entered in the Sponsor Information section of the UAC Portal. The adult caregiver should be entered under Household Information because the UAC Portal does not have a separate area to enter adult caregivers. The case manager goes to the Sponsor Information section and 1) adds a note in the Comments box indicating the category and noting whether the individual is also a household member and 2) records the name under the Household Information section. See [Fig. 2.9 Creating a Record for the Adult Identified in the Sponsor Care Plan](#).

Fig. 2.9 Creating a Record for the Adult Identified in the Sponsor Care Plan

Quick Glance: Overview of Background Check Requirements			
Type of Background Check	Purpose	Persons Checked	When Performed
Public Records Check	Identifies arrests or convictions of sponsors, adult household members, or others. If a check reveals a criminal record or safety issue, it will be used to evaluate the sponsor's ability to provide for a child's physical and mental well-being.	Potential Sponsors in Categories 1-3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	In all cases.
Sex Offender Registry Check, conducted through the U.S.	Identifies sponsors and others that have been adjudicated as sex	Potential Sponsors in Categories 1-3.	In all cases.

<p>Department of Justice National Sex Offender Public Website</p>	<p>offenders through a national search and, if available, a local public registry search.</p>	<p>Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.</p>	
<p>FBI National Criminal History Check, based on digital fingerprints or digitized paper prints</p>	<p>Determines whether a sponsor or adult household member (as applicable) has a criminal history, has a profile in DHS IDENT, has been convicted of a sex crime, or has been convicted of other crimes that compromise the sponsor’s ability to care for a child.</p>	<p>Potential Sponsors in Category 1 and 2A.</p>	<p>Where a public records check reveals possible disqualifying factors under 2.7.4; or where there is a documented risk to the safety of the unaccompanied alien child, the child is especially vulnerable, and/or the case is being referred for a home study.</p>
		<p>Potential Sponsors in Categories 2B and 3.</p>	<p>In all cases.</p>
		<p>Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.</p>	<p>Where a public records check reveals possible disqualifying factors under 2.7.4; or where there is a documented risk to the safety of the unaccompanied alien child, the child is especially vulnerable, and/or the case is being referred for a home study.</p>

Child Abuse and Neglect (CA/N) Check, obtained on a state by state basis as no national CA/N check repository exists	Checks all localities in which the sponsor or household member has resided in the past 5 years.	Potential Sponsors in Categories 1-3.	In cases that require a home study, and cases where a special concern is identified.
		Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	In any case where a sponsor is required to undergo a CA/N check.
State Criminal History Repository Check and/or Local Police Check	Assists in locating police or arrest records, or other criminal offense details, as needed.	Potential Sponsors in Categories 1-3. Non-sponsor adult household members and adult caregivers identified in a sponsor care plan.	Used on a case-by-case basis when there is an unresolved criminal arrest or issue that is still in process.

2. The potential sponsor should advise the case manager immediately if he or she has any record of criminal charges, sexual offenses, or child abuse/neglect charges and if they are aware of any record of criminal charges, sexual offenses, or child abuse/neglect charges for their adult household members and/or adult caregiver. 📞/✉️
3. Based on the information provided, the case manager determines what types of background checks are required for the potential sponsor, adult household members, and adult caregiver (See [Quick Glance: Overview of Background Checks Requirements](#)). The case manager should include the case coordinator and FFS in cases that involve criminal history self-disclosures. 📖✉️

NOTE: If a potential sponsor, adult household member, or adult caregiver refuses to complete a required background check, the case manager elevates the case to the FFS who will staff the case with the FFS supervisor to determine whether to deny the release based on current ORR policy and any other relevant factors. FFS notifies the case manager of the final decision. ✉️

Public Records Checks (Internet Criminal Public Records Check and Sex Offender Registry Check)

1. The case manager conducts an **Internet Criminal Public Records Check** for all potential sponsors, adult household members, and adult caregivers.
2. The case manager conducts a **national and local/state Sex Offender Registry Check** through the U.S. Department of Justice NSOPW and local/state Public Registry Sites for all potential sponsors, adult household members, and adult caregiver.

The check must include the following:

- Name checks (potential sponsor, adult household members, adult caregiver)
- Address searches (using the current address that has been verified) within a one mile radius for all names – potential sponsor, household members and adult caregiver). This address search is completed to determine if there are sex offenders at the address or in close proximity to the address (**NOTE:** Some state Sex Offender Registries do not include an address check. In these cases, document that the attempt was made and what check was accomplished.) The case manager should take the results into consideration in assessing the safety plan and safety of the release.

Local/state Sex Offender Registry Checks for all states in which the potential sponsor, adult household members, and adult caregiver resided over their entire adult lifetime. ☺

3. The case manager uploads the results of the public records checks (screenshots, descriptions, dates, etc.) in the UAC Documents section in the UAC Portal and completes the case manager section of the Background Check Table. The case manager staffs the case with the case coordinator in the event there is a “hit” in the search. (See [Quick Glance: How to Document Background Checks in UAC Portal](#)). ☺✉

NOTE: Public records check results are valid for 90 days from the date results are received, as documented in the Date Results Received column of the Background Check Table in the UAC Portal. If the UAC has not been approved for release before the public records check results expire, the case manager must reprocess the checks, update the Background Check Table in the UAC Portal, and upload the results into the UAC Documents section of the UAC Portal.

NOTE: ORR does not require a signed *Authorization for Release of Information* from an individual unless they are submitting fingerprints. However, many public records vendors have terms of use agreements that do require an authorization. In those

instances, an *Authorization for Release of Information* should be obtained from the adult household member or adult caregiver.

Quick Glance: How to Document Background Checks in UAC Portal

Go to the Background Check table in the Sponsor Information section of the UAC Portal; for both the sponsor and the household member(s) check off which background checks were requested.

For non-public records checks, do not enter data into the Date Requested, Results Received, and Results columns – PSC/DCS enters this information.

NOTE: If you do not check off which background checks were requested under the Check Requested column for non-public records checks, PSC/DCS will be unable to record the results of those checks.

The screenshot displays the UAC Portal interface. At the top, there is a table for 'Affidavits of Support' with columns for Annual Income, Proof of Income, EMP. Name, EMP. Address, EMP. City, EMP. State, EMP. Zip Code, Doc. to Sponsor, and EMP. Phone. Below this is a form for 'Sponsor's Relationship to UAC' with a 'Background Check' checkbox circled in red. To the right, there are fields for 'Sponsor Category', 'Type', 'City', and 'Zip Code'. The main section is a 'Background Checks' table with columns: Background Check Type, Check Required - All Cases?, Check Requested?, Date Requested, Date Results Received, and Results. The 'Check Requested?' column is highlighted with a red box. A red arrow points from the 'Background Check' checkbox in the sponsor form to the 'Check Requested?' column. Another red arrow points from the 'Background Checks' table to the 'Background Check' checkbox in the 'Dependent to Sponsor Income' section below. Red text annotations include 'Case Manager enters data here' pointing to the 'Background Check' checkbox in the sponsor form, and 'PSC/DCS enters data here' pointing to the 'Date Requested' and 'Date Results Received' columns in the 'Background Checks' table.

Non-Public Records Checks (Performed by PSC/DCS)

NOTE: PSC/DCS conducts regular in depth trainings related to non-public records checks and fingerprinting instructions. ORR headquarters staff work with CFS, FFS, and POs to notify

programs about upcoming trainings. To request training from PSC/DCS, contact the operations specialist listed on the PSC/DCS Contact List.

FBI NATIONAL CRIMINAL HISTORY CHECK (FINGERPRINT CHECK)

1. The case manager obtains an *Authorization for Release of Information (ARI)* and a copy of a government issued photo ID (front and back) for all relevant parties (see [Quick Glance: List of Acceptable Proof of Identity Documents](#)).

NOTE: If needed, some ORR digital fingerprint sites offer in-person assistance completing the *FRP* and/or *ARI* (see [Appendix 2.14 Fingerprinting Requirements](#)). 

2. The case manager assists the potential sponsor, adult household member, and/or adult caregiver in scheduling a fingerprint appointment at an ORR digital fingerprint site to occur **within 3 business days of receiving the signed ARI and government issued photo ID** (see [Appendix 2.14 Fingerprinting Requirements](#)).
3. The case manager completes the Check Requested field in the Background Check table in the Sponsor Information section of the UAC Portal (see [Quick Glance: How to Document Background Checks in UAC Portal](#)). 
4. The case manager fully completes the *Sponsor Check Coversheet*. If any of the following conditions apply the case manager documents the condition in the comments section of the *Sponsor Check Coversheet*:
 - If the case manager is requesting the fingerprint check be expedited, the reason must be noted (see [Quick Glance: Expediting Fingerprint Check Results](#) for full requirements).
 - If the case manager believes the individual previously completed a fingerprint check, that must be noted and the approximate date should be included.
 - If the individual is the sponsor or household member for more than one UAC, the name and A# of those UAC must be included. 

 [Appendix 2.7](#) is the *Sponsor Check Coversheet*.

Quick Glance: Expediting Fingerprint Check Results

Case managers may request expedited processing for Fingerprint Checks under the following circumstances:

- Imminent age out (UAC aging out in 60 days or less)
- Legal issue

- UAC medical issue
- Cat 1 or 2A cases that require fingerprint check results before the UAC may be released (see [Quick Glance: Release of UAC Prior to Receiving Fingerprint Check Results](#))

To request expedited processing and allow PSC/DCS to appropriately prioritize expedited cases, the case manager must include “AGE OUT [age out date]:” on the subject line of the email for any age out cases and “RESULTS REQUIRED:” for any cases that require results before the UAC can be released. For all other cases, the case manager must include “REQUEST TO EXPEDITE:” on the subject line of the email (see [Email Template: Fingerprint Check Requests](#)). The case manager must notate the following in the Comments section of the *Sponsor Check Coversheet*:

- Basis for the request
- Date by which results are needed
- If there are other items pending (e.g., home study) that would not allow for immediate release of the UAC once fingerprint check results have been received

PSC/DCS will prioritize all cases for which expedited processing is requested that fall under the circumstances listed above, but cannot guarantee results will be available by the requested date.

If the case manager requests expedited processing for any circumstance not listed above, PSC/DCS will elevate the request to ORR HQ for approval.

5. The case manager reviews the *Sponsor Check Coversheet*, *ARI*, government issued photo ID, and paper fingerprint cards (if applicable) for accuracy, completeness, and legibility (see [Appendix 2.9 Background Check Submission Requirements](#)). 
6. If paper fingerprint cards are used, the case manager uses an express mail service (e.g., UPS, FedEx) to send the following to PSC/DCS for **next morning** delivery:
 - Two original fingerprint cards (ORR does not collect Social Security Numbers and this field should be blacked out – see [Appendix 2.13 Fingerprint Card](#))
 - Copy of the *Sponsor Check Coversheet*
 - Copy of the *Authorization for Release of Information* (pages 1-5)
 - Copy of the subject’s government issued photo ID  
7. The case manager formally requests the Fingerprint Check using the email template below.  

✉ **Email Template: Fingerprint Check Requests**

From: Case Manager
To: SponsorCheck.os@hhs.gov
Subject: Fingerprint Check Request for [sponsor's initials]

- If requesting expedited results for an age out, add "AGE OUT [age out date]:"
- If the case requires results before the UAC may be released, add "RESULTS REQUIRED:"
- If requesting expedited results for any other reason, add "REQUEST TO EXPEDITE:"

Attachments:

- *Sponsor Check Coversheet*
- *Authorization for Release of Information* (pages 1-5)
- Copy of government issued photo ID (If individual is claiming U.S. citizenship, a U.S. Birth Certificate, Certificate of Naturalization or Certificate of Citizenship, or U.S. Passport is preferable)

NOTE: All of the documents listed above as attachments must be submitted to PSC/DCS together. The documents must be merged into one PDF.

Case managers must password protect any Personally Identifiable Information (PII) that is sent to PSC/DCS. The *Sponsor Check Cover Sheet*, *ARI*, and photo ID must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

8. The case manager determines if the UAC is eligible for release prior to receipt of background check results (see [Quick Glance: Release of UAC Prior to Receiving Fingerprint Check Results](#)).

NOTE: The Case Manager should staff eligible cases with the FFS, or notify the FFS of an eligible case via email, as soon as possible. The Case Manager and FFS document in the *Release Request* that the case is being processed without waiting for fingerprint results because the case falls under the "December 2018 Operational Directive."

Quick Glance: Release of UAC Prior to Receiving Fingerprint Check Results

A UAC may be recommended and approved for release without obtaining the Fingerprint Check results if:

- The sponsor is 2B

- A public records check did not reveal possible disqualifying factors under Section 2.7.4;
- There is no documented risk to the safety of the unaccompanied alien child and the child is not considered especially vulnerable;
- The case is not being referred for a home study;
- All family reunification application, assessments, documentation, and other required background check results (with the exception of CA/N Check results – see [Quick Glance: Release of UAC Prior to Receiving CA/N Check Results](#)) needed to approve a safe release have been received and reviewed by the case manager;
- The Fingerprint Check was requested from PSC/DCS following ORR procedures, including submission of the *Sponsor Check Coversheet, Authorization for Release of Information*, photo ID, and fingerprints (digital or paper); and
- Receipt of the Fingerprint Check results is the only step preventing a release recommendation.

Derogatory Information Received After Release

In any instance where a UAC is released and possible derogatory information is later discovered after Fingerprint Check results are received, the FFS makes a case-by-case determination on what follow up is required, if any. State CPS or law enforcement may be notified if there is determined to be any immediate danger to a child's welfare. The FFS may also attempt to refer the case for post-release services.

Unclassifiable Fingerprints

In any case where a UAC is released and the fingerprints results are unclassifiable, the case manager must make every attempt to have the individual submit a new set of fingerprints, either at an ORR digital fingerprint site or via paper fingerprint cards. The case manager must inform PSC/DCS **within two weeks of receiving the fingerprint results** whether the individual will submit new fingerprints. If the case manager informs PSC/DCS that an individual refuses to submit new fingerprints or for any case in which PSC/DCS has not received new fingerprints **within 30 days of sending fingerprint results**, PSC/DCS will rerun the original set of fingerprints. If the original set of fingerprints remain unclassifiable (this is the most probable outcome), PSC/DCS will run an FBI/BSU Civil Name Check. 🌐

Incomplete Fingerprint Cards

In any case where a UAC is released and an incomplete set of paper fingerprint cards was sent to PSC/DCS, the case manager must provide the missing information **within one week of receiving the request** from PSC/DCS. Fingerprint Checks cannot be run using incomplete fingerprint cards. If PSC/DCS does not receive the missing information **within 30 days of their initial request**, PSC/DCS will cancel the entire Fingerprint Check request and inform the case manager and assigned FFS via email. 🌐

9. PSC/DCS reviews incoming Fingerprint Check requests for accuracy, completeness, and legibility. If any required documents are missing or the request does not comply with the requirements noted in [Appendix 2.9 Background Check Submission Requirements](#), PSC/DCS rejects the submission and informs the case manager that the request must be resubmitted. PSC/DCS processes background checks in the order in which they are received and any requests that need to be resubmitted fall to the bottom of the queue.
10. PSC/DCS completes the Date Requested, Date Results Received, and Results fields in the Background Check table in the Sponsor Information section of the UAC Portal when the Fingerprint Check is complete and, if applicable, uploads criminal history reports to ORR Connect (SharePoint website). 
11. PSC/DCS emails a spreadsheet containing Fingerprint Check results to the designated ORR staff once a day. The spreadsheet includes the following:
 - FBI National Criminal Check result (i.e., whether the individual **appears clear**, the case was **referred to the assigned FFS**, or the individual had **unclassifiable fingerprints**)
 - Confirmation results were entered into the UAC Portal
 - Whether criminal history record was uploaded into ORR Connect

NOTE: For expedited cases, PSC/DCS emails results directly to the case manager and copies the FFS instead of including the results in the spreadsheet (See [Quick Glance: Expediting Fingerprint Check Results](#)). 

12. The designated ORR staff emails the Fingerprint Check results received from PSC/DCS individually to each care provider facility and copies the assigned FFS. 
13. The care provider distributes Fingerprint Check results received from the designed ORR staff to the assigned case managers. 

NOTES:

- If the prints are unclassifiable, the case manager assists the individual in scheduling a fingerprint appointment at an ORR digital fingerprint site so that a second set of prints may be obtained, even if the UAC has already been released. If the individual is unable to travel to an ORR digital fingerprint site, then paper fingerprint cards may be used (see [Appendix 2.14 Fingerprinting Requirements](#)).
- ORR federal staff and PSC/DCS do not release criminal history records produced by FBI National Criminal History Checks to ORR grantees, ORR contractors, third party reviewers, outside organizations, or individuals. ORR does not confirm or deny the existence of the records and does not share the content of a record verbally or in writing.

- Fingerprint Check results are valid for 270 days from the date results are received, which is documented in the Date Results Received column of the Background Check Table in the UAC Portal. If the UAC is not approved for release before fingerprint check results expire, the sponsor, adult household member, and/or adult caregiver must be re-fingerprinted and a new fingerprint check must be requested from PSC/DCS. Please see [Appendix 2.9 Background Check Submission Requirements](#) for additional information on requesting background checks for individuals who have previously completed a background check.

Quick Glance: Requesting Status Updates for Background Check Results

FINGERPRINT CHECKS

Case managers may email PSC/DCS at SponsorCheck.os@hhs.gov to request a status update on their Fingerprint Check request. However, unless the case has been expedited, the case manager must wait at least seven business days from the time they emailed a complete Fingerprint Check request to PSC/DCS (or from the time when PSC/DCS received paper fingerprint cards if digital fingerprints were not taken) before asking for a status update.

During periods of influx or other circumstances where there is a delay in processing Fingerprint Checks, PSC/DCS may direct case managers to wait for a longer period of time before requesting a status update. In order to avoid exacerbating situations in which there are processing delays, case managers must follow any such guidance provided by PSC/DCS.

To request a status update, case manager must enter “Status Update Request for [sponsor/household member’s initials]” in the subject line of the email and include the following information in a separate password-protected document:

- For All Requests: sponsor/household member name and date of birth, UAC name and A#
- For Digital Fingerprints: ORR digital fingerprint site name, date fingerprinted
- For Paper Fingerprints: courier name and tracking number, shipping date

CA/N CHECKS

Lead case managers (or designated care provider staff member) may email PSC/DCS at CANchecks.os@hhs.gov to request a status update on CA/N Check results after they receive notification the CA/N check request was accepted by PSC/DCS. However, the lead case manager must wait until after the state’s processing time before asking for a status update (e.g., if the state’s processing time is 45 days, the lead case manager must wait 45 days before requesting a status update). State processing times are found in the *CA/N Check State Form Instructions*.

To request a status update, the lead case manager (or designated care provider staff member) must enter “Status Update Request for [sponsor/household member’s initials]” in

the subject line of the email and include the following information in a separate password-protected document:

- Sponsor/household member name and date of birth
- UAC name and A#
- State name(s) for which the update is being requested

FBI/BSU CIVIL NAME CHECK

PSC/DCS automatically runs an FBI/BSU Civil Name Check if fingerprints remain unclassifiable after a second attempt.

1. PSC/DCS completes the Date Requested, Date Results Received, and Results fields in the Background Check table in the Sponsor Information section of the UAC Portal when the Fingerprint Check is complete and, if applicable, uploads criminal history reports to ORR Connect (SharePoint website). 
2. PSC/DCS enters FBI/BSU Civil Name Check results in the Fingerprint Check results spreadsheet that is emailed to the designated ORR staff once a day. PSC/DCS indicates in the notes column of the spreadsheet that an FBI/BSU Civil Name Check was run because fingerprints were unclassifiable after a second attempt.

NOTE: For expedited cases, PSC/DCS sends results directly to the case manager and copies the FFS instead of including the results in the spreadsheet (See [Quick Glance: Expediting Fingerprint Check Results](#)). PSC/DCS indicates in the body of the email that an FBI/BSU Civil Name Check was run because fingerprints were unclassifiable after a second attempt.  

3. The designated ORR staff emails the FBI/BSU Civil Name Check results received from PSC/DCS individually to each care provider facility and copies the assigned FFS. 
4. The care provider distributes FBI/BSU Civil Name Check results received from the designed ORR staff to the relevant case managers. 
5. For cases in which the individual appears clear, the assigned FFS elevates the case to the FFS supervisor for approval to use FBI/BSU Civil Name Check results in lieu of fingerprint check results.
6. If criminal history records are uploaded to ORR Connect, the assigned FFS follows procedures in the section below [Case Referrals to FFS: Case Manager and FFS Roles and Responsibilities](#).

NOTE: FBI/BSU Civil Name Check results are valid for 270 days from the date results are received, which is documented in the Date Results Received column of the Background

Check Table in the UAC Portal. If the UAC is not been approved for release before fingerprint check results expire, the sponsor, adult household member, and/or adult caregiver must be re-fingerprinted and a new fingerprint check must be requested from PSC/DCS. Please see [Appendix 2.9 Background Check Submission Requirements](#) for additional information on requesting background checks for individuals who have previously completed a background check.

CHILD ABUSE AND NEGLECT (CA/N) CHECK

PSC/DCS conducts CA/N checks in coordination with individual state and/or local child abuse and neglect central registries. The length of time it takes to receive results varies by state.

Whenever possible, the CA/N check request must be submitted to PSC/DCS concurrently with the request for the FBI National Criminal History Check.

1. Immediately upon knowing that a CA/N check is required, the case manager completes the Check Requested field in the Background Check table in the Sponsor Information section of the UAC Portal (see [Quick Glance: How to Document Background Checks in UAC Portal](#)).
2. The case manager completes the *CA/N Check Coversheet*. The following must be noted in the comments section:
 - If the case manager believes the individual previously completed a CA/N Check, that must be noted and the approximate date should be included.
 - If the individual is the sponsor or household member for more than one UAC, the name and A# of those UAC must be included. 

 [Appendix 2.8](#) is the *CA/N Check Coversheet*.

3. The case manager assists the sponsor, adult household members, and adult caregiver (if applicable) in completing the CA/N Check state form(s) for each state in which the individual has resided in the past five years (see [Quick Glance: CA/N Check State Forms](#)).

Quick Glance: CA/N Check State Forms

DO NOT SUBMIT ANY STATE FORMS DIRECTLY TO A STATE OR LOCAL ENTITY. All CA/N checks must be requested through PSC/DCS.

The case manager must ensure that they use the current version(s) of the relevant state form(s) and adhere to the instructions provided in the current version of the *CA/N Check State Instructions* document (found on the UAC Portal homepage). Note that some states:

- Only provide results directly to the subject of the check. In this case, the case manager, assists the potential sponsor, household member, and/or adult caregiver in requesting the CA/N check and obtains results directly from the subject of the request and emails them to PSC/DCS.
- Do not provide results at all. In these cases, the CA/N check must be requested from PSC/DCS.
- Require the state form to be completed online. When PSC/DCS observes these states listed in the five year address history section of the *ARI*, they will automatically start the process and contact the case manager with further instructions.

