



Family Separation FOIA Response from HHS

Key Documents: Records of Reunification Efforts

The following documents were received by the American Immigration Council, National Immigrant Justice Center, Kids in Need of Defense, Women's Refugee Commission, and Florence Immigrant and Refugee Rights Project in response to a Freedom of Information Act (FOIA) [request](#) filed with the Department of Health and Human Services (HHS). HHS began to produce documents pursuant to this FOIA request in November 2018. The below documents reflect a production by HHS released on December 17, 2018.

This FOIA production is comprised of email correspondence among personnel within HHS, including the Office of Refugee Resettlement (ORR), an agency within HHS charged with the care and custody of unaccompanied children and children separated from their family members. The documents demonstrate urgency to locate separated parents and reunify them with their children and elevate critical cases. They also include at least one statement by an ORR official indicating opposition to the practice of separating children from their parents.

[Pages 3-15 – Various email correspondence among HHS personnel:](#) Some of the emails demonstrate a sense of urgency on the part of HHS personnel to locate the separated parents, reunify separated family members, and elevate specific cases.

[Pages 16-18 – Discharge rules for cases under Ms. L](#) (email dated September 28, 2018, after court-ordered reunification deadlines in July 2018).

[Page 19-22 – Guidance on DNA testing, presumably used to confirm parent-child relationships.](#)

[Page 23-26 – Emails regarding coordination of phone calls between separated family members:](#) These emails demonstrate the government's lack of preparedness and failure to ensure communication between separated family members.

For example, in an email dated May 31, 2018, an HHS officer states in part, "[w]ith the increase of family separations, the grantees are experiencing higher levels of parents in U.S. Marshall custody only able to communicate with UACs in care through collect calls. Effective today, Thursday, May 31, 2018, ORR is approving grantees to accept the calls from the parents to ensure communication with the children and case managers for release planning.... If your programs have concerns with budgets or any other issues, please let myself or Jim know as soon as possible [sic]." (Page 19)

[Pages 27-100 – Emails among HHS personnel regarding procedures for release of children to parents after](#)

separation at U.S.-Mexico border.

Page 28 – Email from Senior Federal Field Specialist Supervisor, James De La Cruz: In an email from September 20, 2016, FFSS De La Cruz states, “The best that could happen is for the OFO [Office of Field Operations] to stop the practice of family separation.” Legal providers monitoring the care of children in custody reported that documented separations happening in 2016 were rare and generally conducted to protect the welfare of the child. More than a year later, Trump's zero-tolerance policy led to an unprecedented number of separations and systemic harm inflicted on children.

[See additional documentation of harm related to incidents of family separation in 2016 released in a production by the Department of Homeland Security on October 31, 2019]

Page 32-36 – Information on Family Case Management Program as it related to family separation: Detailing reasons why a child might not be able to be reunified with a separated parent, including due to criminal charges, illness on the part of the parent, and because the parent was slated for deportation and had ostensibly stated a desire that the child remain in the United States.

Page 37-40 – Email containing fact sheet on separated minors in ORR Care.

Pages 41-48 – Emails regarding inquiries from Consulates regarding separated family members.

Pages 49-59 – Email containing guidance on separated minors including notes from a meeting with HHS Secretary Alex Azar, who played a critical role in Zero Tolerance. Notably, Secretary Azar testified before the Senate Finance Committee in the summer of 2018 stating, "There is no reason why any parent would not know where their child is located" and that any child in the care of HHS custody could be located "within seconds" through an online government database. Other documents in this FOIA production demonstrate the extreme difficulty HHS personnel encountered in trying to locate separated family members.

Pages 60-71 – Attachment to email titled, "Separated UAC Case Tips."

Pages 72-76 – Attachment to email titled, "Separated UAC Transfer of Custody to DHS for Purpose of Family Reunification and Repatriation: Interim Guidance."

Pages 77-89 – Emails among HHS personnel indicating urgency in reunifying separated family members and escalating certain cases for the purposes of reunification.

Page 90-100 – Email regarding policy of reporting family separations to Office for Civil Rights and Civil Liberties (CRCL): Email states in part, "Our policy is still to report all family separations to CRCL. But we no longer report these to DHS/OIG...."