Do not change any fields in the form(s) that PSC has already completed.

Photographs of state forms are not acceptable. Any forms emailed to PSC must be scanned (mobile scanning apps that upload forms into pdf are acceptable). If the sponsor and/or household member does not have access to a scanner they may mail the form to their case manager.

4. The case manager reviews the *CA/N Check Coversheet*, *ARI*, government issued photo ID, and state form(s) for accuracy, completeness, and legibility (see [Appendix 2.9 Background Check Submission Requirements](#) and [Quick Glance: CA/N Check State Forms](#)).
5. The case manager submits the *CA/N Check Coversheet*, *ARI*, government issued photo ID, and state form(s) to the lead case manager (or designated care provider staff member) for a secondary quality control check.
6. The lead case manager (or designated care provider staff member) reviews each CA/N check request to ensure that the request:
 - Contains all of the following documents:
 - *CA/N Check Coversheet*
 - *Authorization for Release of Information*
 - Copy of government issued photo ID
 - State form(s) for each state in which the individual resided in the past five years
 - Complies with the requirements in [Appendix 2.9 Background Check Submission Requirements](#) and [Quick Glance: CA/N Check State Forms](#).
7. No more than once a day, the lead case manager (or designated care provider staff member) formally requests CA/N checks for all cases they have reviewed using the email template below. ✉ 📧

✉ **Email Template: CA/N Check Requests**

From: Lead Case Manager (or designated care provider staff member)
To: CANchecks.os@hhs.gov
Cc: Case Manager(s)
Subject: CA/N Check Requests for [date] from [care provider name]

Body:

- Additional information required by the state(s), if applicable
- If original document(s) were mailed to PSC, include:
 - Date mailed
 - Courier name (e.g., UPS, FedEx)
 - Tracking number

Attachments: For each request:

- *CA/N Check Coversheet*
- *Authorization for Release of Information*
- Copy of government issued photo ID
- State form(s) for each state in which the individual resided in the past five years (includes copies any forms for which the original mailed to PSC)
- Additional documents required by the state(s), if applicable

NOTE: All of the documents listed as attachments above must be submitted to PSC/DCS together. The documents must be merged into a single PDF by individual subject. Documents may be further consolidated if desired (i.e., one PDF may contain documents for more than one individual).

Lead case managers (or designated care provider staff members) must password protect any Personally Identifiable Information (PII) that is sent to PSC/DCS. The *CA/N Check Cover Sheet*, *ARI*, photo ID, and *CA/N check state form(s)* must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

8. Once the CA/N check request is submitted to PSC/DCS by the lead case manager (or designated care provider staff member), the CA/N check is considered initiated and the case manager may proceed with the release request process (see [Quick Glance: Release of UAC Prior to Receiving CA/N Check Results](#)).
9. PSC/DCS reviews incoming CA/N check requests for accuracy, completeness, and legibility and notifies the lead case manager (or designated care provider staff

members) whether their request has been accepted or rejected. Rejected requests must be resubmitted following PSC/DCS instructions.

10. PSC/DCS submits the CA/N check requests to the applicable states.

NOTE: If any required documents are missing or the request does not comply with the requirements noted in [Appendix 2.9 Background Check Submission Requirements](#) and [Quick Glance: CA/N Check State Forms](#), PSC/DCS will reject the submission and inform the lead case manager that the request must be resubmitted. PSC/DCS processes background checks in the order in which they are received and any requests that need to be resubmitted will fall to the bottom of the queue.

11. PSC/DCS notifies the lead case manager (or designated care provider staff member) when the CA/N check is complete and enters the notification date and results in the Background Check table in the Sponsor Information section of the UAC Portal. The email notification to the lead case manager (or designated care provider staff member) includes one of the following statements:

- No record — The individual does not have a history of child abuse and neglect
- Unsubstantiated allegations — The individual has been involved with CPS, but the allegations were not necessarily confirmed (the investigation history is not always saved in States Central Registries)
- Record/substantiated allegations — The sponsor has a history of child abuse or neglect (if a record is available to PSC/DCS, it will be provided) 

12. The lead case manager (or designated care provider staff member) forwards the CA/N Check results to the case manager.

Quick Glance: Release of UAC Prior to Receiving CA/N Check Results

Release of a UAC may be recommended and approved without obtaining the CA/N Check results if:

- All family reunification application, assessments, documentation, other required background check results, and home study results (if applicable) needed to approve a safe release have been received and reviewed by the case manager;
- Receipt of the CA/N Check results is the only item delaying release; and
- The CA/N Check was NOT requested because a special concern was identified.

If the CA/N Check was requested due to a special concern, the UAC must not be released until the CA/N Check results are received.

Note that even if the case manager anticipates that CA/N check results will not be received until after the UAC is released, they must still request the CA/N check from PSC/DCS prior to submission of the *Release Request*. This includes submission of all required paperwork (*CA/N Check Coversheet, Authorization for Release of Information, Photo ID, and state form(s)*). Sending an email without paperwork is not sufficient.

PROCESSING SUBSTANTIATED CA/N CHECK RESULTS AFTER A UAC HAS BEEN RELEASED

If a UAC is released prior to receipt of the CA/N check results and substantiated allegations are found, the case manager **immediately** emails the FFS who approved the *Release Request* based on the email template below. 📧 ✉️

✉️ Email Template: Substantiated CA/N Check Results After UAC Release

From: Case Manager
To: FFS who approved *Release Request* for UAC
Cc: PRS Provider, if applicable
Subject: Released UAC with CA/N Findings [last four digits of the A#]

Attachments: In a separate password protected document(s):

- UAC name and A#
- UAC discharge date
- City/state where UAC resides
- Care provider name UAC released from
- Sponsor category
- Word document of the original PSC/DCS CA/N check result email

The FFS who approved the *Release Request* for the UAC reviews the finding and consults with his/her FFS supervisor to determine next steps and notifications, including those to law enforcement or to CPS. 📖 📞

Cases that Appear Clear (Not Referred to the FFS)

1. If a subject of a background check by PSC/DCS has disclosed a criminal history that is a safety concern for the UAC, but PSC/DCS did not refer the case to the FFS, the case manager elevates the case to the FFS for further guidance and review. ✉️
2. The case manager uploads the email and/or Fingerprint Check results spreadsheet from PSC/DCS into the portal as documentation. ✉️ 📄

Case Referrals to FFS: Case Manager and FFS Roles and Responsibilities

1. If the FBI Check column of the Fingerprint Check results spreadsheet indicates that the case was referred to the assigned FFS, **within 72 hours**, the case manager emails the FFS and copies the case coordinator using the below template:

 **Email Template: Case Referrals to FFS**

From: Case Manager
To: FFS
Cc: Case Coordinator
Subject: Case Referred to FFS [sponsor's initials and last four digits of UAC A#]

Attachments: In a separate password protected document(s):

- Sponsor and UAC name
- Sponsor category and the relationship between the sponsor and the UAC
- Any criminal history self-disclosed by the sponsor and the supporting documents, if obtained
- Any criminal history found through the Internet Criminal Public Records Check or the Sex Offender Registry Check
- Word document of the original Fingerprint Check results email and/or the Fingerprint Check results Excel spreadsheet

NOTE: When emailing in situations where an FFS is providing temporary coverage, the case manager forwards the email to the covering FFS and copies the assigned FFS and case coordinator.  

2. The FFS evaluates the Fingerprint Check results in conjunction with any other criminal history records, self-disclosed criminal history, and supporting documents provided by the case manager to determine how the sponsor's criminal history impacts the sponsor's ability to care for the UAC's mental and physical well-being, the overall potential risk to the UAC, and if any of the Criteria for Release Denial apply to the case (see [Section 2.7.4 UAC Policy Guide](#)). 
3. Based on his/her evaluation, the FFS responds to the case manager's email as follows:
 - Instructs the case manager to proceed with the safe and timely release process with any clarifying conditions, such as additional information from the sponsor.
 - If the case meets requirements for a TVPRA mandatory home study category (See [Section 2.4.2 UAC Policy Guide](#)), the FFS instructs the case manager to submit the *Release Request* with a recommendation to perform a home study.
NOTE: The FFS must not provide any information about the existence or contents of any FBI background check result to the case manager.

- If any of the “will deny” criteria match the Criteria for Release Denial (see [Section 2.7.4 UAC Policy Guide](#)) or the FFS determines that a release must be denied based on the “may deny” criteria, the FFS instructs the case manager to submit the *Release Request* with a recommendation to deny release, citing the specific criteria, and to cancel any other ongoing background checks.
 - If there is insufficient information to make a recommendation to deny or to move forward with the release process, the FFS requests additional information and advises the case manager to conduct concurrent planning.
 - The FFS may not contact the potential sponsor directly for additional information.
 - The FFS may not state that the request is based on an FBI background check or mention specific charges/convictions or type of charge/conviction.
 - The FFS may cite a specific location (city, state) and date (e.g., ask the sponsor if he/she failed to mention something that happened in Houston, Texas in June 2014.)
 - If the FFS, after consultation with the FFS supervisor, decides to postpone a decision as to whether to continue the process with a particular sponsor when the sponsor or adult household member has been charged with, but not convicted, of a crime until disposition has been reached on the criminal charges, then the FFS instructs the case manager to conduct concurrent planning.  
4. If the case involved an FBI/BSU Civil Name Check, the FFS determines if:
- The sponsor has submitted their fingerprints;
 - The sponsor assessment process is complete;
 - There are no concerns about the sponsor and the potential sponsor does not require a home study; and
 - Results remain unclassifiable after a second submission/attempt.

The FFS then informs the case manager whether they have FFS approval to use the results of the FBI/BSU Civil Name Check in lieu of the FBI National Criminal History Check results. 

2.5.2 Results of Background Checks on Release Decisions

 [See Section 2.5.2 of the UAC Policy Guide](#)

2.5.3 Commonly Asked Questions on the ORR Background Check Process

 [See Section 2.5.3 of the UAC Policy Guide](#)

2.6 Sponsor Immigration Status and Release of UAC

 [See Section 2.6 of the UAC Policy Guide](#)

2.7 Recommendations and Decisions on Release

 [See Section 2.7 of the UAC Policy Guide](#)

OVERVIEW

This section covers procedures for all release options for a UAC. These include 1) approve release to a sponsor 2) approve release with post-release services 3) conduct a home study before a final decision can be made 4) deny release request or 5) remand release request (decision pending).

This section also includes procedures for notifying a potential sponsor of a denial and procedures for a Category 1 sponsor to appeal the denial of release.

NOTE: A UAC who prevails in a *Flores* bond hearing cannot be denied release based upon the basis that the UAC is danger to the self or others. The fact that the UAC prevailed in the hearing must be included in the *Release Request*.

Key Players	Responsibilities
Case Manager	Works with the Case Coordinator to make release recommendations, including recommendations for home study/post release services, as applicable.
Case Coordinator	Works with Case Manager to make release recommendations, including recommendations for home study/post release services as applicable.
FFS	Provides guidance on release recommendations for complex cases and reviews Case Manager and Case Coordinator recommendations and makes a final release decision.

Related Forms/Instruments	Used By
<i>Release Request</i>	Case Manager, Case Coordinator, FFS
<i>Release Review Completion Guidance</i>	Case Manager, Case Coordinator, FFS
<i>Discharge Notification Form</i>	Case Manager, FFS, DHS

PROCEDURES

1. **Within 1 calendar day** of the completion of the FRP documentation, the Case Manager uses the *Release Request Completion Guidance* to complete the requester information, sponsor information, and Case Manager recommendation in the *Release Request*. The Case Manager creates a Word version of the *Release Review Completion Guidance* and copies and pastes it into a *Release Request*. The *Release Request* is generated in the Discharge tab of the UAC Portal. See [Fig. 2.10 Partial Snapshot of Release Request](#). The Case Manager emails the Case Coordinator that the *Release Request* is ready for review.

NOTE: Case Coordinators do not complete the *Release Request* for cases in which the Case Manager is recommending release to the Unaccompanied Refugee Minor (URM) Program. If the Case Manager is recommending release to the URM Program, the Case Manager bypasses the Case Coordinator and emails the FFS directly.

Fig. 2.10 Partial Snapshot of Release Request

The screenshot shows a web form titled "Release Request". It is divided into two main sections: "Requester Information" and "Case Manager Recommendation".

Requester Information:

- Requester Name: [Text Input Field]
- Requester Title: [Text Input Field]
- Requester Phone: [Text Input Field]
- Type of Release: Release to Sponsor Release to Program

Case Manager Recommendation:

- Case Manager Name: [Text Input Field]
- Comments: [Large Text Area, circled in red]

[Appendix 2.10](#) is the Release Request Completion Guidance.

The UAC Case Status page includes a section on the "Release Request" which automatically posts a date when the *Release Request* is updated. See [Fig. 2.11](#).



Fig. 2.11 UAC Case Status Page: Release Recommendation

Release Recommendations			
Case Manager Release Request:	Last Updated:		
Case Coordination Release Request:	Last Updated:		
ORR Release Request Decision:	Last Updated:	11/01/2017	Release Approved:

If applicable, the Case Manager updates the *UAC Case Review* with any safety planning recommendations and any additional information obtained from a home study. [Fig. 2.12](#) shows the Case Manager options for release recommendations.

Fig. 2.12 Case Manager Release Recommendations Options in the *Release Request*



NOTE: If the Case Manager needs to cancel a *Release Request* because an individual wants to withdraw his/her application or under other circumstances that occurred after the *Release Request* has been submitted, the Case Manager should click on the cancellation button on the *Release Request*. [Fig. 2.13](#) indicates the options for the Case Manager under the cancellation reason button. (In order for a case to move to another sponsor once the *Release Request* is withdrawn, the FFS must select the “denial” option and enter ‘sponsor withdrawal’ in the comments section. FFS should **NOT** “dis-assign” a sponsor because ORR wants to keep a historical record of individuals who have attempted to sponsor UAC. The “dis-assign” option (located on the Sponsor Information tab) is only for instances when an error occurred -- a sponsor was incorrectly assigned to a UAC—and is **only** used by ORR headquarters staff.) 📄🔒

Fig. 2.13 Case Manager Options for Cancelling a Release Request

4 Daughter	Sponsor Withdrawal - Household members unwilling to be fingerprinted
	Sponsor Withdrawal - Unwilling to reunify due to undocumented status
	Sponsor Withdrawal - Failed to pickup UAC
	Sponsor Withdrawal - Lacks interest and no longer calls the UAC (Did not formally inform staff of withdrawal)
	Sponsor Withdrawal - Not willing to complete home study/post-release services process
id sponsor were unable to	Sponsor Withdrawal - Refused to travel to pick up UAC
	Sponsor Withdrawal - Other
ng to her BC (verified) sp	UAC Discharge - Adult Status
vidence of their relation	UAC Discharge - Detained by local law enforcement
anager	UAC Discharge - Detained by US Marshalls
mentation:	UAC Discharge - Ran Away
	UAC Discharge - Adjustment of Legal Status
icable, Cancellation	UAC Discharge - Removed
t:	Other - Sponsor detained on the way to shelter
	Other - UAC refused to reunify with sponsor
ed User:	UAC Discharge - Transferred

- The Case Coordinator reviews the recommendation **within 1 business day** and updates the *Release Request* with his/her recommendation. The Case Coordinator emails the Case Manager and the FFS that the *Release Request* has been completed and uploads it into the UAC Portal. [Fig. 2.14](#) shows the Case Coordinator section of the *Release Request* which contains the same options as the Case Manager (including the option to cancel the *Release Request*). 📄 📧 📁

Fig. 2.14 Case Coordinator Release Recommendations in the Release Request

Case Coordinator Recommendation	
Case Coordinator Name:	<input type="text"/>
Comments:	<input type="text"/>
Recommendation:	<input type="text" value="Select Recommendation"/>
Sponsorship Cancellation Recommendation Reason:	<input type="text" value="Select Deny Reason"/>
Updated Date/Time:	<input type="text"/>
Recommendation after Home Study:	<input type="text" value="Select Recommendation"/>
Updated User:	<input type="text"/>

- Within 1 business day** of receipt of the Case Coordinator’s release recommendation (**2 business days for home study cases**), the FFS reviews and makes a final release decision in the UAC Portal. [Fig. 2.15](#) is the Release Options for the FFS in the *Release Request*.

NOTE: The ORR Director must review any release decision denying sponsorship to a Category 1 sponsor. The FFS must first submit a recommendation through the Case Consultation process before completing the *Release Request*. **The process is contained in the ORR internal SharePoint page (ORR Connect). Care provider staff and Case Coordinators do not have access to ORR Connect and are not directly involved in the Case Consultation process. See [2.7.4 Deny Release Request](#).**

For all other cases, the FFS emails notification of the final release decision based on the template email below. **NOTE:** When the FFS approves the release decision, the UAC Portal generates a “trigger report,” *ORR Notification to ICE Chief Counsel Release of Unaccompanied Alien Child to Sponsor and Request to Change Address*. See [2.8 Release from ORR Custody](#) for procedures on this form. 📧🔒📧

✉ Email Template: FFS Notification of Final Release Decision

From: FFS
To: CFS, Case Manager
Cc: Case Coordinator
Subject: ORR Release Decision [include last four digits of UAC A#]

Body: Password will be sent shortly.

Attachments: Clearly written release decision

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

4. For cases involving review by the ORR Director, the FFS completes the FFS section of the *Release Request* **after ORR Headquarters notifies the FFS of the final decision**. The FFS then completes the email template above: FFS Notification of Final Release Decision. 📧🔒📧

Fig. 2.15 FFS Options for Release in the Release Request

The screenshot shows a web form for 'ORR Decision'. On the left, there are several input fields: 'Comments:', 'ORR Decision:', 'ORR Decision after Home Study:', 'Updated Date/Time:', 'Program Release Dates', 'Release Approved Date:', 'Release Approved by:', 'The Next Scheduled Court', and 'Date Sponsor was Notified that They Must Inform the Immigration Court Directly of any Further Change of Address:'. A dropdown menu is open for the 'ORR Decision:' field, listing the following options: 'Select Decision', 'Approve Straight Release', 'Approve with Post-Release Only Services', 'Approve Release Pending Completion of Conditions', 'Conduct Home Study – TVPRA', 'Conduct Home Study – Discretionary', 'Conduct Home Study – ORR Mandated', 'Conduct Home Study', 'Remand', and 'Deny Release'. To the right of the dropdown, there are three more input fields: 'Home Study Status:', 'Updated User:', and 'Release Scheduled Date:'.

Release of UAC Who Age Out

Some UAC in ORR reach the age of 18 before release. ORR does not release UAC from its care on their own recognizance (ROR). Case Managers send a memo to DHS **24 hours before the youth turns 18**. The Case Manager should include a copy of the UAC's birth certificate, if available, and copy the FFS on the email.

The Case Manager should follow the process for cancelling a *Release Request* and choose the "UAC Discharge—Adult Status" option.    

Release to URM Program

The release request process for UAC recommended for release to the URM Program may not begin until ORR issues a URM Approval Letter. The case manager must ensure that the URM program receives any significant updates regarding the UAC, including *SIRs*, following receipt of the URM Approval Letter and prior to release.

The case manager must provide the URM program with a comprehensive copy of the UAC's case file before or at the time of the UAC's release. The following documents, which are critical to the UAC's continuity of care, must be provided to the URM program as soon as possible:

- UAC birth certificate
- Medical and immunization records
- Immigration documents
- Psychological assessments
- Education records
- Family member contact information
- Original trafficking eligibility letter, if applicable

All parties must follow the procedures for a "straight release," with the exception that the Case Coordinator does not complete the *Release Request* for cases referred to the URM Program. The Case Manager selects "Reunified (Program/Facility)" in the Type of Discharge field of the *Discharge Notification* in the UAC Portal. The care provider is responsible for escorting the UAC to the URM program.

If gaps in the minor's case file are discovered after the UAC is released to the URM program, the URM program works with the sending care provider records liaison to obtain the missing information (see [Quick Glance: Requesting Records from Other Care Provider Programs](#) in Section 2.2.2).

2.7.1 Approve Release Decisions

 [See Section 2.7.1 of the UAC Policy Guide](#)

PROCEDURES

All parties follow the procedures described in [2.7 Recommendations and Decisions on Release](#) on the Release Recommendation process and the procedures described below.

1. **At the same time that the Case Manager submits the Release Request** to the Case Coordinator for review, the Case Manager:
 - Emails separate notices of pending release to 1) ICE Field Office Juvenile Coordinator (FOJC) and 2) the legal services provider or attorney of record based on the email template below.
 - Generates the *Discharge Notification Form* in the UAC Portal by clicking on “add new” on the Discharge Notification section which is located under the “Discharge Tab.” ([Fig. 2.17](#) shows the discharge section under the Discharge Tab and the *Discharge Notification Form*). The *Discharge Notification Form* is continually updated throughout the release process.



Email Template: Notice of Pending Release

ICE FOJC Email

From: Case Manager
To: DHS/FOJC
Cc: Case Coordinator, PRS Provider, if applicable
Subject: [WARNING: MESSAGE ENCRYPTED] Pending Release Decision [include last four digits of UAC A#]

Body: [Name of facility] is pending release decision for the minor mentioned above. See encrypted attachment with minor’s information.

Password will be sent shortly.

Attachments: Word document that includes:

- UAC Full Name
- A#
- DOB
- COO
- Facility

- Release Request submitted date

Legal Service Provider or Attorney of Record Email

From: Case Manager
To: Legal Service Provider or Attorney of Record, Child Advocate, if applicable
Subject: [WARNING: MESSAGE ENCRYPTED] Pending Release Decision [include last four digits of UAC A#]

Body: [Name of facility] is pending release decision for the minor mentioned above. See encrypted attachment with minor’s information.

Password will be sent shortly.

Word document that includes:

Attachments:

- UAC Full Name
- A#
- DOB
- COO
- Facility
- Release Request submitted date

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

Fig. 2.17 Discharge Section and Form

(a) Discharge Notification Section

[>| Go to Health](#)
 [>| Go to SIR](#)
 [>| Go to Intakes](#)
 [>| Go to Admission](#)
 [>| Go to Case Mgt.](#)

Assessments	
+ Transfer Request	> Add New
+ Release Request	> Add New
+ Discharge Notification	> Add New
Program Exit	> Add New
+ Trigger Reports	

(b) Discharge Notification Form

The screenshot shows a web form titled "Discharge Notification". The form is organized into several sections:

- Date of Discharge:** A text input field.
- Type Of Discharge:** A dropdown menu labeled "Select Discharge Type".
- Sponsor Name:** A dropdown menu labeled "Select a Sponsor".
- Sponsor DOB:** A text input field.
- Prove of Relationship:** A large text area for providing details.
- Relationship to UAC:** A dropdown menu.
- ORR Decision:** Radio buttons for "Pending", "Approve", "Disapprove", and "Remanded, please provide info as detailed in comments".
- Date of Decision:** A text input field.
- Program Minor was Transferred to:** A dropdown menu labeled "Select a Program".
- Local Law Enforcement:** A dropdown menu.
- Address:** A text input field.
- State:** A dropdown menu labeled "-- Select State --".
- Phone:** A text input field.
- Legal Status of Minor:** A dropdown menu labeled "Select Legal Status".
- DHS Family Shelter:** A text input field.
- Specify, if Other is Selected:** A text input field.
- City:** A text input field.
- Zip Code:** A text input field.

2. The care provider collaborates with the sponsor to ensure the UAC is released as quickly as possible (preferably **within 3 calendar days** after ORR approves the release). 📞
3. The Case Manager ensures that documents and items that will accompany the UAC at time of release are secure. (See [2.8 Release from ORR Custody](#) for how the Case Manager “exits” the UAC from the program.) 📄

2.7.2 Approve Release with Post-Release Services

📖 [See Section 2.7.2 of the UAC Policy Guide](#)

PROCEDURES

1. **Within 1 business day** of the FFS approval of the *Release Request* in the UAC Portal, the Case Manager makes a referral for PRS using the same referral process as described under home studies and ensures that all documents in the UAC Portal are updated. 📄📞
NOTE: The UAC may be released from ORR custody before the PRS referral is accepted by a PRS Provider.
2. Once a PRS Provider accepts a referral in the UAC Portal and reviews the case information, the provider makes contact with the sponsor/UAC within **2 business days**. 📄✉️

3. The Case Manager ensures that documents and items that will accompany the UAC at time of release are secure. 

2.7.3 Conduct a Home Study before a Final Decision Can be Made

 [See Section 2.7.3 of the UAC Policy Guide](#)

PROCEDURES

All parties follow procedures for requesting a home study that are described [2.4.2 Home Study Requirement](#). If the FFS approves the release following the home study report, all parties complete the release process described above for a Release with Post Release Services (see [2.7.2 Approve Release with Post-Release Services](#)).   

2.7.4 Deny Release Request

 [See Section 2.7.4 of the UAC Policy Guide](#)

PROCEDURES

The process for denying release to a sponsor varies on the sponsor category.

See [2.7.7 Notification of Denial](#) for additional procedures.  

Denial to Category 1 Sponsors

1. The FFS follows the procedures outlined in the “Case Consultation” tab in ORR Connect and completes the form *Recommendation to Deny Release* which includes a section summarizing the findings, such as home study results, police report results, if applicable, and other information. The FFS includes supporting documentation, such as the home study summary, police reports, court orders, if applicable, and other information. The FFS also drafts a denial letter from the ORR Director to the Category 1 sponsor outlining the reason for the denial based on the template in ORR Connect Case Consultation tab.  
2. Once the FFS enters the *Recommendation to Deny Release* form into the ORR Connect, the request is reviewed in sequence by the FFS supervisor, the Senior Advisor for Child Well-being and Safety, the DUCO Division Director, the Deputy Director for Children’s

Programs, and the ORR Director. During the review step by the Senior Advisor for Child Well-being and Safety, the Senior Advisor staffs a Case Review Committee, comprised of ORR staff in headquarters, to provide additional input to the decision 

3. Upon notification by ORR Headquarters that the review was complete, the FFS completes the *Release Request* and sends the email based on the Email Template: Notification of Final Release Decision.    
4. Assigned ORR headquarters staff complete the procedures in [2.7.7 Notification of Denial](#) to notify the Category 1 sponsor. 

Denial for Category 2A/B or 3 Sponsors

1. The FFS determines that the case should be denied and updates the *Release Request* (documenting the justification for the denial) and notifies the Case Manager and the Case Coordinator based on the email template: Notification of Final Release Decision.  
2. The Case Manager then notifies via email the other parties, including the legal service provider or attorney of record, and if applicable, the child advocate and home study provider.   

2.7.5 Remand Release Request—Decision Pending

 [See Section 2.7.5 of the UAC Policy Guide](#)

PROCEDURES

If the FFS determines that outstanding issues require a remand release decision, the FFS documents the date of the remand in the *Release Request* with an explanation and which party is responsible for addressing the outstanding issue.   

2.7.6 Issues Related to Recommendations and Decisions

 [See Section 2.7.6 of the UAC Policy Guide](#)

2.7.7 Notification of Denial

 [See Section 2.7.7 of the UAC Policy Guide](#)

PROCEDURES

When ORR denies release to a potential sponsor, the procedures for notification vary depending on the sponsor category.

Notification of Denial to a Potential Category 1 Sponsor

1. **Within 30 business days** of the potential sponsor's submission of a completed application and supporting documents, the sponsor receives a formal denial decision letter from the ORR Director. The denial letter includes the following:
 - Reason for the denial
 - Instructions on how to obtain the UAC's case file
 - Supporting materials/information that formed the basis for the decision
 - Explanation of how to appeal the decision.

The process for notifying the sponsor is described in the steps below. 

2. **As soon as the ORR Director signs the formal denial decision letter**, the designated staff in the ORR Director's office sends the formal letter with any supporting materials to the sponsor (either through an email or through expedited mail). The designated staff also notifies the FFS who submitted the case for review through the Case Consultation process based on the email template below.   

Email Template: ORR Headquarters Category 1 Denial Notification to FFS

From: Designated staff in the ORR Director's Office
To: FFS
Subject: Category 1 Denial [include sponsor's initials]

Body: The ORR Director has denied sponsorship for the category 1 sponsor applicant identified in the attached password protected file. The sponsor applicant will receive the formal decision letter, any supporting documentation and an explanation of how to appeal the decision from the ORR Director.

Please notify the care provider of this decision.
Password will be sent shortly.

Attachments: Word document that includes:

- Sponsor Full Name
- UAC Full Name
- A#

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

3. **Within 5 days of receiving notification of the formal denial decision**, the Case Manager notifies the UAC of a denial decision and schedules additional counseling sessions as necessary. 📞
4. If the reason for denial is based on concerns related to the UAC (i.e., the UAC was determined to be a danger to self or others), the Case Manager provides the UAC with a copy of the ORR Director's denial letter. The Case Manager schedules an appointment with the Clinician to discuss the letter with the UAC.

Notification of Denial to a Potential Category 2A/B or 3 Sponsor

1. **Within two business days of the FFS denial decision**, the Case Manager notifies the potential Category 2A/B or 3 sponsor verbally that they have been denied sponsorship.
2. The Case Manager notifies the UAC of the denial after notifying the potential sponsor by phone (documenting the conversations in case management notes in the UAC case file). The Case Manager may also notify the UAC's parents.
3. If the reason for denial is because the UAC was determined to be a danger to self or others), the Case Manager provides the UAC with a letter from the ORR Director. See [2.7.4 Deny Release Request](#), which includes information about the UAC's ability to appeal and access to a *Flores* bond hearing. The Case Manager schedules an appointment for the clinician to discuss the letter with the UAC.

Additional Q&As on Denial Notification

Q1: UAC Policy Guide Section 2.4.2 requires the potential sponsor to receive a copy of the home study report if the release request is denied. Does the care provider or ORR send the home study report?

A1: ORR will send the home study report.

Q2: Is the home study report sent to all denied sponsors, or only Category 1 denied sponsors?

A2: ORR sends the report only to potential Category 1 sponsors.

Q3: *The home study report may include third party information and assessments not generated by ORR. Will this information be included when sending the home study report to the denied sponsor?*

A3: The home study report is ORR property. ORR will redact PII and other private information, as applicable. ORR may include third party information or assessments in the home study report.

Q4: *Is ORR required to secure Authorizations for of Release of Information or consent from the UAC if the home study report contains information concerning adult household members or UAC 14 years old or older?*

A4: Adult household members will have already signed an *Authorization for Release of Information* as part of the background check process. ORR may release information related to their case as necessary, in accordance with applicable law. ORR will protect PII and other private information, as applicable.

2.7.8 Appeal of Release Denial

 [See Section 2.7.8 of the UAC Policy Guide](#)

PROCEDURES

1. A parent, attorney, or child who wants to file an appeal of a release denial must request an appeal **within 30 business days of receipt of the ORR Director's denial letter** using the Appeals Request Form that is included in the Director's letter or by writing their own appeal, which must include the information requested on the form. The Appeals Request includes: the basis for the request; additional evidence, if any; and the choice of a hearing by phone, videoconferencing, or no hearing.   
2. The Assistant Secretary sends an acknowledgement letter to the requester **within 5 business days of receipt of the appeal request**. The letter includes: date stamped appeal request, confirmation of a hearing or no hearing, an explanation of the appeals process, and a notice that the requester will be contacted by the Assistant Secretary's office to schedule and arrange a hearing (if requested). Whenever possible, the Assistant Secretary completes the appeals process **within 30 days**.   
3. The Assistant Secretary requests information from ORR, which it must provide **in 5 business days**, determines if ORR submitted new information that the requester doesn't have and shares that with the requester to allow for a response. The Assistant Secretary then shares the file which includes what information will be considered and protocol for

presentation of arguments, testimony and evidence with all parties concerned, and sets a hearing date, if requested.   

4. If no hearing is requested, the Assistant Secretary reviews the case (using *de novo* review standard) and provides a final decision to either uphold or reverse the Director’s decision. The Assistant Secretary sends the written decision to the requester and to ORR **within 30 business days of the appeal request whenever possible.**   
5. If a hearing is requested, the Assistant Secretary reviews the case (using a *de novo* review standard) as well as the arguments, testimony, and evidence presented at the hearing and any follow up questions asked by the Assistant Secretary after the hearing and provides a final decision to either uphold or reverse the Director’s decision. The Assistant Secretary sends the decision to the requester and to **ORR within 30 business days of the appeal request whenever possible.**   

NOTE: The Assistant Secretary’s decision is the final administrative decision of the agency.

Additional Q&A on Appeal of Release Denial

Q1: According to UAC Policy Guide section 2.7.7, UACs who have been denied release solely because they are determined to be a danger to themselves or the community may appeal their release denial. Does this apply to all UAC release denials, or only to Category 1 denials?

A1: This policy applies to all UAC regardless of category.

2.8 Release from ORR Custody

 [See Section 2.8 of the UAC Policy Guide](#)

OVERVIEW

Prior to physical release, the care provider explains to the UAC and the sponsor the responsibilities, rights, and resources associated with release from care. The care provider prepares for the physical release and for exiting the UAC from the program.

Key Players	Responsibilities
Case manager	Explains to the UAC and the sponsor their rights and responsibilities. Ensures that UAC’s belongings are given to the UAC and sponsor at time of release along with documents, and informs stakeholders of the discharge date.

Sponsor	Agrees to provisions outlined in the Sponsor Care Agreement
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Related Forms/Instruments	Used By
<i>Discharge Notification Form</i>	Case manager
<i>ORR Notification to ICE Chief Counsel Release of Unaccompanied Alien Child to Sponsor and Request to Change Address</i>	Case manager
<i>Verification of Release</i>	Case manager, UAC and sponsor
<i>Sponsor Care Agreement</i>	Sponsor
<i>EOIR Change of Venue Motion and EOIR Alien's Change of Address Form/Immigration Court (EOIR - 33/IC)</i>	Case manager, attorney of record, and sponsor
<i>SWB Call Follow Up Report</i>	Care provider, CFS

PROCEDURES

1. The case manager ensures that all the UAC's belongings and documents are collected and ready to provide to the UAC and sponsor at time of release (see [Quick Glance: Items That Accompany UAC at Release](#)). 

Quick Glance: Items That Accompany UAC at Release
<ul style="list-style-type: none"> • UAC personal belongings, including clothing, money, valuables, and items obtained during the UAC's stay at the referring care provider • Immigration case related documents: Form I-862 Notice to Appear, other notifications, and, if applicable, original trafficking eligibility letter, I-360 approval notice, asylum letter • Verification of Release (original copy is given to the UAC and sponsor) • 30-day medication supply • All health (medical, mental, and dental) records, including lab test results, immunization records, medication lists, office/ER visit notes, and Sponsor Letters (if applicable) • Name and contact information of medical, mental health, and dental care providers so sponsor and UAC may request additional records, if needed • Notice of any follow up medical appointments, as needed • Original documents (birth certificates) • Original notarized Letter of Designation for Care of a Minor, if applicable • Educational assessments and records • Post release safety plan as needed • Any change of venue and change of address documents

2. **Immediately before the UAC physically leaves the program**, the case manager:
 - “Exits” the UAC from the program in the UAC Portal which generates a “trigger report,” the *Verification of Release*. The case manager prints out a copy for the UAC and sponsor upon release.
 - The care provider updates the discharge date and time on the *Discharge Notification Form*.  

NOTE: To exit the program, the case manager goes to the Discharge section of the UAC Portal and clicks on “add new” to the Program Exit form. The date of discharge will be auto-populated on the current date and the type of discharge will be populated based on the selections made in the *Discharge Notification Form*. Click “save” to discharge the UAC from the program.  

3. The Case Manager coordinates with the legal service provider or attorney of record to ensure completion of the *EOIR Change of Venue Motion* and *EOIR Alien's Change of Address Form/Immigration Court (EOIR - 33/IC)*, and to provide the sponsor and UAC with instructions for filing Change of Venue Motions and Change of Address forms if the sponsor subsequently moves.

Blank copies of each immigration court’s Change of Address Form may be accessed here:

<https://www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing>

4. **Within 24 hours after the UAC’s physical release from the care provider**, the case manager sends the *Discharge Notification Form* to DHS and other stakeholders based on the template below.   
5. The case manager notifies the ICE Office of Chief Counsel and EOIR Immigration Court Administrator using the trigger report, *ORR Notification to ICE Chief Counsel Release of Unaccompanied Alien Child to Sponsor and Request to Change Address*, which is stored in the UAC’s file in the Portal. [Fig. 2.18](#) is a partial snapshot of the form. There are regional variations regarding how this notice is sent, some programs send via email and mail. Other programs mail the notice. Case manager should work with their FFS if there are any questions regarding this procedure.    

 Email Template: To Stakeholders Following Release	
From:	Case Manager
To:	ICE/FOJC ICE Office of Chief Counsel (OCC) EOIR Immigration Court Administrator UAC’s Legal Service Provider or Attorney of Record

VOLAG, if applicable
 Child Advocate, if applicable

Subject: [WARNING: MESSAGE ENCRYPTED] Discharge Notification for [include last four digits of UAC A#]

Body: Password will be sent shortly.

Attachments: *Discharge Notification Form*

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

Fig. 2.18 Partial Snapshot of the *ORR Notification to ICE Chief Counsel Release of Unaccompanied Alien Child to Sponsor and Request to Change Address*

ORR Release Notification

ORR NOTIFICATION TO ICE CHIEF COUNSEL RELEASE OF UNACCOMPANIED ALIEN CHILD TO SPONSOR AND REQUEST TO CHANGE ADDRESS

ORR has determined that the below Juvenile Respondent should be released to a sponsor. The Director of the Office of Refugee Resettlement, Department of Health and Human Services requests that the Chief Counsel, Immigration and Customs Enforcement, Department of Homeland Security notify the Executive Office of Immigration Review of the change of address.

Date of Request:	Name of Requestor	Title	Telephone Number
08/03/2017			

Juvenile Respondent's Alien Number, complete name and aliases, date of birth and claimed country of origin:

2.8.1 After Care Planning

 [See Section 2.8.1 of the UAC Policy Guide](#)

2.8.2 Transfer of Physical Custody

 [See Section 2.8.2 of the UAC Policy Guide](#)

PROCEDURES

In the event that a sponsor is not able to pay fees associated with commercial airfare, and a child's physical release would be otherwise delayed by 72 hours or more, care providers are authorized to use program funds to purchase airline tickets. This includes the cost of an escort when required by the airline or ORR policy.

Please note that care providers cannot require a sponsor to use their own travel agent if the sponsor is able to make alternative arrangements that would promptly discharge the child within a substantially similar time period.

Care providers must consult with their assigned Project Officer if they have any questions or concerns about using program funds to purchase air travel.

2.8.3 Closing the Case File

 [See Section 2.8.3 of the UAC Policy Guide](#)

PROCEDURES

After the care provider exits the UAC from its program, the UAC's electronic record in the UAC Portal remains open. **After 45 days**, the UAC's electronic record in the Portal is closed.



2.8.4 Safety and Well-being Follow Up Call

 [See Section 2.8.4 of the UAC Policy Guide](#)

PROCEDURES

Safety and Well-Being Follow Up Calls must be made for all UAC released to an individual sponsor. The purpose of the Safety and Well-Being Follow Up Call is to determine whether the child is still residing with the sponsor, is enrolled in or attending school (unless the child is 18 years old at the time of the call), is aware of upcoming court dates, and is safe (see [Quick Glance: How to Check EOIR Hotline for UAC Immigration Hearing Information](#)).

Quick Glance: How to Check EOIR Hotline for UAC Immigration Hearing Information

The EOIR Hotline—**1-800-898-7180**—can help case managers, sponsors, and UAC check the date for an upcoming hearing and provide other details related to an immigration case. The service is available in English and Spanish.

Callers enter the UAC's A number and are given the option to 1) find out the next court date (press "1"), 2) case processing information (press "2"), or 3) find out whether a decision has been reached in a case (press "3").

1. **30 calendar days after release of a UAC**, the care provider's designated staff person calls the sponsor and the UAC to conduct the call. The care provider must make a minimum of 3 attempts to speak with both the sponsor and the UAC unless the phone is disconnected. The care provider must make all call attempts within the 7 days following the 30 day mark of the UAC's release. The care provider must not begin making calls prior to that 30 day mark and must make the call even if the sponsor or the UAC reaches out to them independently. 📞📧
2. During the call, the designated staff confirms that the sponsor still resides at the address on the *Verification of Release* form. If the sponsor has moved, the staff person documents if an updated address is provided in the UAC case file and reminds the sponsor to file a change of address with DHS. The designated staff also notifies the PRS provider about the new address if the case was designated for PRS. 📞📧
3. The designated staff makes every effort to speak to the sponsor and UAC separately on the following topics:

Sponsor Topics

- Is the child still residing with the sponsor?
- Is the child demonstrating any behavioral issues?
- Do you have any concerns regarding the UAC?
- Is the sponsor aware of upcoming court dates?
- Did the sponsor attend an LOPC presentation?
- Has the sponsor been contacted and asked to pay fees or wire money related to the release of the child? (See [Appendix 2.1 How to Protect PII and Create Password Protected Files](#))
- (If the case was release with PRS) Did PRS provider contact the sponsor?

UAC Topics

- Is the child still residing with the sponsor?
- Does the child feel safe?
- Is the child enrolled in and/or attending school? (Unless the child has aged out) What school does he/she go to? What grade is he/she in?
- Is the child aware of upcoming court dates?
- Has the child been contacted and asked to pay fees or wire money related to their release?
- (If the case was release with PRS) Did PRS provider contact the child?

- Is the child being forced to work without pay or being forced to work to pay his/her share for rent and utilities or repay a debt? 📞

Child May be in Immediate Danger

1. If the follow up call indicates that the child may be in immediate danger (i.e., in immediate danger of serious harm), the designated staff does the following:
 - Calls 9-1-1 **immediately**.
 - Stays on the phone with the child until authorities arrive.
 - Reports any emergency involving 9-1-1 to the ORR National Call Center Help Line at 1 (800) 203-7001.
 - Complies with mandatory reporting laws, state licensing requirements, and federal laws and regulations for reporting to local child protective agencies and/or law enforcement.
 - If the sponsor is the perpetrator of the allegation, flags the sponsor and provides explanation as to why the sponsor is being flagged in the UAC Portal.
 - Emails notification to the FFS who approved the release (and the PRS provider, if applicable) and includes UAC name and A number; UAC date of release; sponsor/child contact phone number; sponsor address; previous ORR placement; summary of call; actions taken (including information on reporting the incident and any associated case numbers). 🌐📞📧
2. The FFS who is notified that the child may be in immediate danger **immediately** elevates the incident to the FFS supervisor, reviews the allegation, and ensures that the incident was reported to the appropriate authority to investigate. (The FFS also elevates any identified safety trends or issues to the FFS supervisor, such as an indication that the sponsor is involved in trafficking UAC.) If the care provider's designated staff did not report the allegation correctly, the FFS provides technical assistance. 🌐📧
3. If the care provider notifies the Intakes Hotline that the follow up call indicates that the child may be in immediate danger and was reported to 9-1-1, ORR intakes **immediately** notifies the FFS supervisor (or on-call FFS supervisor if after hours). The FFS supervisor **immediately** informs the senior FFS supervisor. 🌐📞

Child May Be Unsafe

1. If the follow up call indicates that the child may be unsafe (but not in immediate danger) the designated staff completes the steps in #1 above under Child May Be in Immediate Danger with the exception of dialing 9-1-1 and contacting the ORR Intakes Hotline. 📞📧

2. The FFS who is notified that the child may be unsafe, reviews the allegation and ensures that it was properly reported and, if it wasn't, provides technical assistance. ☒

Child May Have Been Sexually Abused or Harassed While in ORR Care

1. If the follow up call by the care provider indicates that the child may have been sexually abused or harassed while in ORR care, the staff must:
 - Report the incident to the appropriate entities in accordance with mandatory reporting laws, state licensing requirements, and ORR policies and procedures. (See **Section 4.10: Sexual Abuse Reporting and Follow-Up of the UAC Policy Guide.**)
 - Complete a Sexual Abuse Significant Incident Report (SA/SIR) and report it to ORR in accordance with **Section 4.10: Sexual Abuse Reporting and Follow-Up.**
 - If the sponsor is the perpetrator of the allegation, flag the sponsor and provide explanation in the UAC Portal.
 - Email notification to the PO overseeing the shelter and to the FFS who approved the release and includes UAC name and A number; UAC date of release; sponsor/child contact phone number; sponsor address; previous ORR placement; summary of call; actions taken (including information on reporting the incident and any associated case numbers). 📖📞🗂️☒
2. The FFS who received the notification that the child may have been sexually abused or harassed while in ORR care reviews the allegation and ensures that the incident was reported to the appropriate authority to investigate and follows up with the care provider where the alleged incident occurred to determine if the incident was previously reported and/or investigated while the UAC was in ORR care. If the allegation was **not** reported, the FFS provides technical assistance to help the care provider report the allegation, forwards the email notification to the ORR SA/SIR mailbox (psac@acf.hhs.gov) and ensures that it is appropriately investigated. 🗂️☒

Additional Support Services or LOPC Appointment

If the follow up call indicates that the sponsor and/or child would benefit from additional support or services or the sponsor has not attended an LOPC presentation, the care provider's designated staff refers the sponsor to the ORR National Call Center (800-203-7001) and emails the Call Center (information@orncc.com) with the UAC name and A number; sponsor's name; sponsor/child contact phone number; sponsor address; date of referral; and reason for referral. 📞☒

Documenting the Call Outcome

The care provider's designated staff documents the results of the call in the case management notes of the UAC's case file and in the *SWB Call Follow Up Report*. See [Quick Glance: Roles and Deadlines for Safety and Well-Being Follow Up Call Tracking Report](#). 