Department of Health and Human Services Records Pertaining to Email Correspondence Among HHS Personnel

December 17, 2018

From: Velazquez, Ivonne (ACF)
Sent: 23 May 2018 22:38:09 +0000
To: Thomas, Debra (ACF); Hillin, Myriam (ACF); Calero, Wilfred (ACF); Laurie, Catherine (ACF); Smith, Elicia (ACF); Sanchez, Alex (ACF); Zapata, Richard (ACF); Ival, Maria E. (ACF); Heath, Yesenia (ACF); Staples, Heidi (ACF); Calero, Wilfred (ACF)
Cc: Buriel, Celestina (ACF) (CTR); Centeno, Raquel (ACF) (CTR); Espitia, Wendy (ACF) (CTR); Toscano, Patricia (ACF) (CTR); Espitia, Wendy (ACF) (CTR); Rowland-Dunn, Caroline (ACF) (CTR); Agredano-Lozano, Obed (ACF) (CTR); Hernandez Martinez, Dora (ACF) (CTR)
Subject: FW: UAC and Parent Separation Cases UPDATE
Importance: High

Dear FFS and CFS team ,

(b)(5)

Thanks, Ivonne

From: Thomas, Debra (ACF)
Sent: Wednesday, May 16, 2018 10:53 AM
To: (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6)@swkey.org; (b)(6); (b)(6)@turnanewleaf.org; (b)(6)
Cc: Centeno, Raquel (ACF) (CTR); 'Rowland-Dunn, Caroline (ACF) (CTR) (caroline.rowland-dunn@acf.hhs.gov)'; Espitia, Wendy (ACF) (CTR); Toscano, Patricia (ACF) (CTR); 'Casey Laurie (Catherine.Laurie@acf.hhs.gov)'
Subject: UAC and Parent Separation Cases UPDATE

Hello,

I need to clarify a few additional items that have once again changed in a short time as well as address how we will work on these cases. Please review, and ask any questions you have, and please notify your staff who need this information.

Finding separated parents:

- It is very important to locate the separated parent for all UAC in your program.
- For parents in ICE custody, you should be able to locate them and have a phone call with that parent as soon as possible.

- If a parent is in US Marshall custody, we will not have access to that parent.
- Please note that I do not want your program to ask both the FFS to contact ICE and the CFS to contact the consulate for help on this. We should be using the parent locator and ICE FOJC to get this information. Doing both at the same time is a waste of our time and a duplication of efforts.
- Your program can send me a list of UAC you need this information for every 2-3 days and I can reach out to ICE with the list. UAC's A#, UAC's name, if you have parent's information from the intakes tab it should be included.
- You can add to your notification to the consulates you send every week of their nationals that a parent is also detained and UAC was separated. The consulate wants this information and ORR approves of you providing this information to the consulate.

Family Reunification with the Separated Parent:

This has again changed. We can do this in the following circumstances...The FFS should be closely informed of where we are with these cases...

- The parent has informed DHS ICE of his or her desire to have the child with them and return to COO with the child.
- OR if the parent tells you this on the phone, you need to contact me right away so I can contact the FOJC with this information.
- If the NTA has not yet been filed, DHS ICE will consider doing this on a CASE BY CASE basis and if they agree they will notify you to send them the documentation so they can work on the travel documents (TD).
- You should work on the sponsor assessment with the parent and when that is completed, notify me as your FFS stating you have completed all assessments – UAC assessments and sponsor assessment, and if there are or are not any TVPRA issues.
- We need to confirm the parent and child are related too and if there are any concerns about this at all, this needs to be immediately elevated and we can consider doing DNA testing after documents are verified.
- Then you will wait for further instructions on the case.
- These cases do not go through the case coordinators for a release recommendation.
- If a parent wants the child to go to a sponsor in the US or the child wants to remain in the US and parent wants the child returned, please staff this with the FFS for how we will proceed. (b)(5)

(b)(5)

Let me know if you have any questions.

Thank you,

Debra Thomas
 Federal Field Specialist
 Western Region Arizona
 ORR Division of Unaccompanied Children's Operations
Debra.Thomas@acf.hhs.gov
 202-253-8399

From: Sualog, Jallyn (ACF)
Sent: 10 Jul 2018 16:14:39 +0000
To: ORR DUCO - Federal Field Specialists
Subject: Instructions to your programs
Importance: High

All,

Please immediately instruct your programs with slated released today to ICE custody, that they are **NOT** to head any ICE instructions on releases. Instructions will be provided from ORR HQ.

Jallyn N. Sualog

Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street SW
Washington, DC 20201

Jallyn.Sualog@acf.hhs.gov

O: (202) 401-4997

C: (202) (b)(6)

From: Fields, Marivic (Maria) (ACF)
Sent: 3 Oct 2018 19:08:59 +0000
To: ORR DUCO - Federal Field Specialists
Subject: New Separations

If you have UACs who have been separated post ZTP (without cause), please send me their A#. I am gathering this information to let OGC know.