Quick Glance: Roles and Deadlines for Safety and Well-Being Follow Up Call Tracking Report

CARE PROVIDER: In addition to documenting the safety and well-being follow-up in case management notes, the care provider is also responsible for documenting data points for all calls in this report.

The care provider submits the completed SWB Follow-Up Call Report to its assigned FFS, CFS, and the designated CFS Report Compiler for its region **no later than 2:00pm EST on the 8th of every month for UAC released two months earlier** (e.g., if the report is due October 8th, it would include entries for all UAC who were released in August). If the 8th falls on a weekend or holiday, the report will be due the next business day.

ASSIGNED CFS: The assigned CFS uses the SWB Call CFS Quality Control Checklist and the UAC Portal discharge report provided by the Data Team to perform a quality control check and work with the care provider to reconcile any data discrepancies. The assigned CFS submits final SWB Follow-Up Call Reports for their assigned programs to the CFS Report Compiler **no later than 5:00pm EST on the 9th of every month**. If the 9th falls on a weekend or holiday, the report will be due the next business day.

CFS REPORT COMPILER: The designated CFS Report Compiler 1) cuts and pastes data (using paste value function) from the program reports for their region into the master report, located in ORR Connect, 2) completes the CFS Notes tab, and 3) performs a final quality control check. The designated CFS Report Compiler performs these steps **no later than 5:00pm EST on the 10th of every month**. If the 10th falls on a weekend or holiday, the report will be due the next business day.

2.8.5 Post-Release Services for UAC with Zika Disease or Infection

 [See Section 2.8.5 of the UAC Policy Guide](#)

2.8.6 Release for Children with Legal Immigration Status

 [See Section 2.8.6 of the UAC Policy Guide](#)

PROCEDURES

1. **If a care provider determines that a UAC has legal status, the case manager notifies the FFS immediately for consultation.** If a legal service provider, attorney of record, or a child advocate notifies the case manager that the UAC is on track to be granted legal status, the case manager notifies the FFS of the need for a Post Legal Status Plan. The legal service provider, attorney of record, or child advocate works with the case manager and the FFS to develop the Post Legal Status Plan. See [Quick Glance: Milestones for Planning and Releasing Children with Legal Status](#).  

Quick Glance: Milestones for Planning and Releasing Children with Legal Status

While abiding by attorney-client confidentiality standards, LSP or attorney of record for the child works with ORR to communicate information that may affect the child's legal status, including grant of SIJ status or notification of eligibility for benefits. The following milestones trigger the need for a Post Legal Status Plan for release.

- Child is eligible for Special Immigrant Juvenile (SIJ) status. This means a U.S. state juvenile court: makes the child dependent on the court (or places the child under the legal custody of a state agency or other individual appointed by the state); declares that the child cannot be reunited with one or both of his or her parents due to abuse, abandonment or neglect; and declares that it is not in the best interests of the child to be returned to his country of citizenship.
- UAC LSP files Form I-589, Application for Asylum and Withholding of Removal, with the local USCIS Asylum Office and has received notification of the interview date and time.
- UAC LSP files Form I-589, Application for Asylum and Withholding of Removal, in the immigration court at a master calendar hearing. This means the Immigration Judge has already set the merits hearing date (final court date).
- The UAC has filed a T visa with USCIS and attended the biometrics appointment (fingerprints) at a local USCIS office.
- The UAC has filed a U visa with USCIS and attended the biometrics appointment (fingerprints) at a local USCIS office.
- The child has been assigned a pro bono attorney.
- The child's attorney sends notice that the child has achieved a milestone.

2. The legal service provider, attorney of record, or child advocate works with the case manager and the FFS to develop the Post Legal Status Plan based on the template below. See [Fig. 2.19 Post Legal Status Plan Template](#). The case manager emails the plan to the FFS supervisor for approval. The plan is tailored to the needs and pending legal status of the child.   

Fig. 2.19 Post Legal Status Plan Template

Post Legal Status Plan		
UAC name and A #:	FFS name:	Date:
Name of legal service provider (LSP) or attorney of record:		
Name of child advocate, if applicable:		
Describe the UAC's current immigration status (include reference to specific milestones or notices):		
What is the expected release date for this UAC and what is his/her expected immigration status upon release? [insert date and information]		
Describe the release plan based on the UAC's available options for release (i.e., release to a sponsor, licensed nonprofit, transfer to state care until age 18, URM, etc.):		
Date of FFS supervisor approval: Date of UAC release: Insert entity/program/ that took custody of minor:		

3. The FFS supervisor approves the plan and notifies the FFS. The FFS notifies the case manager. 
4. The case manager works with the FFS and with all relevant parties on the logistics for release of the minor from care as soon as the minor achieves legal status. 
5. The case manager emails the parties included in the sample email below on notifications regarding minors who achieve legal status **24 hours prior to release of a minor from ORR care** and includes a copy of the *Discharge Notification Form*. The care provider follows standard operating procedures on items and documents that

accompany UAC upon release, such as personal belongings, health records, original documents (birth certificates), medication supply.   

 **Email Template: Notifications Regarding Minors with Legal Status**

From: Case Manager
To: LSP or Attorney of Record, Child Advocate, if applicable
Cc: FFS, CFS, PO
Subject: [WARNING: MESSAGE ENCRYPTED] Discharge Notification for [include last four digits of UAC A#]

Body: See encrypted attachment with minor’s information. Password will be sent shortly.

On [insert date of release] [Insert UAC last name, last four digits of A number] will be released to [insert entity with responsibility for minor]. This release was due to the following change in legal status for the minor: [describe].

Attachments: *Discharge Notification Form*

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

6. The case manager follows standard operating procedures for release and for closing out the case files.    

2.9 Bond Hearings for Unaccompanied Alien Children

 [See Section 2.9 of UAC Policy Guide](#)

OVERVIEW

Consistent with the United States Court of Appeals for the Ninth Circuit decision in *Flores v. Sessions*, unaccompanied alien children have the opportunity to seek a bond hearing before an immigration judge.

PROCEDURES

Care providers must notify UAC of the opportunity for a bond hearing based on the procedures below. This section also covers procedures for processing requests and

preparing for *Flores* Bond Hearings and includes Quick Glance guides summarizing those procedures.

See [Appendix 2.11 ORR HQ Bond Hearing Procedures](#)

Providing Notice at Admission and Orientation

1. The care provider staff provides the UAC with the *Legal Resource Guide* **within 24 hours of the UAC's admission into the care provider's care and conducts an orientation for the UAC within 48 hours of UAC's admission.**

The *Legal Resource Guide* includes the *Request for a Flores Bond Hearing for secure, staff secure, and Residential Treatment Center facilities only*. 🔄 📄

NOTE: A child in any other placement type (e.g., shelters, foster care) is only provided the *Request for a Flores Bond Hearing* if the UAC requests the form.

2. The care provider staff person providing the forms reads the contents of the form to the UAC in a language the child understands. The care provider staff person explains that the UAC should consult with an attorney (such as the ORR-funded Legal Service Provider) for any legal advice or questions regarding *Flores* bond hearings. The care provider staff person informs the UAC that they may request a *Flores* bond hearing immediately, or that they can request one at a later time (including after consulting with an attorney). 📄
3. The UAC reviews the *Request for a Flores Bond Hearing* and checks off the appropriate boxes, and signs/dates the form. The care provider maintains the *Request* in the UAC's case file, unless the UAC declines to sign or fill out the document in which case the care provider notes in the UAC's case file that the child declined to sign or fill out the form. If the child later requests the *Request for a Flores Bond Hearing* the care provider must provide the form. 📄

Providing Subsequent Notice

1. In addition to providing notice at admission/orientation, the case manager provides the notice for:
 - Any child in any placement type if a UAC asks for a *Request for a Flores Bond Hearing* **any time after** the Admission and Orientation process. 🔄 📄
 - Any child in any placement type, if a child is **denied** release based on a finding that the child is a danger to the community. 📄

In these cases, the case manager provides the *Request for a Flores Bond Hearing* when informing the UAC that his or her sponsorship has been denied. 🔄

2. The case manager informs the UAC that they may request a *Flores* bond hearing immediately, or that they can request one at a later time (including, after consulting with an attorney). The case manager explains that the UAC should consult with their attorney (if applicable) for any legal advice or questions regarding bond hearings. 📖📄
3. The UAC reviews the *Request for a Flores Bond Hearing* and checks off the appropriate boxes, and signs/dates the form. The care provider maintains the *Request* in the UAC’s case file, unless the UAC declines to sign or fill out the document in which case the care provider notes in the UAC’s case file that the child declined to sign or fill out the form. If the child later requests the *Request for a Flores Bond Hearing* the care provider must provide the form. 📄

NOTE: It is important for ORR’s record keeping that the UAC provides the date he or she signs the *Notice* document.

Quick Glance: Bond Hearing Notifications		
When Required	Timeframe	Methods
UAC placed in secure, staff secure, and RTC.	Admissions and Orientation: Within 24-48 hours of the UAC’s admission into the care provider’s care.	Oral notification with signed acknowledgment of <i>Request for a Flores Bond Hearing</i> by UAC.
UAC placed in other shelter types who request the notice.	At time of request.	<i>Request for a Flores Bond Hearing</i> with signed acknowledgment by UAC.
For any UAC in any placement type, if ORR denies release based upon danger to the community.	When informing UAC of denial of sponsorship.	<i>Request for a Flores Bond Hearing</i> with signed acknowledgment by UAC; includes notification that UAC may contact an attorney with questions.

Processing Bond Hearing Requests

1. After a child has completed a *Request for a Flores Bond Hearing* and requested a *Flores* Bond Hearing, the case manager completes the *ORR Motion Requesting Flores Bond Hearing for Unaccompanied Alien Child –Secure or Staff-Secure Custody* or *ORR Motion Requesting Flores Bond Hearing for Unaccompanied Alien Child (Non-Secure) Shelter Care*, depending on the child’s placement type. 📄

2. The case manager notifies ORR of the request at ORRBondHearings@acf.hhs.gov **within 1 business day** (absent exigent circumstances) of the child making the request, using the email template below, and attaches both the *Request for a Flores Bond Hearing* and the *ORR Motion Requesting Bond Hearing for Unaccompanied Alien Child Secure or Staff-Secure Custody/(Non-Secure) Shelter Care*. 🌐✉️

✉️ **Email Template: Bond Hearing Request**

From: Care Provider
To: ORRBondHearings@acf.hhs.gov
Cc: FFS, local Legal Service Provider or Attorney of Record
Subject: [WARNING: MESSAGE ENCRYPTED] [last four digits of UAC A#] Bond Hearing Request

Body:

The above named UAC A# (XXX-XX1-234) has requested a bond hearing. The UAC is placed at [name of care provider facility].

The UAC is/is not represented by an attorney [if represented include attorney's name and contact information].

Password will be sent shortly.

Request for a Flores Bond Hearing; ORR Motion Requesting Bond Hearing for Unaccompanied Alien Child Secure or Staff-Secure Custody/(Non-Secure) Shelter Care

Attachments:

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

Preparing for Flores Bond Hearing Requests

1. Within **1 business day** of receiving notice that the hearing has been scheduled, ORR HQ notifies the minor's attorney (if applicable) and care provider of the date and time and location of the court. 🌐✉️
2. The care provider and FFS respond to ORR HQ requests for information and evidence in a timely manner. See [Quick Glance: Possible Evidentiary Sources to Finding Danger to the Community](#). 🌐✉️📄

Quick Glance: Possible Evidentiary Sources to Finding Danger to the Community

- Juvenile court or criminal records
- Police records
- Intakes referral and placement records in the UAC Portal
- Placement Tool
- Initial Intakes Assessment
- UAC Assessment/UAC Case Review
- Relevant clinical notes
- Psychological records/reports
- Significant Incident Reports, as applicable
- 30 day Case Review(s)
- Other documents, if relevant

Flores Bond Hearing Proceedings

1. The care provider follows standard immigration court transport procedures for transporting the UAC to their scheduled *Flores* bond hearing *if* there is a hearing scheduled. See [Section 3.3.14 Transportation Services](#). 
2. The *Flores* bond hearing proceedings commence. After conclusion the immigration judge issues an order and delivers it to the ORR Representative. The ORR Representative keeps the original order for filing at HQ, and provides a copy to the care provider point of contact. 
3. The care provider saves a copy of the order in the UAC's case file (the deadline to appeal is 30 days). If the UAC was not present at the hearing, the care provider verbally informs the UAC of the decision. 

Appendix 2.1 How to Protect PII and Create Password Protected Files

ORR expects all care providers, staff and contractors to protect personally identifiable information (PII) that is transmitted via email. Files that are uploaded to the secure UAC Portal do **not** need to be password protected.

PII should be included in the subject line or body of an unencrypted email to the extent necessary for users to access the information for authorized purposes. PII should be redacted as much as possible in unprotected emails. For example, only use initials or the last four digits of an alien registration number. Neither the subject line nor the body of an unencrypted email should contain more than one type of sensitive PII. For example, a name and an alien registration number should not both be used.

Any document that contains PII must be password protected. The password for the document must be emailed separately. When encrypting files for attachments, all care providers, staff and contractors should use a standard password that is universally used by all parties involved in the process. Care providers should contact their PO or their FFS for questions about this password. (Do not password protect any emails.)

Emails containing PII must never be sent to personal email accounts.

What is PII?

Personally Identifiable Information (PII) – Information within an IT system or online collection: (1) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.), or (2) by which an agency intends to identify specific individuals in conjunction with other data elements (i.e., indirect identification). (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors.)

Please note that Alien Numbers are PII.

How to Protect PII

Password protect all **attachments** and send the ORR UAC universal acceptance password by separate email. Do not include PII in the name of the attached document (i.e., no full names or Alien Numbers in the name of the document).

Use the following format to limit any identifying information regarding sponsors and UAC in the subject line of emails: sponsors, use initials in subject line; UAC, last four digits of A number.

When sending follow-up emails do not include PII.

How to Password Protect Word Files

In the 2007 Microsoft Office system: Set a password in a Word document (To encrypt your file and set a password to open it):

1. Click the Microsoft Office Button  , point to Prepare, and then click Encrypt Document.



2. In the Encrypt Document dialog box, in the Password box, type the standard UAC password and then click OK.
(By default, this feature uses AES 128-bit advanced encryption. Encryption is a standard method used to help make your file more secure.)
3. In the Confirm Password dialog box, in the Reenter password box, type the password again and then click OK.
4. To save the password, save the file.

Remove password protection from a Word document

1. Use the password to open the document.
2. Click the **Microsoft Office Button**  , point to **Prepare**, and then click **Encrypt Document**.

3. In the **Encrypt Document** dialog box, in the **Password** box, delete the encrypted password, and then click **OK**.
4. Save the file.

Password Protection for MS Word and Excel Files 2007:

<https://support.office.com/en-us/article/Password-protect-documents-workbooks-and-presentations-ef163677-3195-40ba-885a-d50fa2bb6b68>

Password Protection WinZip:

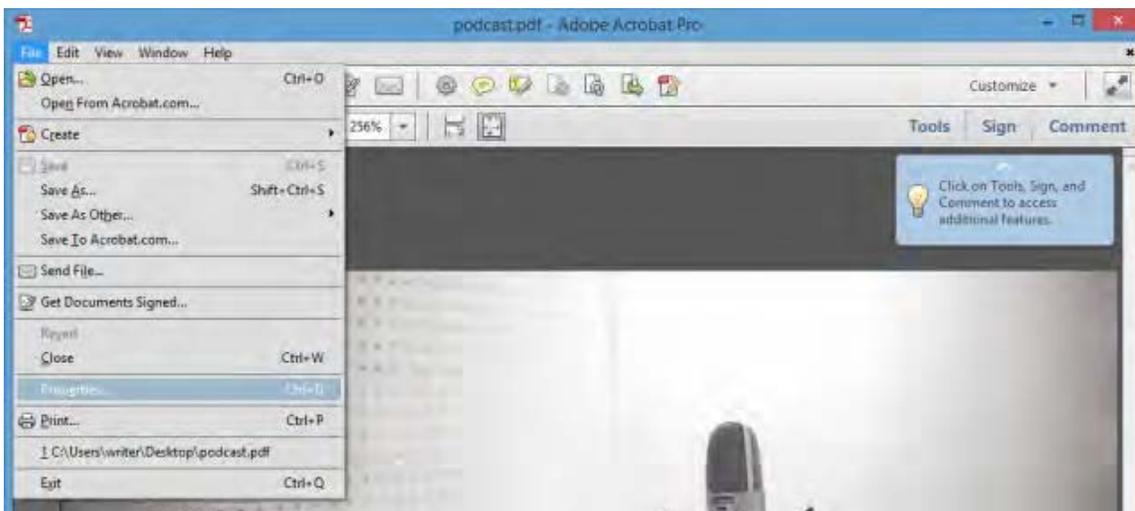
http://kb.winzip.com/help/help_actions_encrypt.htm

How to Password Protect Adobe Files

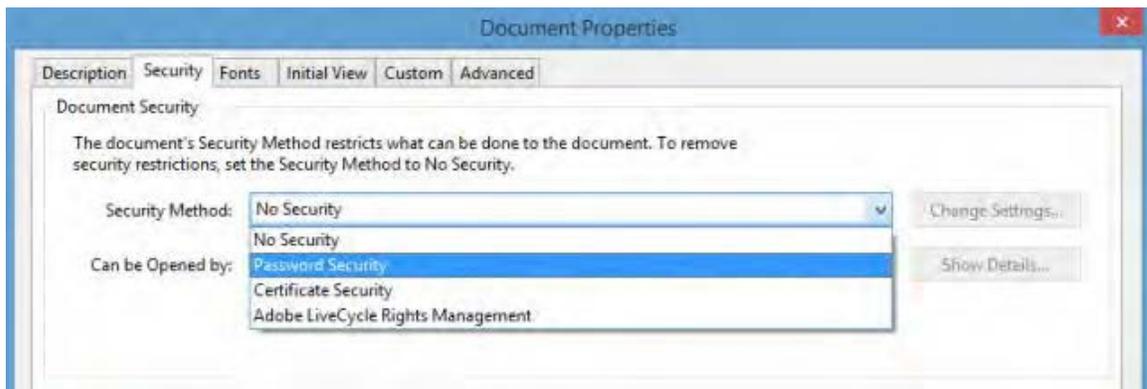
Step 1: Navigate to the main [Adobe website](#) and click the yellow **Free 30-day trial** button in the upper-left corner. Then, select a save location for the resulting file and follow the on-screen installation wizard to install the program as you would any other piece of software.

Step 2: Launch Adobe Acrobat, click the **File** menu in the upper-left corner, and select *Open*. Afterward, choose the PDF file you want to password protect from its respective save location and click the **Open** button.

Step 3: Click the **File** menu again when viewing the open document, followed by **Properties** and **Security**.



Step 4: Click the drop-down menu to the right of **Security Method**, then select **Password Security** from the resulting list of options.



Step 5: A window should appear prompting you for a password. Check the box beside **Require a password to open the document** and enter the UAC standard password into the corresponding text field.

Appendix 2.2 How to Report Potential Fraud Schemes

This information is also included in Section 5.7 of the UAC MAP.

OVERVIEW

Types of Fraud Incidents

There are criminals who target relatives of unaccompanied children entering the United States by demanding money from sponsors and/or family members, claiming the money will cover processing, reunification, and travel expenses needed to allow the children to be reunited with their families. They may also assert that these funds will enable the UAC to be released quicker to the prospective sponsor. **ORR DOES NOT CHARGE ANY FEE TO PROSPECTIVE OR APPROVED SPONSORS AS A CONDITION OF RELEASE OF AN UNACCOMPANIED CHILD. ANY DEMAND FOR PAYMENT OF FEES IS NOT AUTHORIZED BY ORR AND SHOULD NOT BE PAID.**

For example, an individual claiming to represent a charitable/non-profit organization may contact a potential sponsor and say that s/he can assist in processing and reuniting an unaccompanied child with his or her family. In this scenario, the individual falsely tells the potential sponsor that s/he needs to pay a fee to obtain the release of the child from ORR custody. Similarly, this individual may ask the potential sponsor to wire money to unknown persons in different cities.

This type of fraud is a serious crime and ORR fully cooperates with local and federal law enforcement for the investigation and prosecution of any individual(s) participating in the fraud scheme. If the fraud scheme involves care provider staff, ORR instructs the care provider to contact local law enforcement and to follow its local licensing guidelines regarding reports of inappropriate employee behavior. The care provider should also inform its local licensing agency that the case was referred to HHS/OIG and local law enforcement for investigation. Care providers should have internal protocols in place to address fraud schemes. A care provider facility must take disciplinary action including termination of any staff for criminal behavior, including fraud.

Care providers must take steps to:

- 1) Prevent these or other fraudulent practices by notifying all potential sponsors that ORR, its care providers, volunteer agencies, and grantees/contractors do not collect or require fees for any services related to the release of unaccompanied children from HHS custody.
- 2) Care providers should have written confirmation from staff members acknowledging the "Fraud Scheme" policy to be placed in employee files.

- 3) Immediately ensure the safety of children and sponsors by reporting any attempts to extort money or otherwise take advantage of unaccompanied children and sponsors to ORR, HHS/OIG, local law enforcement, state licensing, if Care Provider staff are involved.

PROCEDURES

Checking for Potential Fraud Schemes

1. The case manager includes the script that is noted in [2.2.2 Contacting Potential Sponsors](#) and informs all potential sponsors:
 - To report any suspicious calls or other contact received (e.g., emails, letters, instant messages) to the care provider facility and ORR directly.
 - Call the ORR National Call Center Help Line at **1 (800) 203-7001**. Sponsors may call the help line to inform ORR if a person defrauds or attempts to defraud them of money.

Case managers should document any information they provide to a sponsor regarding the reporting of suspicious contacts, to include the sponsor's identity, date, time and the information provided.

2. Prior to every release, the case manager asks the sponsor if they have been contacted and asked to pay fees/money related to the release of the UC. If the answer is yes, gathers the following information, and documents the information that the potential sponsor provides on the *Sponsor Information* section:
 - UC full name, alien number, and date of birth
 - Time and date of the report
 - Name of the ORR care provider facility and care provider address (include city/state)
 - Name, telephone number and location of the sponsor;
 - Name, phone number, and other contact information given by the person/program who filed the report
 - Description of the event
 - Date and time of the alleged incident
 - If money was asked for from the sponsor
 - Whether money was actually paid by the sponsor
 - Amount and method of any payment made (e.g., wire transfer, money order)

- If sponsor retained receipt/proof of payment application such as PayPal, Apple Pay, Google Wallet, etc., a copy should be provided.
- Identifying information for receiving account of any payment made to include account name, account number, routing number, or other account identifiers.
- Name and description of any individuals or organizations involved in the incident
 - If the sponsor was contacted by someone, name, phone number, and other contact information of the person/program who contacted the sponsor
 - Location where the alleged incident occurred (include location name, address, city, state)
 - Provide any additional identifying details such as places of birth, countries of citizenship, and alien numbers
 - Detail how the individual or organization is involved in the incident
- Name and alien number (if applicable) of any potential witnesses
- Any other details for which the caller has information. For example, if the sponsor was requested to wire funds, have the sponsor provide detailed information about the wire (name and address of recipient and whether it was money gram, western union, etc...). Many times the name and location of the caller is different than the name and address on the wire.
- Actions taken (including reports made to other individuals or entities and any associated case numbers)

Reporting Potential Fraud Schemes

1. **Within 4 hours of the significant incident (or within 4 hours of the care provider becoming aware of the incident)**, the case manager completes a Significant Incident Report (SIR) in the UAC Portal with all of the information gathered. 🔄 📄
2. The case manager notifies ORR based on the email template below and includes a copy of the SIR and notification email in the UAC's case file. ✉

✉ Email Template: Care Provider Notification to ORR of Potential Fraud Scheme	
From:	Case Manager
To:	SIRHotline@acf.hhs.gov Project Officer FFS Supervisor FFS

CFS
Case Coordinator

Subject: Report of Significant Incident [include the event number (e.g., “Event 12345”)]

Body: Use Synopsis of Event from the UAC Portal and do not include UAC’s full name or alien number

Attachments:

- *SIR*
- Relevant supporting documentation

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

3. The case manager reports the fraud allegation to local law enforcement and obtains and saves an incident report number or copy of the incident report from local law enforcement.
4. If care provider staff is involved, the case manager reports to state licensing and obtains and saves an incident report number or copy of the incident report.
5. The FFS reviews the fraud allegation in the SIR and ensures that the SIR is clearly written with all required information. (If SIR is missing information, the missing information will be submitted in an SIR Addendum.)
6. **Within 1 business day of receiving the SIR**, the FFS reports all types of fraud schemes, whether attempted or successfully perpetrated to HHS Office of the Inspector General (OIG) at UAC@oig.hhs.gov based on the email template below and instructs the case manager to save a copy of the reporting email to the UAC case file. 📧📧

 **Email Template: ORR Notification to HHS OIG of Potential Fraud Scheme**

From: FFS

To: UAC@oig.hhs.gov

Subject: Report of Fraud [include the event number (e.g., “Event 12345”)]

Body: Use Synopsis of Event from the UAC Portal and do not include UAC’s full name or alien number

Attachments:

- *SIR*

- Relevant supporting documentation

NOTE: Case managers must password protect Personally Identifiable Information (PII). Attached documents must be password protected. The body of the email includes the message that the password for the attached documents will be sent separately. A second email should include the universal UAC Password which should be used by all care providers and ORR staff and contractors. Do not include PII in follow up emails.

7. If HHS OIG opens an investigation for the reported allegation, the FFS notifies the FFS supervisor, PO and CFS and these parties fully cooperate with the investigation. ☒
8. If the fraud scheme involves care provider staff, the FFS:
 - Follows up with HHS OIG **within 10 business days** to determine if the reported fraud allegation will be investigated further.
 - Instructs the care provider to follow their local licensing guidelines regarding reports of inappropriate employee behavior and to inform their local licensing agency that the case was referred to HHS OIG.
 - Provide the care provider with technical assistance.
 - If applicable, issues corrective action findings and requires the care provider to take appropriate action.
 - Ensure that program submit/have internal disciplinary protocols to address Fraud Scheme involving care provider staff.

Appendix 2.3 Reporting Agencies for Suspected Document Fraud for Most Common ID Documents in Key States

The chart below indicates the procedures and contact information for reporting suspected cases of document fraud by state. All reports should include any information about the suspect or the circumstances surrounding the fraud. The U.S. Department of Health and Human Services Office of the Inspector General should be copied in the correspondence with the state agency (UAC@oig.hhs.gov).

State	Reporting Agency if Suspected Fraud
California	California Department of Motor Vehicles: Email dlfraud@dmv.ca.gov .
Maryland	Maryland Department of Transportation: Email Eric Danz, the Director of Investigations and Security within the Office of Investigations and Internal Affairs, Maryland Motor Vehicle Administration, at edanz@mdot.state.md.us ; CC: Paul Adams at padams@mdot.state.md.us .
Georgia	Georgia Department of Driver Services: Email reportfraud@dds.ga.gov , or call (678) 413-8766.
Florida	Florida Highway Safety and Motor Vehicles: Complete the “Fraud Investigation Request” form by clicking here , and email Fraud@flhsmv.gov or mail to Driver License Fraud Section, Room A327, Neil Kirkman Building, Tallahassee, Florida 32399-0570.
Virginia	Virginia Department of Motor Vehicles: Complete form LE 22 (use the search button to find), available at https://www.dmv.virginia.gov/forms/default.aspx , and email to zerofraud@dmv.virginia.gov .
New Jersey	New Jersey Motor Vehicle Commission Security & Investigations Office: Email TOCFRLAB@mvc.nj.gov or call 609-777-3903.
New York	New York State Department of Motor Vehicles: Complete FI-17 Report of Unauthorized Use of License/Registration (must be notarized), available at https://dmv.ny.gov/forms/fi17andfi17i.pdf , and mail to New York State Department of Motor Vehicles, Division of Field Investigations, 6 Empire State Plaza, Albany NY 12228. Call the NYS DMV Division of Field Investigation with any questions, Tuesday, Wednesday, or Thursday from 9:00 a.m. to 4:00 p.m. at (518) 473-6464.
Texas	Texas Department of Public Safety, Intelligence & Counterterrorism: Email Erika Fisher, Texas Joint Crime Information Center, at Erika.Fisher@dps.texas.gov , or call (512) 462-6108. Include a brief synopsis of the event.

Appendix 2.4 Child Advocate Recommendation and Appointment Form

OMB Control No: 0970-0498
Expiration date: 7/31/2020



The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 section 235(c)(6) authorizes the Secretary of Health and Human Services to appoint "independent child advocates for child trafficking victims and other vulnerable unaccompanied children." This appointment authority has been delegated to the Office of Refugee Resettlement (ORR). ORR will use this form to determine whether a Child Advocate shall be appointed and to document the Child Advocate's appointment for UAC in ORR/DUCO care and custody.

SECTION 1 (To be completed by the initial referrer)

A. UAC INFORMATION:

Name of UAC	<input type="text"/>	A#	<input type="text"/>
Date of Birth	<input type="text"/>	Nationality:	<input type="text"/>
Language(s) spoken by UAC:	<input type="text"/>	Current location:	<input type="text"/>
Name of referrer:	<input type="text"/>	Date of UAC's arrival at care provider	<input type="text"/>
Relationship of referrer to the UAC	<input type="text"/>	Date of referral:	<input type="text"/>

B. CHECKLIST (PLEASE CHECK ALL THAT APPLY)

- Is between the ages of 0-12
- Is placed in a residential treatment center or therapeutic facility
- Is pregnant or parenting
- Has a physical or mental disability
- Is a national from a country known to traffic children
- Has been identified as a possible child trafficking victim (Interim Assistance Letter, Eligibility Letter, etc.)
- Has a criminal or delinquency history and/or is placed in a staff secure care provider or secure care provider, and there are outstanding issues impacting the UAC's release or discharge plan
- Has been a victim of a crime
- Is not proficient in a language spoken by staff at the UAC's care provider, and for whom there is no accessible interpreter routinely available
- Will turn 18 in less than six (6) months of placement and for whom family reunification is unlikely
- Is identified as being eligible for legal relief
- Has a credible fear of returning to their country of origin and/or are seeking voluntary departure despite concerns about their safety in their home country
- Lacks appropriate legal representation, or for whom there is a good faith belief that the child's legal representative has ties to child trafficking or criminal activity

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104.13) Public reporting burden for this collection of information is estimated to average .50/ hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

<input type="checkbox"/> Is expected to have a protracted stay of over 120 days in ORR/DUCO custody
<input type="checkbox"/> Whose potential sponsor is undergoing a home study
<input type="checkbox"/> Is unable to make an independent decision
<input type="checkbox"/> Any other case where the UAC is considered to be exceptionally vulnerable. Explain here:
<input type="text"/>

SECTION 2 (To be completed by the child advocate program)

A. Does your program recommend that ORR appoint a Child Advocate, and confirm that an individual Child Advocate is available for this UAC based on the criteria selected?

Yes No

If No, explain here:

If more information needed, explain here:

B. Name of child advocate program official making the recommendation

Date

C. Name of the individual Child Advocate identified for assignment

SECTION 3 (To be completed by ORR/DUCO)

A. Is the recommendation for the appointment of a Child Advocate approved for the above named UAC?

Yes No

If No, explain here:


Signature of ORR/DUCO Division Director

Oct 3, 2017

Date

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104.13) Public reporting burden for this collection of information is estimated to average .50/ hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Appendix 2.5 Sponsor Assessment Interviewing Guidance

SPONSOR ASSESSMENT INTERVIEWING GUIDANCE

Case Managers and Clinicians must use the interview questions below when interviewing Sponsors in their assessment of a potential sponsor's suitability. Avoid reading the questions verbatim. Instead ask questions in a conversational manner and engage the sponsor. During the interview, the interviewer must ask follow-up questions based on initial responses and obtain as much detail as possible. Answers and information provided by sponsor must be documented in the *Sponsor Assessment*.

INTERVIEW QUESTIONS

SPONSOR CULTURAL INFORMATION

Use these questions to determine the Sponsor's linguistic and cultural background, including cultural, social, and communal norms and practices for the care of children. All responses must be documented in the Sponsor Cultural Information section of the Sponsor Assessment.

- What languages and dialects do you speak?
- Are you spiritual or religious? *If yes-* What are your beliefs?
- What faith do you practice, if any? How do you practice your faith?
- Are there traditions you have practiced, through your family or in your home country, which are important to you? *If yes-* What are they?
- Are there religious or family traditions or practices that you expect the UAC to adhere to or participate in?
- Is there anything else you would like to share about your culture or background?

FAMILY RELATIONSHIPS

Use these questions to determine the sponsor's familial and other significant relationships in country of origin and in the U.S. All responses must be documented in the Family and Significant Relationships section of the Sponsor Assessment. If the Case Manager has already gathered information regarding the sponsor's family, it may not be necessary to ask some of these questions. A genogram (family tree) may be used as a tool to answer these questions and is required for distant relative Cat 3 potential sponsors.

Family in Country of Origin

- Do you have family in your home country?
 - Who are they and how often do you have contact with them?
 - How do you contact them (phone, social media, instant messaging)?

Family in the U.S.

- Do you have family in the U.S.?
 - Who are they and how often do you have contact with them?
 - Where does he/she live?
 - What is his/her name and age?
 - Do you have any relatives who are or were in ORR care? Do you know where they are?

Spouse/Partner

- Do you currently have a partner?
 - What is your partner/spouse's name and age?
 - Where is your partner/spouse living?
 - How long have you been together?
 - What is your relationship like with your partner/spouse?
 - Is your spouse/partner supportive of the ORR family reunification process?
 - Is the spouse/partner in agreement with taking in the UAC into the home?
 - Has the spouse/partner had any contact with the UAC?
 - Would the spouse/partner contribute with support of the UAC (e.g., supervision, babysitting, financial)?

Children

- Are you a parent to a child?
 - What is your child's name and age?
 - Where is your child?
 - Did your child come to the U.S. with you?
 - Who is the mother/father?
 - Who is currently caring for your child?
- How do you discipline your children?
- Have you or your spouse/partner ever had Child Protective Services involvement?
- Have you ever had any child or children removed from your custody? If so, why?
- Has any household member ever had a child or children removed from their custody? If so, why?

HOUSEHOLD COMPOSITION

Use these questions to determine the sponsor's household composition, including the sponsor's knowledge of any household members who may have a serious, contagious disease; or criminal convictions or charges. All responses must be documented in the Household Composition section of the Sponsor Assessment.

- Who lives in the home?
- What will the sleeping arrangements be for the minor?

- What is his/her name and age?
- What is the household member's relationship to the minor?
- What is the household member's relationship to you?
- What has your relationship been like with him/her?
- How long have you known him/her?
- Will the household member be helping to care for the UAC or babysit?
- Does the household member work and/or contribute financially to the household?
- Does any person in your household have a serious contagious disease (e.g., TB, AIDS, hepatitis)? If so explain.
- Describe your home (e.g., Apartment, duplex, trailer, townhouse, running water, working electricity, swimming pool, pets, how many rooms, bathrooms).
- Do you currently share your bedroom?
- Will the minor be sharing the room with anyone or will the minor have his/her own room?
- How do you expect the UAC to contribute to your household?
 - Financially, through wages
 - Child care
- Does anyone in the household have a serious, contagious disease? If yes, explain.
- Do any of the occupants have criminal convictions or charges, other than minor traffic violations? If yes, explain.

PREVIOUS SPONSORSHIP ATTEMPTS

Use these questions to determine if the sponsor and/or the sponsor's household members have ever sponsored or attempted to sponsor another child. If the sponsor and/or the sponsor's household members did sponsor or attempt to sponsor a child, use these questions to assess the safety and well-being of previously released minor to confirm the provision of physical/mental well-being, appropriate home accommodations, adequate supervision, attendance to school, accompaniment to immigration court hearings, and provision of a caring and secure/protective environment. All responses must be documented in the Previous Sponsorship section of the Sponsor Assessment.

- Sponsor's Previous Sponsorship Attempts**
- Have you ever attempted to sponsor a child from ORR, but decided to withdraw your application?
 - If yes, then why did you withdraw?
 - Have you ever been denied sponsorship by ORR?
 - If yes, then why did ORR deny your sponsorship application?
 - How many children did you sponsor and where are they now?
 - Are the children related to you? If not, how do you know them?
 - Where are they from and how old are they now? If they no longer reside with you, where do they live?
 - Do you have his/her current contact information?
- Household Members Previous Sponsorship Attempts**
- Has anyone who live in your home ever attempted to sponsor a child from ORR, but decided to withdraw their application?
 - If yes, then why did they withdraw?
 - Were they ever denied sponsorship by ORR?
 - If yes, then why did ORR deny your sponsorship application?
 - How many children did you sponsor and where are they now?
 - Are the children related to you? If not, how do you know them?
 - Where are they from and how old are they now? If they no longer reside with you, where do they live?
 - Do you have his/her current contact information?
- Former UAC's Safety and Well-Being**
- Did the sponsor undergo a home study? If so why?
 - Is or has the child received Post Release Services?
 - Is the child enrolled in or attending school?
 - When is the child's upcoming court date?
 - Do you have school enrollment records?
 - Do you have physical proof that the minor is/has attended school and court?
 - Did the sponsor attend an LOPC presentation?
 - Have you been contacted and asked to pay fees or wire money related to the release of the child?

PROOF OF IDENTITY

Use these questions in conjunction with documentation provided by the sponsor to assess the Sponsor's identity. The interviewer must be cognizant of the Sponsor's familiarity with and connections with the reported country of origin; attitude; behavior; speech; affect; mood; thought process and thought content; perception; memory and concentration; and insight and judgment during the entirety of the interview. The interviewer's assessment of these elements must be documented in the Proof of Identity section of the Sponsor Assessment.

- Life in Home Country**
- Where did you live before you arrived in the U.S.? (If U.S. Citizen modify question to: Where did you grow up in the U.S.?)
 - How long did you live there?
 - With whom did you live?
 - What was your experience like there?
- The Journey (If not born in the U.S.)**
- When did you first come to the U.S.?
 - How old were you when you first traveled to the U.S.?
 - What brought you to the U.S.?
 - What were you planning on doing in the U.S.?
 - Where did you live?

<ul style="list-style-type: none"> • Have you lived anywhere else? With whom? When and for how long? <ul style="list-style-type: none"> ○ With whom did you live? Did you know them? • When did you first leave home country? <ul style="list-style-type: none"> ○ How long did the trip take? 	
PROOF OF IMMIGRATION STATUS OR U.S. CITIZENSHIP	
<p><i>Use these questions in conjunction with documentation provided by the sponsor to determine the Sponsor's immigration status or U.S. citizenship. The interviewer's assessment of these elements must be documented in the Proof of Immigration Status or U.S. Citizenship section of the Sponsor Assessment.</i></p>	
<ul style="list-style-type: none"> • Are you a U.S. citizen? • Have you ever applied for immigration relief? <ul style="list-style-type: none"> ○ What type of relief did you apply for? ○ What is the status of your application? ○ Were you given any forms or documents? • Have you ever been apprehended a U.S. immigration official? <ul style="list-style-type: none"> ○ What happened? ○ Were you given any forms or documents? • Have you had any other type of interaction with a U.S. immigration official? <ul style="list-style-type: none"> ○ What happened? ○ Were you given any forms or documents? 	
PROOF OF RELATIONSHIP	
<p><i>Use these questions in conjunction with documentation provided by the sponsor to probe the sponsor's familial and interpersonal relationship with the UAC in order to verify the type of relationship. All responses must be documented in the Proof of Relationship section of the Sponsor Assessment.</i></p>	
<ul style="list-style-type: none"> • What is the sponsor's relationship with the child? • Has the sponsor ever met the child? • When did the sponsor first meet the child? • When was the last time the sponsor saw the child? • When was the last time the sponsor's partner saw the child? • How frequently does the sponsor visit the child? • Has the sponsor ever visited the child while he/she was living in his/her country of origin? • When did the sponsor last visit the child's country of origin? • How frequently does the sponsor visit the child's country of origin? • How did the child and sponsor keep in contact? How often? • Did the sponsor financially provide for the child? If so, amount and how often? • Has the sponsor ever met a family member of the UAC? Can the family member be verified as related to the UAC? • Has the child ever lived in the same home as the sponsor? <ul style="list-style-type: none"> ○ How long did the child live with the sponsor? ○ Did the sponsor ever act as a primary caregiver while living with the child? ○ How long did the sponsor act as the child's primary caregiver? ○ Where were the child's biological parents at the time? ○ Why were the child's biological parents unable to provide primary care for the child? ○ Did the child's biological parents ask/consent to the sponsor being the primary caregiver? ○ Who took responsibility for the following while the child lived with the sponsor: bathing and feeding the child, health care arrangements, supervising and disciplining the child, financial support for the child, and consoling/comforting the child? ○ Did the sponsor ever sexually or physically abuse the child, or through negligence allow others to sexually or physically abuse the child? ○ Did the sponsor ever abandon or mistreat the child? • Why does the sponsor want to sponsor the UAC? • Does the sponsor expect the UAC to work? 	
PROOF OF ADDRESS	
<p><i>Use these questions to establish that the sponsor lives at the address he/she reported to ORR and that the reported address is a residence. The interviewer must be cognizant of the sponsor's familiarity with and connections with the reported residence. The interviewer's assessment of these elements must be documented in the Proof of Address section of the Sponsor Assessment.</i></p>	
<ul style="list-style-type: none"> • Where do you currently live in the U.S.? <ul style="list-style-type: none"> ○ How long have you lived there? ○ With whom do you live? ○ Do you live in a house or apartment complex? ○ How many bedrooms does the residence have? ○ Do you own where you live or rent? ○ What is the current sleeping arrangement? ○ Do you receive your mail at a different address? ○ How many schools are in the area? ○ What is the crime level in the area? ○ How far away is the nearest hospital? ○ What is and how far away is the nearest grocery store? • Have you lived anywhere else in the U.S.? <ul style="list-style-type: none"> ○ Where did you live in the U.S.? ○ When and how long did you live there? ○ With whom did you live? 	
<p>Sponsor Assessment Interviewing Guidance, Rev. 06/24/2019 ORR UAC/S-1</p>	<p>Page 3 of 7</p>

PROOF OF STABILITY	
<p><i>Use these questions to assess the sponsor's ability to support and financially provide for the minor while in their care. The interviewer's assessment of these elements must be documented in the Proof of Stability section of the Sponsor Assessment.</i></p>	
<ul style="list-style-type: none"> • Does the sponsor have a job? • Does the sponsor have adequate housing? • Does the sponsor have financial needs? 	
SPONSOR CARE PLAN	
<p><i>Use these questions to ensure that the sponsor's plan to care for the minor adequately addresses the care, supervision, safety, education, and resources required to meet the UAC's needs. Discusses with the sponsor the UAC's criminal offenses, behaviors and concern(s) related to the victims, the community and to the UAC as well as the obligations of the UAC and sponsor to address causes of behavior and prevent recidivism by participating in post release services. Assists sponsor in identifying community service providers and programs, and encourages sponsor to become aware of and participate in applicable services such as parenting classes/services, gang prevention services, substance abuse services, other forms of psycho-education in preparation for UAC's release. All responses must be documented in the Sponsor Care Plan section of the Sponsor Assessment.</i></p>	
<p>Care Plan</p> <ul style="list-style-type: none"> • Tell me about your plans to address the UAC's educational needs. <ul style="list-style-type: none"> ○ What school will the minor be attending? ○ What do you know about the school enrollment process? ○ Who will transport the UAC to and from school? ○ Who will supervise the UAC before and after school? • Are you aware of any special needs the UAC may have that may require special attention? <ul style="list-style-type: none"> ○ Does the minor have any medical or mental health issues currently? ○ Does the minor have any prior medical or mental health issues? ○ How were these needs addressed in home country or previous residence? ○ Tell me about your plans to address the UAC's medical and mental health care needs and counseling needs. ○ What are the medical services in your area? ○ What are the counseling services in your area? • Tell me about the types of community resources and services that you plan to access to address the UAC's needs. <ul style="list-style-type: none"> ○ What types of community resources and services to you live near? ○ What community resources do you currently utilize? ○ What types of community resources have you identified for the UAC? (e.g., school, medical clinic, mental health services agency) ○ If you needed medical assistance, where would you go? How close is that medical service to your home? • Tell me about the minor's personality, behavior, strengths, and overall functioning. <ul style="list-style-type: none"> ○ How would you describe the minor's personality? ○ How does the minor get along with adults and with other children? ○ What kind of feedback or discipline does the minor best respond to? 	
<ul style="list-style-type: none"> ○ How do you plan to manage the minor's behaviors? ○ Describe the minor's special interests, talents, hobbies, including likes and dislikes. ○ Does the minor have any criminal history or behavior issues that you are aware of? 	
<ul style="list-style-type: none"> • Did you read the Sponsor Handbook and watch the Sponsor Video? • Will you accept assistance from Post-Release Service providers, if needed? 	
<p>Safety Plan</p> <ul style="list-style-type: none"> • Explain how you plan to ensure the safety of the minor. <ul style="list-style-type: none"> ○ Are you aware of any abuse or any significant traumatic events? ○ Are you aware of any safety concerns for the UAC? Has anyone threatened the minor or their family? If so, what is the safety plan? ○ Are you aware of any history of gang involvement, violence, or juvenile justice history? 	
<p>Supervision Plan</p> <ul style="list-style-type: none"> • Do you have family or friends nearby that will be helping to care for the minor? If yes, list name, SSN/A#, age, DOB, home address, phone number, gender, relationship to sponsor, type of identity document received, results of background check, as applicable. • Explain how you plan to supervise the minor. 	
<p>Alternative Caregiver Plan (only for sponsors who are not U.S. citizens or Lawful Permanent Residents)</p> <ul style="list-style-type: none"> • Who will care for the minor in the event that you need to leave the country? List name, SSN/A#, age, DOB, home address, phone number, gender, relationship to sponsor, type of identity document received, results of background check, as applicable. 	
CRIMINAL HISTORY	
<p><i>Use these questions to sponsor's self-disclosures of any criminal charges, sexual offenses or child abuse/neglect charges or arrests. Ask specific questions that may reveal possible disqualifying factors under Criteria for Release Denial. → ORR Policy Guide, Section 2.7.4 Deny Release Request</i></p>	
<ul style="list-style-type: none"> • Have you had any type of encounter with law enforcement (uniformed or not)? • Have you ever been fingerprinted? 	
<p><small>Sponsor Assessment Interviewing Guidance, Rev. 06/24/2019 ORR UAC/S-1</small></p>	
<p><small>Page 4 of 7</small></p>	

- Have the police ever visited your home? If so, please provide details.
- Do you have any criminal history in your country of origin?
- Do you have any criminal history in the United States?
- Have you ever been arrested/hand cuffed?
- Have you ever been stopped by the police while driving a vehicle or as a passenger?
- Were you ever in a public place/park or car drinking or in possession of an open alcoholic container which resulted in the police being called or law enforcement approaching you for your information, incarceration or citation?
- Have you ever been arrested or charged with a crime? *If yes, for each charge ask:*
 - What happened?
 - When did this happen? How old were you?
 - Where did this happen (country, state, city, local town/province/neighborhood)?
 - Who were the victims (relation to UAC, names)?
 - What was the outcome in court?
 - Have you ever been assigned to a probation/parole officer?
- Are you on probation or parole? *If yes, ask:*
 - When did probation/parole start?
 - How long will it last and in what state or country?
 - What are the conditions of your probation/parole (special classes, community service)?
 - Do you know the name and number of your probation/parole officer?
- Have you ever been detained for drinking, driving under the influence of alcohol/drugs?
- Have you ever been held in juvenile detention or adult jail? *If yes, ask:*
 - How many times?
 - Where were you held?
 - How long were you incarcerated?
 - What were the dates of incarceration, as you can best remember?
- Have you experienced any violence or threats while in government custody (local, state, DHS custody, and DCS custody)? *If yes, ask:*
 - What happened?
 - Where did this happen?
 - When did this happen?
- Have you ever had an argument with a paramour/partner/spouse that resulted in the police being called? If so, please provide details.
- Have you ever been involved in a gang? *If yes, ask:*
 - What gang(s) and for how long?
 - When and how did you become involved?
 - What was your involvement in the gang? Did you have specific roles or responsibilities? What were these roles and responsibilities?
 - Did the gang encourage or require criminal behavior?
 - Do you have any gang tattoos?
 - Were you trained to build and use weapons (guns, bombs, machetes)?
- Are any of your relatives involved in gang activities? *If yes, ask:*
 - Which relative(s)?
 - What gang(s) and for how long?
 - What is their involvement in the gang?
- Have you ever committed a crime for which you were not caught? *If yes, ask:*
 - What happened?
 - When did this happen? How old were you?
 - Where did this happen (country, state, city, local town/province/neighborhood)?
 - Who were the victims (relation to UAC, names)?
- Have you ever caused bodily harm to another person(s) or animal(s)? *If yes, ask:*
 - What happened?
 - When did this happen? How old were you?
 - Where did this happen (country, state, city, local town/province/neighborhood)?
 - Who were the victims (relation to UAC, names)?
- Have you ever used a different name or date of birth?

UAC JOURNEY AND APPREHENSION

Use these questions to determine if the UAC journeyed to the U.S. to live with this sponsor and to assess if the potential sponsor had a role in coordinating or financing the journey. Also, this section will help assess how much the potential sponsor knows about the UAC's journey, which should be compared against the UAC Assessment responses. All responses must be documented in the UAC Journey and Apprehension section of the Sponsor Assessment.

Life in Home Country

- Where did the minor live before arriving in the U.S.?
 - How long did the minor live there?
 - With whom did the minor live with?
- Whose decision was for the UAC to live with the said certain individuals?
- Did the UAC attend school, work, or both?
- Did the UAC have any hobbies in home country? What were they?
- Has the UAC lived anywhere else? With whom? When and for how long?
- Who was the UAC living with when he/she decided to leave his/her home country?

The Journey

- Do you know why the UAC decided to travel to the U.S. at this time?
 - What is the UAC planning on doing in the U.S.?
- How did the UAC get to the U.S.?
 - Did anyone arrange travel for the UAC? If yes—Who? Did you arrange the UAC's travel?
 - Did the UAC travel with anyone (such as siblings, parents, family members, and children)? If so, do you know where they are now?
 - Did you provide the UAC guidance about what steps to take when planning to enter the U.S.?
 - Was a Coyote/foot guide/smuggler involved?
 - What type of transportation was used?
 - Were multiple people involved in the transportation during various legs of the journey?
 - Did the UAC have to work or exchange favors to finance the trip?
 - Were you in communication with the UAC during their journey?
 - Did the UAC share with you any hardships during the journey?
- Where was the UAC planning on living in the U.S. and with whom?

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- When did the UAC leave home country?
 - Who paid for the UAC's trip to the U.S.?
 - How much did the UAC's journey cost?
 - Did you pay for the UAC's travel?
 - Does the UAC or UAC's family owe money to cover the cost of the UAC's travel?
 - Do you know how the UAC or the UAC's family paid for the UAC's travel expenses?
 - Did the UAC plan to come live with you? If, not, then who? If so, then why?
 - What arrangements have you made for the UAC?
 - Did anyone arrange for the UAC to work after arriving to the US?
 - Who arranged the work?
 - What type of work is the UAC expected to be doing?
 - Will the UAC be paid?
 - Did the UAC's parents plan for the UAC to come live with you? If, not, then who? If not, then why not? If so, then why?
- Additional Questions**
- Had the UAC been to the U.S. before this journey?
 - When did the UAC come to the U.S.?
 - Who did the UAC travel with then?
 - For how long was the UAC in the U.S.?
 - What brought the UAC here then?
 - Why did the UAC leave the U.S.?

HUMAN TRAFFICKING

Use these questions to assess for trafficking concerns in the sponsors country of origin and in the U.S. and to determine if additional services or referrals are needed. It should be explained to the sponsor that this information is not for immigration purposes, but to have a better understanding of his/her journey and any challenges they may have faced during this time. All responses must be documented in the Human Trafficking section of the Sponsor Assessment.

- Sponsor's Journey to the U.S. (if applicable)**
- When and why did you decide to travel to the U.S.?
 - Who planned your journey?
 - Did the arrangements change during the journey? If yes, how?
 - Did anyone pay for your travel to the U.S.?
 - Does that person need to be paid back?
 - Is there a plan for that person to be paid back?
 - What do you believe will happen if that person is not paid back?
 - Does your family or a family friend owe money to anyone for the journey? If yes, how much?
 - Did you ever have to depend upon non family members to provide basic needs such as clothes, food, and housing?
 - Did you experience any challenges, trauma, or abuse by family in home country?
 - Where did you first live in the U.S. and with whom?
 - Have you traveled back to your country of origin since your arrival to the U.S.?
- Coercion Indicators**
- Did anyone threaten you or your family? Who made the threats? What happened?
 - Were you ever physically harmed? Who harmed you? What happened?
 - Was anyone around you ever physically harmed? Who was harmed? What happened?
 - Were you ever held against your will? Who held you? Where? What happened?
 - Did anything bad happen to anyone else in this situation or anyone else who tried to leave? What happened exactly? How many other people were in this situation?
 - Did anyone ever keep/destroy your documents? Who did this and what documents?
- Debt Bondage/Labor Trafficking Indicators**
- Did you perform any work or provide any services?
 - Who arranged the work?
 - What type of work did you perform and where?
 - How often did you have to work (Hours per day, days per week, what times of day/night)?
 - Did work conditions change over time?
 - Is there a debt? Do you owe money? *If yes, ask:*
 - What is the amount of the debt?
 - Has any debt amount increased?
 - By how much?
 - When did it increase?
 - Why did it increase?
 - Have you or your family ever been threatened over payment or work for the journey? Who threatened you and how?
 - What did you expect would happen if you left the job or stopped working?
 - Were you ever made to work or do anything you did not want to do?
 - Did you receive pay or did someone else keep the pay?
 - Were you paid what was promised when you started working?
 - Were expenses taken out of the pay? What were the expenses for?
 - How did you get to the work site?
 - Where did you live while working? Describe your living arrangements.
 - Was your freedom of movement ever restricted or closely monitored (e.g., with security cameras)?
 - Were you ever restricted from communicating or socializing with others, not allowed to speak for yourself, told what to say, or isolated from others?
 - Did anyone arrange for you to work after arriving in the U.S.? Who arranged the work? What type of work do you expect to be doing? Will you be paid?

- Did anyone ever threaten to report you to the police/immigration?
Who did this and what did they say exactly?
- Are you worried anyone might be trying to find you? Who?

FRAUD

Use these questions to determine if any individual or entity has attempted to defraud the sponsor in relation to the ORR reunification process. All responses must be documented in the Fraud section of the Sponsor Assessment.

- Have you ever been contacted and asked to pay fees/money related to the release of the minor? *If yes and if applicable, ask:*
 - When did this happen (date and time)?
 - Where did this happen?
 - What name and contact information did the individual give you?
 - What specifically did they ask you to do?
 - Did you give any money to the individual? What amount?
 - How did you pay (e.g., wire transfer, money order)? Do you have proof of payment?
- Do you have any identifying information for the receiving account (e.g., account number, account name, routing number)?
- Please name and describe any individual or organizations involved in the incident.
- Are there any potential witnesses? Do you have contact and identifying information on them (e.g., name, phone number, address, SSN/A#)?
- Are there any other details you can provide?

Appendix 2.6 Sponsor Assessment

**OFFICE OF REFUGEE RESETTLEMENT
SPONSOR ASSESSMENT**

UAC BASIC INFORMATION

First Name:	Status:	ADMITTED
Last Name:	AKA:	
Date of Birth:	Gender:	select an item
A #:	LOS:	
Age:	Current Program:	
Country of Birth:	Admitted Date:	

SPONSOR BASIC INFORMATION

First Name:	AKA:	
Last Name:	A #:	
Date of Birth:	Country of Birth:	
Age:	Country of Residency:	
Gender: select an item	Primary Sponsor:	<input type="checkbox"/> Yes <input type="checkbox"/> No

SPONSOR CULTURAL INFORMATION

Use this section to document the sponsor's linguistic and cultural background, including cultural, social, and communal norms and practices for the care of children.

Primary Language Spoken:	Religious Affiliation:
Other Languages Spoken:	
Additional cultural information:	

FAMILY RELATIONSHIPS

Use this section to document the sponsor's familial and other significant relationships in country of origin and in the U.S. A genogram (family tree) may be used as a tool to answer these questions and is required for distant relative Cat 3 potential sponsors.

Genogram completed? (Required for distant relative Cat 3 sponsors) Yes No

Family in Country of Origin

Do you have family in your home country? (If yes, describe below) Yes No

Additional information on family in country of origin:

Family and Family Friends in the U.S.

Do you have family or family friend in the U.S.? (If yes, list below) Yes No

Name	Age	DOB	Gender	Relationship to Sponsor
		Click here to enter a date.	Choose an item.	Choose an item.
		Click here to enter a date.	Choose an item.	Choose an item.
		Click here to enter a date.	Choose an item.	Choose an item.
		Click here to enter a date.	Choose an item.	Choose an item.

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Do you have any relatives who are also in ORR care? Yes No

If yes, do you know where they are?

Additional information on family and family friends in the U.S.:

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Spouse/Partner

Do you have a partner? *(if yes, answer below questions)* Yes No

What is your partner's name and age?

Do you live with your partner? Yes No

If no, where does your partner live?

Are you married to your partner? Yes No

Are you legally married or is the relationship a partnership or cohabitation? Yes No

What is your relationship like with your spouse?

Have you ever been involved in a Dissolution of Marriage case? Yes No

If yes, explain:

Additional information on the sponsor's partner:

Children

Do you have any children *(if yes, list below)* Yes No

Name	Age	DOB	Gender	Current Location	Name of Mother/Father
		Click here to enter a date.	Choose an item.		
		Click here to enter a date.	Choose an item.		
		Click here to enter a date.	Choose an item.		
		Click here to enter a date.	Choose an item.		

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Did any of your children come to the U.S. with you? *(if not born in U.S.)* Yes No

Do you have any children living in your home country? Yes No

Have any of your children ever been in ORR care? Yes No

Who is caring for your children?

Additional information on the sponsor's children:

How do you discipline your children and how do you plan to discipline the minor?

Have you or your spouse/partner ever had Child Protective Services involvement? Yes No

If yes, explain:

Have you ever been involved in a child support case? Yes No

If yes, explain:

Do you provide court ordered financial support to your children? Yes No

If yes, explain:

Have you ever had a child removed from your custody? Yes No

If yes, why? (Obtain documentation)

Have any of your household members ever had a child removed from his/her custody? Yes No

If yes, why? (Obtain documentation)

HOUSEHOLD COMPOSITION

Use this section to document the sponsor's household composition, including the sponsor's knowledge of any household members who may have a serious, contagious disease; or criminal convictions or charges.

Does anyone else live in your home? *(if yes, list below)* Yes No

Name	Age	DOB	Gender	Phone Number	Valid Identity Document Received	Relationship to Sponsor	Employed	Dependent on Sponsor Income	Background Checks

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		Click here to enter a date.	Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.
		Click here to enter a date.	Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.
		Click here to enter a date.	Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.
		Click here to enter a date.	Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Describe your home:

Describe where the minor will sleep:

How do you expect the UAC to contribute to your household?

Does anyone in the household have a serious, contagious disease? Yes No

If yes, explain:

Do any of the occupants have criminal convictions or charges, other than minor traffic violations? Yes No

If yes, explain:

PREVIOUS SPONSORSHIP

Use this section to document if the sponsor and/or the sponsor's household members have ever sponsored or attempted to sponsor another child. If the sponsor and/or the sponsor's household members did sponsor or attempt to sponsor a child, document the status of the child's safety and well-being.

Sponsor

Have you ever attempted to sponsor another child that is/was in ORR care? Yes No

(If yes, list below and answer the following questions)

Name	A No.	DOB	Gender	Sponsor's Relationship to UAC	Current Location	ORR Release Decision	Date of Discharge	Discharge Program Name
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Have you ever attempted to sponsor a child from ORR, but decided to withdraw your application? Yes No

If yes, then why did you withdraw?

Have you ever been denied sponsorship by ORR? Yes No

If yes, then why did ORR deny your sponsorship application?

How many children did you sponsor?

Is the child still residing with you? Yes No

If no, explain:

Did you undergo a home study? Yes No

If yes, why?

Is/has the child received Post Release Services? Yes No

Is the child enrolled in or attending school? Yes No

When is the child's upcoming court date? Yes No

Did you attend an LOPC presentation? Yes No

Describe the UAC's current safety and well-being since release from ORR care to the sponsor:

Household Members

Have any of your household members attempted to sponsor another child that is/was in ORR care? Yes No
(if yes, list below and answer the following questions)

Name	A No.	DOB	Gender	Sponsor's Relationship to UAC	Current Location	ORR Release Decision	Date of Discharge	Discharge Program Name
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	
		Click here to enter a date.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click here to enter a date.	

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Did he/she ever attempted to sponsor a child from ORR, but decided to withdraw your application? Yes No
If yes, then why did he/she withdraw?

Has he/she ever been denied sponsorship by ORR? Yes No
If yes, then why did ORR deny his/her sponsorship application?

How many children did he/she sponsor?
Is the child still residing with him/her? Yes No
If no, explain:

Did he/she undergo a home study? Yes No
If yes, why?

Is/has the child received Post Release Services? Yes No
Is the child enrolled in or attending school? Yes No
When is the child's upcoming court date?
Did he/she attend an LOPC presentation? Yes No

Describe the UAC's current safety and well-being since release from ORR care to the sponsor:

PROOF OF IDENTIFY

Use this section to document information and documents provided by the sponsor to establish the sponsor's identity and confirm that the sponsor's identity was verified. If the sponsor's identity was unable to be verified, provide an explanation under the "Additional information on identity" section below.

Sponsor

Sponsor's identity is verified: Yes No

List proof of identity documents provided:

Identity Document Type	Expiration Date (if applicable)	Document Verified by Government Agency	Picture ID
Choose an item.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choose an item.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choose an item.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Household Members

Household Members' identity is verified: Yes No

List proof of identity documents provided:

Household Member Name	Identity Document Type	Expiration Date (if applicable)	Document Verified by Government Agency	Picture ID
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Adult Caregivers

Adult Caregiver's identity is verified: Yes No

List proof of identity documents provided:

Adult Caregiver Name	Identity Document Type	Expiration Date (if applicable)	Document Verified by Government Agency	Picture ID
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Choose an item..	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Additional information on identity:

PROOF OF IMMIGRATION STATUS OR U.S. CITIZENSHIP

Sponsor Legal Status: select an item

Sponsor's legal status verified with non-expired document(s): Yes No

List proof of immigration status or U.S. citizenship document(s) provided:

PROOF OF RELATIONSHIP

Use this section to document information and documents provided by the sponsor to establish the sponsor's relationship to the UAC and to confirm that the relationship was verified. If the sponsor's relationship to the UAC was unable to be verified, provide an explanation under the "Explain how the sponsor is related to or knows the UAC and/or the UAC's family" section below.

Sponsor's Relationship to UAC: select an item Sponsor Category: select an item

Sponsor's Relationship to UAC is Verified: Yes No

List proof of relationship documents provided:

Relationship Document Type	Expiration Date (if applicable)	Date Document Issued (if applicable)	Verified by Government Agency or Consulate	Picture ID
Choose an item..	Click here to enter a date.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choose an item..	Click here to enter a date.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choose an item..	Click here to enter a date.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choose an item..	Click here to enter a date.	Click here to enter a date.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Explain how the sponsor is related to or knows the UAC and/or the UAC's family:

PROOF OF ADDRESS

Use this section to document information and documents provided by the sponsor to establish that the sponsor lives at the address he/she reported to ORR and that the reported address is a residence. If the sponsor's address was unable to be verified, provide an explanation under the "Additional proof of address information" section below.

What is your current address and contact information? (enter below)

Address: _____ Home Phone: _____
 City: _____ Email: _____
 State: _____ Work Phone: _____
 Zip Code: _____ Fax: _____

How long have you lived at the current address?
 Describe the area/neighborhood where you reside?
 Do you receive your mail at a different address? Yes No
 If yes, what is the address that you use to receive mail? _____

Was address where the sponsor currently resides verified as a residence on Google Maps? Yes No
 Was address where the sponsor currently resides verified as a residence on Google Earth? Yes No
 Was address where the sponsor currently resides verified as a residence on Smarty Streets? Yes No

List proof of address documents provided:

Address Document Type	Date Document Issued (if applicable)
Choose an item:	Click here to enter a date.
Choose an item:	Click here to enter a date.
Choose an item:	Click here to enter a date.

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Where else have you lived in the U.S.?

Address	City	State	Zip Code	Date Range Resided at Address	Resided at Address Within Past 5 Years
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Additional proof of address information:

PROOF OF STABILITY

Discusses with the sponsor, his/her ability to support and financially provide for the minor while in their care.

Does the sponsor have a job? (If yes, answer the following questions) Yes No

Name of Employer: _____
 Location of Employment: _____
 Length of Time at present employer: _____
 Income: _____
 Work Hours/Schedule: _____

Does the sponsor have financial needs? Yes No
 If yes, explain: _____

Does the sponsor have adequate housing? Yes No
 If yes, explain: _____

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SPONSOR CARE PLAN

Use this section to document that the sponsor's plan to care for the minor adequately addresses the care, supervision, safety, education, and resources required to meet the UAC's needs.

Care Plan

Tell me about your plans to address the UAC's educational needs:

What school will the minor attend?

Does the sponsor know the school enrollment process? Yes No

Who will transport the UAC to and from school?

Who will supervise the UAC before and after school?

Does the minor have any medical conditions that will need treatment that you are aware of?

Tell me about your plans to address the UAC's health care needs *(If the UAC is pregnant or with child, also address the health care plans for the UAC's child).*

Tell me about your plans to address the UAC's mental health care and counseling needs.

What are the medical services in your area?

What are the counseling services in your area?

Tell me about the types of community resources and services that you plan to access to address the UAC's needs.

Is the potential sponsor familiar with community resources and services in the area? Yes No

(Case Manager assists sponsor in identifying community service providers and programs and encourages sponsor to participate in applicable services such as parenting, gang prevention, substance abuse psycho-education in preparation for UAC's release)

Does the minor have any criminal history or behavior issues that you are aware of?

Is there anything that would prevent the sponsor from enrolling in supportive services for the UAC's needs? Yes No

Did the sponsor watch the Sponsor Video? Yes No

Did the sponsor read the Sponsor Handbook? Yes No

Will you accept assistance from Post-Release Service providers? (if applicable) Yes No

Safety Plan

Explain how you plan to ensure the safety of the minor:

Supervision Plan

Does the sponsor have family or friends nearby that will be helping in caring for the minor? Yes No
(If yes, list the individual(s))

Name	SSN/A No.	Age	DOB	Gender	Home Address	Phone Number	Relationship to Sponsor	Background Checks
			Click here to enter a date.	Choose an item.			Choose an item.	Choose an item.
			Click here to enter a date.	Choose an item.			Choose an item.	Choose an item.

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Explain how you plan to supervise the minor:

Alternate Adult Caregiver Plan

Is the sponsor a U.S. citizen or a lawful permanent resident? Yes No
If no, list the adult caregiver identified who will assume responsibility for the child if sponsor becomes unavailable to care for the minor.

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Name	SSN/A No.	Age	DOB	Gender	Home Address	Phone Number	Relationship to Sponsor	Background Checks
			Click here to enter a date.	Choose an item.			Choose an item.	Choose an item.

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

CRIMINAL HISTORY

Use this section to document the sponsor's self-disclosures of any criminal charges, sexual offenses or child abuse/neglect charges or arrests.

Any criminal history? (If yes, list below) Yes No

List any felony convictions:

List any misdemeanor convictions:

List any probation/parole:

List and describe any disclosed criminal activity:

List any child abuse and neglect history:

History of Incarceration or Detention

Crime	Date	Length of Sentence/Detainment	Location
	Click here to enter a date.		
	Click here to enter a date.		

ADD OR DELETE ROWS AS NEEDED (you will need to copy dropdowns, date fields, etc. into your new row)

Additional information on criminal history:

UAC JOURNEY AND APPREHENSION

Use this section to document if the UAC journeyed to the U.S. to live with this sponsor and to assess if the potential sponsor had a role in coordinating or financing the journey. Also, this section will help assess how much the potential sponsor knows about the UAC's journey, which should be compared against the UAC Assessment responses.

Describe the UAC's day to day life in home country:

Do you know why the UAC decided to travel to the U.S. at this time?

Did the potential sponsor mention any U.S. immigration policy or practice as a factor in the UAC's decision to travel to the U.S.? Yes No

Did the potential sponsor mention economic, job, or educational opportunities as a factor in the UAC's decision to travel to the U.S.? Yes No

When did the UAC leave his/her home country (month, day, and year)?

How long did the trip take?

Who paid for the UAC's trip to the U.S.?

How did the UAC get to the U.S.?

Where was the UAC planning on living in the U.S. and with whom?

Do you know if the UAC has ever been to the U.S. before? Yes No

If yes, when?

HUMAN TRAFFICKING

Use this section to document any trafficking concerns in the sponsor's country of origin and in the U.S. and to determine if additional services or referrals are needed. It should be explained to the sponsor that this information is not for immigration purposes, but to have a better understanding of his/her journey and any challenges they may have faced during this time.

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Sponsor's Journey to the U.S. (if applicable)
Use this section to document information regarding the sponsor's journey from their country of origin will be gathered here.

When and why did you first decide to travel to the U.S.?
Who planned/organized your journey?
Did the arrangements change during the journey? Yes No
If yes, how?
Did anyone pay for your travel to the U.S.? Yes No
Does that person need to be paid back? Yes No
Is there a plan for that person to be paid back? Yes No N/A
What do you believe will happen if that person is not paid back?
Does your family or a family friend owe money to anyone for the journey? Yes No
If yes, how much?
Did you ever have to depend upon non family members to provide basic needs such as clothes, food, and housing? Yes No
Did you experience any challenges, trauma, or abuse by family in home country? Yes No
Where did you first live in the U.S. and with whom?
Have you traveled back to your country of origin since your arrival to the U.S.?
Additional information on sponsor's journey to the U.S.:

Coercion Indicators
Use this section to assess for indicators of trafficking by force, fraud, or coercion in the sponsor's country of origin, during the sponsor's journey, and in the U.S. This includes any pressure, threats, deception, or harm experienced by the sponsor or the sponsor's family members.

Did anyone threaten you or your family? Yes No
If yes, explain:
Were you ever physically harmed? Yes No
If yes, explain:
Was anyone around you ever physically harmed? Yes No
If yes, explain:
Were you ever held against your will? Yes No
If yes, explain:
Did anything bad happen to anyone else in this situation or anyone else who tried to leave? Yes No
If yes, explain:
Did anyone ever keep/destroy your documents? Yes No
If yes, explain:
Did anyone ever threaten to report you to the police/immigration? Yes No
If yes, explain:
Are you worried anyone might be trying to find you? Yes No
If yes, explain:
Additional information on coercion indicators:

Debt Bondage/Labor Trafficking Indicators
Use this section to assess for indicators of debt bondage and labor trafficking in the sponsor's country of origin, during the sponsor's journey, and in the U.S. This includes any information regarding contracts, commitments, arrangements, or debt the sponsor is aware of or responsible for repaying and whether the sponsor felt unsafe or scared in their working environment.

Did you perform any work or provide any services? Yes No
Who arranged the work?
What type of work did you perform and where?
How often did you have to work?
Did work conditions change over time?
Is there a debt? Yes No
What is the amount of the debt?
Has the debt amount ever increased? Yes No
By how much?

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When did it increase?
Why did it increase?

Have you or your family ever been threatened over payment or work for the journey? Yes No

If yes, who threatened you and how?

What did you think would happen if you left the job or stopped working?

Were you ever made to work or do anything you did not want to do? Yes No

If yes, explain:

Did you receive pay or did someone else keep the pay?

Were you paid what was promised when you started working and were those promises kept?

Were expenses taken out of the pay? Yes No

If yes, what expenses?

How did you get to the work site?

Where did you live while working?

Was your freedom of movement ever restricted or closely monitored?

Were you ever restricted from communicating or socializing with others, not allowed to speak for yourself, told what to say, or isolated from others?

Did anyone arrange for you to work after arriving in the U.S.?

If yes, explain:

Additional information on debt bondage/labor trafficking indicators:

TVPPRA

Use this section to document whether the case requires a TVPPRA-mandated home study based information gathered in this assessment and from any other relevant sources.

Based on the sponsor assessment, does the sponsor present signs of being abused, maltreated, exploited, or trafficked? Yes No

If yes, provide a short summary:

Referred to OTIP? Yes No

Based on the sponsor assessment, does the sponsor clearly present a risk of abuse, maltreatment, exploitation, or trafficking to the UAC? Yes No

If "Yes" is checked, the case must be referred for a mandatory home study.

If yes, provide a short summary:

FRAUD

Use this section to document if any individual or entity has attempted to defraud the sponsor in relation to the ORR reunification process.

Have you ever been contacted and asked to pay fees/money related to the release of the minor? Yes No

If yes, explain:

Have you ever been contacted and asked to pay fees/money related to the release of a minor you previously sponsored or attempted to sponsor and not reported it to ORR? Yes No

If yes, explain:

ADDITIONAL INFORMATION

Use this section to report any additional information that may be pertinent to the sponsor's assessment that has not been covered in the sections above or that require further elaboration.

CASE MANGER'S ASSESSMENT OF SPONSOR AND CONCLUDING REMARKS

Use this section to provide a thorough assessment of the sponsor's ability to safely care for the UAC, provide for the UAC's individual needs, and ensure the safety and well-being of the UAC.

CERTIFICATION

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Signature: _____	Title: _____
Print Name: _____	Date: _____

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Appendix 2.7 Sponsor Check Coversheet



PSC/DCS/HHS Mailing Address

Program Support Center (PSC)
 Division of Children's Services (DCS)
 Department of Health and Human Services (HHS)
 Parklawn Building, 5600 Fishers Lane, Room 02E70,
 Rockville, MD 20857 Tel: (301) 443-8571

SUBMIT TO: SponsorCheck.os@hhs.gov

Date: _____ Facility: _____
 From: _____ Email: _____
 Position: _____ Phone #: _____

Includes (please check):

ORR Authorization for Release of Information – **5 PAGES**

Paper Fingerprints (2 Per Person) Mail Courier: _____ Tracking Number: _____

Digital Prints Transmitted Date: _____ Location: _____

Copy of Photo ID

Sponsor or Household Member (HHM)

Sponsor/HHM Name (Name Transmitted): _____

Sponsor/HHM DOB: _____ Sponsor/HHM Alien #: _____

Relationship to UAC: _____ Category: One Two Three

Facility: _____

Case Manager's Name: _____

Federal Field Specialist's Name: _____

Number of Minor(s): _____ Minor's Name: _____

Minor's DOB: _____ Minor's Alien #: _____

<u>Security Specialist</u>	<u>Region</u>	<u>Cases</u>	<u>Email</u>
<input type="checkbox"/> Damian Kreamer	Eastern/Western	(A – F)	Damian.Kreamer@psc.hhs.gov
<input type="checkbox"/> Rachael Ames	Eastern/Western	(G – M)	Rachael.Ames@psc.hhs.gov
<input type="checkbox"/> Isaiah Kohn	Eastern/Western	(N – Z)	Isaiah.Kohn@psc.hhs.gov
<input type="checkbox"/> Niroshi Wijeweera	Eastern/Western	AGE OUT	Niroshi.Wijeweera@psc.hhs.gov
<input type="checkbox"/> Natasha Betancourt-Pagan	Central	(A – F)	Natasha.Betancourt-Pagan@psc.hhs.gov
<input type="checkbox"/> MacJuniorson Eta-Fogam	Central	(G – M)	Macjuniorson.Eta-Fogam@psc.hhs.gov
<input type="checkbox"/> Nicholas Biagini	Central	(N – Z)	Nicholas.Biagini@psc.hhs.gov
<input type="checkbox"/> Johanna Villegas	Central	AGE OUT	Johanna.Villegas@psc.hhs.gov

Comments:

PSC/DCS USE BELOW – DO NOT FILL

Received: Date: _____ Time: _____ Carrier: _____

Tracking Information: _____

Relationship to UAC: Sponsor HHM PNIP

DFS Initial: _____ Date and Time Scanned: _____

Results: Referred to FFS Appears Clear 1st Unclassifiable 2nd Unclassifiable

Query ID: _____ Immigration Status: USC Appears Legal Poss. Imm. Issues

LESC Immigration Status/Comments: _____

Missing Information/Documents: _____

AGE OUT (Date: _____)

MINOR DISCHARGED



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Appendix 2.8 CA/N Check Coversheet



PSC/DCS CA/N Check Coversheet
Fax: (301) 480-0292

Date: _____ Facility: _____
 From: _____ Email: _____
 Position: _____ Fax #: _____
 Phone #: _____

Includes (please check off):

- ORR/DCS Authorization for Release of Information – **5 PAGES**
- Copy of Sponsor ID
- Sponsor or _____ Household Member (Check which applies)
- Other _____

Sponsor's Name: (Name Transmitted) _____
 Sponsor's DOB: _____
 Sponsor's Alien # (if any): _____
 Sponsor's Category (Check one): One Two Three
 Relationship to UAC: _____

Facility: _____
 Case Manager's name: _____
 Federal Field Specialist's Name: _____

(Number of Minors: __) Minor's Alien #: _____
 Minor's Name: _____
 Minor's DOB: _____

Contact Information
(Check One)

<u>Security Specialist</u>	<u>Region</u>	<u>Telephone</u>	<u>Email</u>
<input type="checkbox"/> Karen Morales Ceron	Eastern	(301) 443-1249	Karen.MoralesCeron@psc.hhs.gov
<input type="checkbox"/> Kemba Arthur	Central (A-L)	(301) 443-1245	Kemba.Arthur@psc.hhs.gov
<input type="checkbox"/> Sandra Sanchez	Central (M-Z)	(301) 443-9392	Sandra.Sanchez2@psc.hhs.gov
<input type="checkbox"/> Edmand Coyoy	Western	(301) 443-0037	Edmand.Coyoy@psc.hhs.gov

PSC/DCS/HHS Mailing Address
 Program Support Center (PSC)
 Division of Children's Services (DCS)
 Department of Health and Human Services (HHS)
 Parklawn Building
 5600 Fishers Lane, Room 02E-70
 Rockville, Maryland 20857
 Tel.: (301) 443-8571

Comments: One page for each Sponsor

Appendix 2.9 Background Check Submission Requirements

All background check submissions must adhere to the following standards.

ORR and PSC/DCS **reject** background check submissions that include errors or omissions. If ORR or PSC/DCS rejects the original submission care providers must resubmit the request which significantly delays the release process.

Send All Requests Via Email

Care providers must email fingerprint check requests to SponsorCheck.os@hhs.gov and CA/N check requests to CANchecks.os@hhs.gov. ORR does not accept documents that are faxed or mailed (EXCEPT paper fingerprint cards and original CA/N check state forms, if required).

PSC/DCS **does not** accept any documents or requests directly from background check subjects (e.g., Sponsors and Household Members) or digital fingerprint sites. Subjects and/or digital fingerprint sites must submit all documents to the Case Manager, who reviews the documents for completeness and accuracy prior to submission to PSC.

PSC/DCS **does not** accept paper fingerprint cards directly from background check subjects. Subjects must submit paper fingerprint cards to the Case Manager, who reviews the documents for completeness and accuracy prior to submission to PSC/DCS. In extenuating circumstances, PSC/DCS **does** accept paper fingerprint cards directly from digital fingerprint sites (see [Appendix 2.14 Fingerprinting Guidance](#)).

Review and Inspect Sponsor Documents

Each background check request email must contain a complete *Coversheet, Authorization for Release of Information (ARI)* (with a May 14, 2018, revision date or later), and a copy of acceptable photo identification. See [ORR Policy Guide Section 2.2.4](#), for a list of acceptable documents. Do not include any other supporting documents (e.g. proof of address, birth certificates) with the request.

Send Only Complete, Accurate and Legible Documents

Care providers **must** ensure:

- That all fields in the *Coversheet* and *ARI* are complete and accurate and that all five pages of the *ARI* are included. The sponsor **must sign** the *ARI*.
- That the copy of the photo ID is readable - that the subject's picture is clear, and that the information on the ID is legible.
- For paper fingerprint submissions, verify in advance of submission that the sponsor has completed the descriptor/identifier and signature fields (see [Appendix 2.13 Fingerprint Card](#)). The Case Manager must also include the five page signed *ARI* and photo ID in order for PSC to match the cards to the original email request.

- For CA/N Checks, that all fields in the state forms are complete and accurate and that PSC/DCS instructions were followed.

PSC/DCS rejects copies of documents that are too dark or too light; and, those with partial, missing, or incomplete information. If the sponsor's handwriting is illegible, include the information that is unclear typed on a separate page. While pictures of documents are acceptable, PSC/DCS rejects images that are unclear or blurred.

Include Address History on the ARI

The *ARI* must provide all addresses where the subject **resided in the past five years**. For non-U.S. addresses the subject enters the country in which they resided in the "City (Country)" column of the address table in the *ARI* and complete the "From date" and "To date" columns.

Update the UAC Portal and Cancel Unnecessary Background Check Requests

Create subject records in the UAC Portal after identifying a sponsor or household member. Enter a check mark on the "Check Requested?" column next to the types of checks requested to allow PSC/DCS to record the results. These steps must be completed **before** the background check request is emailed to PSC/DCS.

Email notification to PSC **within one business day** if a background check requires cancellation.

Request Background Checks for Individuals Who Have Previously Completed Background Checks

In cases where an individual has previously completed a background check, the case manager must still formally request the background check from PSC/DCS with all required paperwork (this includes a **new Coversheet**, a **new ARI**, and copy of a government issued photo ID).

PSC/DCS automatically checks to see if the potential sponsor, household member, or adult caregiver has previously sponsored a UAC and if he/she has completed any of the following background checks:

- FBI National Criminal History Check (Fingerprint Check)
- CA/N Check
- FBI/BSU Civil Name Check

PSC/DCS will forward the results of an existing check to the case manager and/or FFS if it has been 270 days or less since the background check was completed. In these cases, the individual will not need to be fingerprinted again nor will a new CA/N check request need to be sent to the state. If the background check is older than 270 days, PSC/DCS is required to conduct a new check which will require new fingerprints and/or submission of a new CA/N Check request to the state.

Appendix 2.10 Release Request Completion Guidance

Use a fillable version of this available on the UAC Portal.



Administration for Children & Families
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Release Request Completion Guidance

The purpose of this guidance document is to provide Case Managers, Case Coordinators, and FFS with a clear understanding of what ORR expects to be documented in a *Release Request* and a structured way of entering this information so that it is easily understood. Note that some of the items in the template below (e.g., Letter of Designation) may not apply to all cases and should be deleted if not applicable. Likewise, there may be additional information needed to make a release decision for more complicated cases. In those instances, the additional information may be entered with the caveat that it must be written clearly and concisely without re-summarizing information that is available in the UAC Portal or the UAC's case file.

The *Release Request* is a summary of the information in the UAC Portal, which shows who the sponsor is, if there are any concerns, how the concerns were mitigated, whether all reunification requirements were completed, whether it appears to be a safe release and what is being recommended in the case. Documents supporting the Case Manager's recommendation are:

- Family Reunification Packet
- UAC Assessment
- Sponsor Assessment
- UAC Case Review
- ISP, if applicable
- Background Check Results
- Home study Recommendation, if applicable
- SIR Summary, if applicable

For Case Managers, it is recommended that the templates below for *Provide Details on Relationship Including Official Documentation and Comments* be pasted into and edited in a Word document before copying the information into the *Release Request* in the UAC Portal. The templates for those two sections are long and it will be easier for the Case Manager to ensure that they have not missed any items if they are editing in a Word document. Because their sections are short, Case Coordinators and FFS may paste their templates directly into the *Release Request* in the UAC Portal and edit them there.

Sponsor Information

SPONSOR/UAC RELATIONSHIP: [Ms./Mr.] [sponsor full name] (sponsor age, category, relationship with child – e.g. age 65, Category 2A, Grandmother) requests sponsorship of [UAC full name] (A# [###-###-###], [UAC gender], age [UAC age]). [Ms./Mr.] [sponsor last name] currently resides in [city, state]. [INCLUDE IF APPLICABLE] The sponsor is also attempting to sponsor the UAC's sibling [UAC full name] (A# [###-###-###], [UAC gender], age [UAC age] who is in ORR custody at [ORR placement name].

[DESCRIBE STEPS TAKEN TO VERIFY THE SPONSOR/UAC RELATIONSHIP. THIS INCLUDES BIRTH CERTIFICATE TRAILS (ALL CATS), FAMILY TREES (CAT 3), AND DOCUMENTATION PROVING A PRIMARY CAREGIVER RELATIONSHIP (CAT 2A THAT ARE NOT A GRANDPARENT, SIBLING, HALF-SIBLING, OR STEP-SIBLING THROUGH LEGAL MARRIAGE). DO NOT REFER TO THE SPONSOR AS AN UNVERIFIED RELATIVE; INSTEAD DOCUMENT THE BIRTH CERTIFICATE TRAIL AND STATE THAT YOU WERE NOT ABLE TO CONCLUSIVELY PROVE THE RELATIONSHIP. IF THERE IS NO EVIDENCE OTHER THAN STATEMENTS TO VERIFY THE RELATIONSHIP, THEN PROVIDE INFORMATION ABOUT FAMILY SESSION AND COMMUNICATION OBSERVATIONS AND CLINICIAN RECOMMENDATIONS AND CONCLUSION ABOUT THE RELATIONSHIP. (e.g., Ms. Lopez is Maria's unverified paternal aunt who reports living next to Maria's family for 10

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Office of Refugee Resettlement

years in home country. Proof of Address was provided in order to verify the claim that they lived next to each other in home country. Maria's birth certificate did not have her father's name. However, Maria's mother and father have verbally and in writing stated that Ms. Lope is Maria's aunt. Family Skype sessions were completed on March 3, 2016 and March 7, 2016, and another is scheduled for March 18, 2016. The plan is to have these ongoing until the minor is approved for release. The Clinician reports that there was a lot of positive interaction during the sessions and they discussed the UAC attending school and old memories of family gatherings. Maria's parents provided a letter of designation for Ms. Lopez.}}

Case Manager Recommendation

FRP AND SUPPORTING DOCUMENTS:

[INCLUDE A BRIEF PARAGRAPH ABOUT THE DAILY LIFE OF THE UAC IN COUNTRY OF ORIGIN INCLUDING WHO HE LIVED WITH, INFORMATION ABOUT SCHOOL, WHY HE OR SHE TRAVELED TO THE US, WHO TRAVELED WITH THE UAC, AND IF HE OR SHE HAS A DEBT THAT IS EXPECTED TO BE PAID BACK BY THE MINOR OR FAMILY.]

The Case Manager received and reviewed [Ms./Mr.] [sponsor last name]'s family reunification packet, which includes: *[ONLY LIST OUT WHAT WAS ACTUALLY RECEIVED AND REVIEWED AS REQUIRED BY ORR POLICY AND PROCEDURES TO RELEASE A UAC TO THIS CATEGORY OF SPONSOR]*

--Sponsor ID: *[LIST TYPE OF ID(S)]*

--Household Member ID: *[LIST TYPE OF ID(S)]*

-- *[INCLUDE IF APPLICABLE]* Adult Caregiver ID: *[LIST TYPE OF ID(S) AND EXPIRATION DATE, IF APPLICABLE]*

--Proof of ability to provide housing, food, education. : The sponsor adequately demonstrated that he/she is able to support the minor financially.

--Proof of Address: [type of document] received on [mm/dd/yyyy]. Verified through Smarty Streets on [mm/dd/yyyy]. Verified through Google Maps on [mm/dd/yyyy].

--Proof of immigration/citizenship status: *[LIST TYPE OF DOCUMENT(S) PROVIDED OR REASON WHY NO DOCUMENTS WERE PROVIDED]*

-- *[INCLUDE IF APPLICABLE]* Letter of Designation: Received on [mm/dd/yyyy].

--LOPC Packet: Sent on [mm/dd/yyyy].

--Sponsor Handbook: Sponsor confirmed reading Sponsor Handbook on [mm/dd/yyyy].

CRIMINAL:

--As of [mm/dd/yyyy], for [Ms./Mr.] [sponsor last name]: *[DELETE ANY BULLETS BELOW THAT DO NOT APPLY]*

--Public Records Check: [Clear/Not Clear]

--Sex offender Check: [Clear/Not Clear]

--Fingerprint Check: Fingerprints taken: [mm/dd/yyyy]. Results Required Prior to Release: [yes/no]. Results Status:

[Pending/Received] Results: [Clear/Referred to the FFS] [IF RESULTS WERE REFERRED TO THE FFS, THEN STATE WHETHER THE FFS INSTRUCTED THAT IT WAS SAFE TO MOVE FORWARD WITH SPONSOR AS FOLLOWS: The FFS informed this case manager that the sponsor has criminal record information that [does/does not] allow for the UAC to be safely released to the sponsor.]

--CA/N Check: Requested [mm/dd/yyyy]. Results Required Prior to Release: [yes/no]. Results Status: *[Pending/Received] Results: [Clear/Record Was Found]. [IF RECORD FOUND, LIST CHARGES AND DATES]*

--As of [mm/dd/yyyy], for [Ms./Mr.] [adult household member / adult caregiver full name], [relationship to sponsor]: *[LIST THE NAME OF EVERY ADULT HOUSEHOLD MEMBER AND ADULT CAREGIVER THAT THE CHECKS WERE COMPLETED FOR]*

--Public records check: [Clear/Not Clear]

--Sex offender check: [Clear/Not Clear]

--CA/N Check: Requested [mm/dd/yyyy]. Results Required Prior to Release: [yes/no]. Results Status: *[Pending/Received] Results: [Clear/Record Was Found]. [IF RECORD FOUND, LIST CHARGES AND DATES]*

--There are no other household members in the residence.

--Self-Disclosure: This Case Manager asked the sponsor if he/she has any criminal history on [mm/dd/yyyy]. Sponsor responded: *[Yes/No]. [IF YES, LIST CHARGES AND DATES]*

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--Evidence of Rehabilitation: *[IF APPLICABLE, LIST DOCUMENTS AND EVIDENCE THAT SHOW REHABILITATION]*
--[*INCLUDE BULLET IF A HOME STUDY WAS CONDUCTED*] Due to the concerns regarding [applicable reason for home study, including who the perpetrator of the abuse is and where the abuse occurred], ORR referred the case for a TVPRA/ORR mandated/or discretionary home study. *[USE THE FOLLOWING SENTENCE IF THE HOME STUDY REASON INVOLVES PHYSICAL OR SEXUAL ABUSE: "[Ms./Mr.] [sponsor last name] was not the perpetrator of the abuse and the perpetrator does not reside with [him/her]."*] The home study worker concluded the home study with a positive recommendation on [mm/dd/yyyy]. *[SUMMARIZE ANY RECOMMENDATIONS MADE BY THE HOME STUDY PROVIDER AND IF THE SPONSOR MET THE RECOMMENDATIONS OR WILL WITH THE ASSISTANCE OF THE POST RELEASE SERVICE PROVIDER.]*
--[*INCLUDE IF THERE WERE CONCERNS THAT WERE MITIGATED*] LIST THE CONCERNS AND HOW THEY WERE MITIGATED. *(THIS WOULD BE WHERE YOU MENTION SIRS, MENTAL HEALTH OR MEDICAL ISSUES AND SPONSOR CRIMINAL HISTORY). MENTION WHAT DOCUMENTATION WAS RECEIVED (COURT DOCUMENTS, POLICE REPORTS, MEDICAL REPORTS, SCHOOL DOCUMENTS, DNA TESTING, ETC.) AND STEPS THAT WERE TAKEN TO MITIGATE ANY OF THESE CONCERNS (FAMILY SESSION, PSYCHOLOGICAL OR PSYCHIATRIC EVALUATION, COUNSELING SESSIONS, SAFETY PLANNING, DNA TESTING, ETC.)*

BIRTH CERTIFICATES: All birth certificates needed to prove the sponsor-UAC relationship were received on [mm/dd/yyyy]. Sponsor is confirmed to be the UAC's [type of relationship]. Birth certificates received are: *[LIST BIRTH CERTIFICATES PROVIDED (E.G., UAC, SPONSOR, UAC'S UNCLE, SPONSOR'S SON/UAC'S BROTHER, FAMILY FRIEND)]* *[STATE WHETHER THE BIRTH CERTIFICATE OF THE SPONSOR MATCHES THE OFFICIAL ID OF THE SPONSOR.]*

PRIOR SPONSORSHIP: *CHOOSE ONE:* [Verified on mm/dd/yyyy that the sponsor did not previously sponsor or attempt to sponsor a child.] OR [Verified on (mm/dd/yyyy) that the sponsor previously sponsors/attempted to sponsor a child.] *[IF APPLICABLE, PROVIDE DETAILS ON COMPLIANCE WITH ORR REQUIREMENTS AS IT RELATES TO THE PREVIOUS SPONSORSHIP.]*

PRIOR ADDRESS: Verified on (mm/dd/yyyy) that the sponsor's address (was/was not) used in a previous case. *[IF APPLICABLE, LIST CONCERNS AND MITIGATING FACTORS.]*

CONTACT WITH PRIMARY CAREGIVER IN COO: Spoke with [name of caregiver] on [mm/dd/yyyy]. [Name of caregiver] [was/was not] able to verify information provided by the UAC and the sponsor. *[IF APPLICABLE, LIST CONCERNS AND MITIGATING FACTORS.]*

SPONSOR RESOURCES: The following emergency contact information was provided to the sponsor: 911, ORR Parent and Sponsor Hotline, information regarding health care and vaccinations, Department of Family and Protective Services (in state of residence), and National Human Trafficking Resource Center.

RELEASE RECOMMENDATION: *[INCLUDE THE RELEASE RECOMMENDATION FOR A STRAIGHT RELEASE, RELEASE WITH PRS, RELEASE WITH A POSITIVE HOME STUDY RECOMMENDATION, OR DENIAL.]*

HOMESTUDY AND PRS: *[LIST THE REASONS FOR RECOMMENDING HOME STUDY, AND OR, POST RELEASE SERVICES. THE RELEASE REQUEST NEEDS TO STATE WHAT THE REASON FOR THE HOME STUDY WAS, WHAT KIND OF HOME STUDY (TVPRA OR DISCRETIONARY) IF THERE ARE ANY SPECIAL RECOMMENDATIONS/CONDITIONS FROM THE HOME STUDY PROVIDER AND IF THEY WERE COMPLETED.]*

Case Coordinator Recommendation To Be Entered into the Portals Release Request

The Case Coordinator *[concur/does not concur]* with the Case Manager's release recommendation.

[IF THE CC DOES NOT CONCUR WITH THE RECOMMENDATION, NOTE THE DISCREPANT INFORMATION IDENTIFIED AND PROVIDE BRIEF JUSTIFICATION SUPPORTING A DEFERRING RECOMMENDATION WITHOUT RE-SUMMARIZING INFORMATION THAT IS ALREADY AVAILABLE IN THE UAC PORTAL AND UAC CASE FILE.]

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ORR Decision To Be Entered into the Portals Release Request

The FFS [*concur/does not concur*] with the Case Manager's and Case Coordinator's release recommendation.

[IF THE FFS DOES NOT CONCUR WITH THE RECOMMENDATION, NOTE THE DISCREPANT INFORMATION IDENTIFIED AND PROVIDE BRIEF JUSTIFICATION SUPPORTING A DENIAL RECOMMENDATION WITHOUT RE-SUMMARIZING INFORMATION THAT IS ALREADY AVAILABLE IN THE UAC PORTAL AND UAC CASE FILE.]

Appendix 2.11 ORR HQ Bond Hearing Procedures

Processing Bond Hearing Requests

1. Immediately upon receipt of the care provider email including signed *Request for a Flores Bond Hearing* and completed *Motion* documents, ORR HQ staff complete the following steps:
 - Logs receipt of the request on an internal Bond Hearing Request Tracker on SharePoint.
 - Saves copies of the *Request* and *Motion* documents in a shared electronic folder accessible to ORR/DPP.
 - Creates a bond hearing file for the UAC in which to save all correspondence and documentation associated with the case, and stores it in a shared electronic folder accessible to ORR/DPP. (ORR HQ staff track the case and communications, updating the bond hearing file as appropriate).
2. **Within 15 business days of receiving the care provider email, in consultation with the ORR Representative arguing the case,** ORR HQ staff file the *ORR Motion Requesting Bond Hearing for Unaccompanied Alien Child –Secure or Staff-Secure Custody* or *ORR Motion Requesting Bond Hearing for Unaccompanied Alien Child (Non-Secure) Shelter Care* (depending on the child’s placement type); pre-trial brief (for cases where ORR believes the UAC is a danger); supporting evidence; and, motion for telephonic hearing (if appropriate) with the local immigration court having jurisdiction over the case. **Alternatively, ORR staff may file the Motion to the court and later file a pre-trial brief with supporting evidence in order to expedite scheduling a hearing that would otherwise be delayed while the ORR Representative prepares the pre-trial brief.** 🌐
If a UAC in shelter care who is not a danger to the community requests a bond hearing, the ORR HQ staff provides a No Concern form letter along with the ORR Motion explaining to the immigration court that ORR does not consider the UAC a danger.

NOTE: The child or the child’s attorney may make an oral motion in immigration court, or file a *Motion* document with the immigration court directly requesting a *Flores* bond hearing. In these cases, ORR HQ staff will receive notice from the court itself (as opposed to the care provider) and file correspondence as indicated in Step 1. The assigned ORR Representative will either prepare a pre-file brief, with supporting evidence or file a No Concern Letter; and, file a motion for telephonic hearing (if appropriate) in response to properly served motions on ORR by the court or attorney of record.

3. After filing the motion with the immigration court, ORR HQ staff notifies the Care Provider Point of Contact; FFS and the child’s attorney or local legal service provider if the child is unrepresented, that the motion has been filed with EOIR. ☒

4. The local immigration court informs ORR and the child’s attorney of record (if applicable) or the care provider if the child is unrepresented that a bond hearing is scheduled. 📎
 If ORR does not receive a notice that a hearing has been scheduled with the local immigration court within 10 business days of filing the motion, ORR HQ staff contact the local immigration court’s Court Administrator to determine whether a bond hearing has been scheduled. 🌐

5. **Within 1 business day of receiving notice that the hearing has been scheduled**, ORR HQ notifies the minor’s attorney (if applicable) and care provider of the date and time and location of the hearing.

Quick Glance: Processing Bond Hearing Requests		
Care Provider Staff	ORR HQ Staff	EOIR/Immigration Court
1 Completes the <i>ORR Motion Requesting Bond Hearing for Unaccompanied Alien Child</i> (using the form corresponding with the child’s placement level)	3 Creates a bond hearing file for the UAC; Files <i>Motion</i> and supporting materials with the appropriate court within 15 business days of receiving the request (filing the No Concern letter as needed); Serves a copy of the filing on the UAC’s attorney (if applicable) or on the care provider if the UAC is unrepresented.	4 Notifies ORR HQ that a hearing has been scheduled, providing the time and location.
2 Notifies ORR by email, attaching the <i>Request</i> and <i>Motion</i> documents, within 1 business day of the UAC request for a bond hearing		
	5 Contacts the local court administrator if there has been no notice of a scheduled hearing within 10 business days of the ORR HQ Staff confirmation email.	

	<p>6 Notifies Care Provider FFS and UAC's attorney (if applicable) that a hearing has been scheduled, provides the time and location and the location of the hearing within 1 business day of receiving the notice from the immigration court.</p>	
--	--	--

Preparing for *Flores* Bond Hearings and Filing with the Immigration Court (ORR)

1. The ORR Representative works with the other ORR and care provider staff to gather evidence relevant to a finding that a UAC is a **danger to the community**. Evidence may include placement documents; SIRs; police reports/court records, clinical notes, psychological reports/records, etc. **prior to the hearing**. See Quick Glance: Documents Relevant to Finding Danger to the Community. 

NOTE: The ORR Representative should collect primary, original (copies of originals are acceptable) and documents that are relevant evidence that the child is a danger to the community. The ORR Representative saves this evidence in the bond hearing file and may attach it to submissions to the immigration court.

NOTE: UAC in shelter care may not require an actual hearing before the immigration judge, if ORR does not find that the child is a danger to the community. In these circumstances, the ORR HQ staff processing the motions will send the No Concern letter stating as such to the immigration court, attached to the UAC's motion for a bond hearing.

Quick Glance: Possible Evidentiary Sources to Finding Danger to the Community

- Juvenile court or criminal records
- Police records
- Intakes referral and placement records in the UAC Portal
- Placement Tool
- Initial Intakes Assessment
- UAC Assessment/UAC Case Review
- Relevant clinical notes
- Psychological records/reports
- Significant Incident Reports, as applicable
- 30 day Case Review(s)

• Other documents, if relevant

2. ORR HQ staff submit the following materials when filing *Flores* bond hearing motions (filings must be organized in accordance with Immigration Court rules, as explained in the Immigration Court Practice Manual):
 - a. Motion Requesting Bond Hearing;
 - b. *Motion Requesting a Telephonic Hearing* if applicable (i.e., if the hearing is not in the Arlington, VA court and/or the attorney will not appear in person); and
 - c. Pre-hearing brief with supporting exhibits (from materials collected in the bond hearing file) if ORR is contesting bond, or No-concern letter if ORR does not find the UAC to be a danger

3. In addition to serving the court, per Immigration Court rules, the ORR HQ staff must also serve a physical copy of all materials to the UAC's attorney (or to the UAC care of the care provider if the UAC is unrepresented). As a courtesy, ORR HQ staff emails scanned copies of these materials to the UAC's attorney (or to the FFS to provide to unrepresented UACs).  

Quick Glance: Preparing for Bond Hearings

ORR HQ Staff	HHS HQ staff and/or Attorney
1 Receives notice of <i>Flores</i> bond hearing request from care provider, logs the request in the internal tracker, saves copies of the <i>Request</i> and <i>Motion</i> documents on the shared drive, and creates a bond hearing file for the UAC on the shared drive.	3 Communicates with ORR and care provider staff to collect evidence supporting ORR's position in the hearing, saving all documents to the bond hearing file.
2 Notifies the assigned ORR Representative of the bond hearing case	4 Prepares pre-trial brief and exhibits.
5 In coordination with ORR representative, assembles all materials for submission to the court, obtaining ORR representative signatures as appropriate, and mails the document to the appropriate court and to the UAC's attorney (or to the UAC care of the care provider if the UAC is unrepresented).	

***Flores* Bond Hearing Proceedings**

1. The care provider follows standard immigration court transport procedures for transporting the UAC to their scheduled *Flores* bond hearing *if* there is a hearing scheduled. See [Section 3.3.14 Transportation Services](#). 
2. The *Flores* bond hearing proceedings commence. After conclusion the immigration judge issues an order. The ORR representative keeps the original order for filing at HQ, and provides a copy to the care provider point of contact.
3. If ORR loses the case, ORR reserves the right to appeal. OGC handles all appeals for ORR.

Appendix 2.12 Legal Status Definitions

IMMIGRATION STATUS/U.S. CITIZENSHIP STATUS	DEFINITION
Asylee	Sponsor was granted or has a pending case for asylum, Withholding of Removal, or Convention Against Torture protections.
Conditional Permanent Resident	Sponsor has a valid, non-expired Permanent Resident Card (i.e., green card) that is valid for a 2-year period.
Continued Presence	Sponsor has remained in the U.S. longer than allowed by their Visa without DHS ICE permission.
DACA	Sponsor is a Deferred Action for Childhood Arrivals (DACA) recipient.
Humanitarian Parole	Sponsor was paroled into the U.S. on humanitarian grounds.
Legal Permanent Resident	Sponsor has a valid, non-expired Permanent Resident Card (i.e., green card) that is valid for a 10-year period.
Non Immigrant Status	Sponsor received temporary admission into the U.S. and has a valid, non-expired Visa (e.g., exchange visitors, students, temporary workers, religious workers, business visitors tourists, victims of criminal activity or trafficking, spouse or child or a lawful permanent resident) or the sponsor received a visa-waiver from certain participating countries who can travel to the U.S. for tourism or business for 90 days or less without needing a visa.
Order of Removal	Sponsor was issued an Order of Removal with a 30-day window to appeal, an Order of Removal <i>in absentia</i> , or a final Order of Removal.
Refugee	Sponsor was admitted as a refugee with a pending or approved application for refugee status.
SIJS	Sponsor was granted Special Immigrant Juvenile Status.
Temporary Protected Status	Sponsor was granted Temporary Protected Status.
U.S. Citizen	Sponsor is a United States citizen through birth, naturalization, acquisition, or derivation.
Under Removal Proceedings	Sponsor was served an NTA to appear in front of an Immigration Judge to potentially initiate removal proceedings.
Other	Sponsor has an immigration status that does not fall under any of the above categories.

Without Status	Sponsor does not have an immigration or U.S. citizenship status. The sponsor entered without inspection, is present in the U.S. without being admitted or paroled, and/or did not enter through a border inspection station or port of entry. The sponsor does not have an order of removal and is not under removal proceedings.
Unknown – Likely With Status	Sponsor’s immigration or U.S. citizenship status could not be determined. However, based on expired documentation and/or conversations with the sponsor, it is likely that the sponsor has an immigration or U.S. citizenship status.
Unknown – Likely Without Status	Sponsor’s immigration or U.S. citizenship status could not be determined. However, based on expired documentation and/or conversations with the sponsor, it is likely that the sponsor is without status.
Unknown	Sponsor’s immigration status or U.S. Citizenship could not be determined and it is unclear whether the sponsor is with or without status.

Appendix 2.13 Fingerprint Card

The subject of the fingerprint check must complete all fields highlighted in yellow for two fingerprint cards. The minor's full name and A# must be entered under "Reason Fingerprinted." The agency or vendor taking fingerprints from the subject must roll prints for all boxes and sign and date each fingerprint card (areas highlighted in blue).

APPLICANT <small>* See Privacy Act Notice on Back</small>	LEAVE BLANK	TYPE OR PRINT ALL INFORMATION IN BLACK				FBI	LEAVE BLANK	
FD-258 (Rev. 5-15-17) 1110-0046		LAST NAME	FIRST NAME	MIDDLE NAME				
SIGNATURE OF PERSON FINGERPRINTED		ALIASES AKA		O R I				
RESIDENCE OF PERSON FINGERPRINTED						DATE OF BIRTH	DOB	
						<small>Month Day Year</small>	<small>Year</small>	
DATE	SIGNATURE OF OFFICIAL TAKING FINGERPRINTS	CITIZENSHIP	CTZ	SEX	RACE	HGT	WGT	
				EYES	HAIR	PLACE OF BIRTH	POB	
EMPLOYER AND ADDRESS		YOUR NO.	OCA	LEAVE BLANK				
		UNIVERSAL CONTROL NO.	UCN	CLASS				
		ARMED FORCES NO.	MNU	REF				
REASON FINGERPRINTED		SOCIAL SECURITY NO.	SOC					
Minor First Name, Last Name, A#								
		MISCELLANEOUS NO.	MNU					
1 R THUMB	2 R INDEX	3 R MIDDLE	4 R RING	5 R LITTLE				
6 L THUMB	7 L INDEX	8 L MIDDLE	9 L RING	10 L LITTLE				
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		L THUMB	R THUMB	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY				

Appendix 2.14 Fingerprinting Guidance

DIGITAL FINGERPRINTS

1. The case manager assists the potential sponsor, adult household member, and/or adult caregiver in scheduling a fingerprint appointment at an ORR digital fingerprint site to occur **within 3 business days of receiving the signed *ARI* and government issued photo ID**. Unless the ORR digital site indicates that they only accept walk-ins, the case manager **must make an appointment.** 📍
2. The case manager must provide the ORR digital fingerprint site the following information and documents when making an appointment:
 - Completed and signed *ARI*
 - Copy of government issued photo ID
 - Case manager name, email, phone number, and care provider program name
 - Subject phone number, relationship to UAC, and whether they are the sponsor, household member, or adult caregiver
 - UAC name and A#
 - Reason for expedited processing, if applicable

NOTE: If the individual who is being fingerprinted requires in-person assistance from the ORR digital fingerprint site completing the *FRP* and/or *ARI*, the case manager must notate that assistance is requested (see [Quick Glance: Assistance Completing the *FRP* at ORR Digital Fingerprint Sites](#)).

3. The case manager instructs the individual being fingerprinted to bring at least one form of government issued photo ID to the appointment.

NOTE: ORR strongly prefers that the case manager schedule the fingerprint appointment for potential sponsors, adult household members, and adult caregivers. However, if that is not possible then the individual may contact the ORR digital fingerprint site directly to make an appointment. In those instances, digital site staff will instruct the individual to bring a completed *ARI*, at least one form of government issued photo ID, and their case manager's contact information to the appointment.

NOTE: If a situation arises in which paper fingerprint cards must be used, the ORR digital fingerprint site will send the following directly to PSC/DCS via an express mail courier.

- Two original fingerprint cards (ORR no longer collects Social Security Numbers and this field should be blacked out – see [Appendix 2.13 Fingerprint Card](#))

- Copy of the *Sponsor Check Coversheet* (completed by the ORR digital fingerprint site)
- Copy of the *Authorization for Release of Information*
- Copy of the subject's government issued photo ID

The ORR digital fingerprint site will also email a copy of the *Sponsor Check Coversheet*, which will include the courier name and tracking number, to the case manager.

This does not take the place of the case manager's responsibility to email the required paperwork to PSC/DCS following the procedures in [2.5.1 Criteria for Background Check Requirements](#).

ORR digital fingerprint sites take digital fingerprints and complete paper fingerprint cards for UAC who are aging out in three days or more to minimize the chances of unclassifiable fingerprints.  

Quick Glance: Assistance Completing the *FRP* at ORR Digital Fingerprint Sites

Some ORR digital fingerprint sites offer in-person assistance completing the *FRP* and/or *ARI* to potential sponsors, adult household members, and adult caregivers.

If the case manager believes the potential sponsor, adult household member, or adult caregiver would benefit from in-person assistance completing the *FRP* and/or *ARI*, they may request this service from any ORR digital fingerprint that offers it when making an appointment.

ORR digital fingerprint site staff assist the individual(s) being fingerprinted in completing the *FRP* and/or *ARI* and email legible copies of these documents to the case manager the same day of the appointment.

The ORR digital fingerprint site does not email copies of these document to PSC/DCS on behalf of the case manager to request a Fingerprint Check. PSC/DCS does not accept documents or requests directly from ORR digital fingerprint sites. All documents are submitted from the digital site to the Case Manager who reviews the documents for completeness and accuracy prior to submission to PSC/DCS.

PAPER FINGERPRINT CARDS

If distance or other limitations prevent the individual(s) from traveling to an ORR digital fingerprint site, the individual may have paper fingerprints taken at any local law enforcement agency or U.S. government agency.

1. The case manager sends the following items to the individual being fingerprinted via an express mail service (e.g., UPS, FedEx, USPS Priority Mail):
 - Two paper fingerprint cards (ORR no longer collects Social Security Numbers and this field should be blacked out)
 - A prepaid priority mail service envelope addressed to the case manager
2. The individual has their fingerprints taken on both paper fingerprint cards, completes all fields at the top of the fingerprint cards (except the Social Security Number field), signs both fingerprint cards, and mails them back to the case manager.
3. The case manager checks to ensure that all required fields were completed (see [Appendix 2.13 Fingerprint Card](#)) and mails the original fingerprint cards with legible copies of the *ARI*, *Sponsor Check Coversheet*, and government issued photo ID to PSC/DCS for **next morning** delivery. The case manager must include the name of the courier and the tracking number on the *Sponsor Check Coversheet* when they email the Fingerprint Check request to PSC/DCS (see [2.5.1 Criteria for Background Check Requirements](#)).  

Appendix 2.15 Prior Sponsorship Information Request

Prior Sponsorship Information Request

Current Minor Information:

Name:

A#:

Facility:

Requesting previous sponsorship information by: (Highlight)

- Back Up Sponsor
- Sponsor

Previously Sponsored Minor Information:

Name:

A#:

Facility:

Discharge Date:

I would like to request the following documents. (Highlight)

<p>Sponsor</p> <ul style="list-style-type: none">● UC Assessment (UC Portal)● Release Request (UC Portal)● FRP & supporting documents● Latest Case Review● Sponsor Assessment● 30 Day Follow Up Note (applies for minor released after 8/15/17)● PRS Acceptance (if applicable)● Home Study Report (if applicable)● Background Checks	<p>Back Up Sponsor</p> <ul style="list-style-type: none">● 30 Day Follow Up Note (applies for minor released after 8/17/15)● FRP & supporting documents● Release Request (UC Portal)
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