Thank you.

v/r

Marivic Fields, LMSW, BCD
CAPT, United States Public Health Service
Senior Advisor for Child Well-being and Safety
Unaccompanied Alien Children Program
Administration for Children and Families
(202) 795-7566 (office)
(202) (b)(6) (cell)
maria.fields@acf.hhs.gov

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

From: Fields, Marivic (Maria) (ACF)
Sent: 17 Oct 2018 01:30:07 +0000
To: ORR DUCO - Federal Field Specialists
Cc: Sualog, Jallyn (ACF)
Subject: ACLU Clearance

Good evening!

I was informed that a program reached out directly to ACLU to get a clearance for a separated UAC. Please advise your programs that they are NOT to engage directly with ACLU. The Office of General Counsel has been working diligently in getting ACLU/DOJ clearance for our separated children. I appreciate that everyone is focused on our present mission of reunifying these separated children but please tell your programs to follow chain of command and elevate issues or concerns directly to you, who will then send this to ORR HQ.

I was recently informed that there are LODs and declarations that were prepared by ACLU and HQ is in the process of sorting these documents so that we can share them with you in the next day or two. Thank you for your patience and understanding. Please know that your efforts are much appreciated and your programs have been very helpful but please let them know to stay within their limits.

Thanks.

v/r

Marivic Fields, LMSW, BCD
CAPT, United States Public Health Service
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(202) 795-7566 (office)
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maria.fields@acf.hhs.gov

From: De LA Cruz, James (ACF)
Sent: 14 Jul 2018 01:44:31 +0000
To: ORR DUCO - Federal Field Specialists
Cc: ORR DUCO - Contractor Field Specialists
Subject: DHS Repatriation Requests

Hello FFS,

If DHS makes a request to make repatriation travel arrangements then you should send an email to: SeparatedFamilyLocator@acf.hhs.gov The subject line in the message should include the words: DHS Repatriation. The reunification team will clear the case for transfer back to DHS custody and route the case the same way that other separated UAC cases are being handled. Our ask to DHS that they make the request for transfer as soon as possible.

Once you send the message to the reunification team then you should follow up if you do not see return on the case within 24 hours of elevating the case. (Flag Olympia and or me.)

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
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Office: 202-690-8477
Cell: 202-(b)(6)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

Department of Health and Human Services Records Pertaining to Discharge rules for cases under Ms. L

December 17, 2018

From: Fields, Marivic (Maria) (ACF)
Sent: 28 Sep 2018 15:01:33 +0000
To: ORR DUCO - Federal Field Specialists
Subject: Discharge Rules for Cases Under Ms. L - PLEASE READ

Good morning dear FFSs! Please see below discharge rules for cases that fall under Ms. L. Hopefully, this will provide clarity on those cases that you have currently working on. If you have questions, please let me know right away. On a separate email, I will send a list of cases which fall under each category. I am cleaning it up the list so it will only show up open cases.

Thank you.

Discharge rules for cases under Ms. L.

1. *Is the adult associated with the child within the Ms. L. class?*
 - a. *If no, these rules do not apply, follow standard ORR protocol.*
 - i. *We understand that your system already indicates whether parents are in the Ms. L. class; if not, we can supply a list of these children.*
 - b. *If yes, but ORR later determined that the adult from whom the child was separated was not the child's parent (i.e. "not a separation"), follow standard ORR protocol. No additional OGC clearance is needed.*
 - ii. *We understand that your system already indicates whether an adult/child pair is "not a separation;" if not, we can supply a list of these children.*
 - c. *If yes, but the parent is criminally excluded from the Ms. L. class, for the children listed at the bottom under 1c follow standard ORR protocol but request OGC clearance before discharge.*
2. *If yes, and the parent is not otherwise excluded in 1b or referenced in 1c, is the parent inside or outside the U.S.?*
 - d. *If the parent is outside the U.S., and there is a valid LOD on file:*
 - iii. *The child cannot be released from ORR care until the parent's intent has been provided by the ACLU to WAIVE REUNIFICATION. We understand information from the ACLU is provided to ORR, at least via a spreadsheet chart daily; please let us know if there any questions about ORR's receipt of this data.*
 - iv. *If the parent's intent to waive reunification has been provided by the ACLU, the child can be released to a sponsor. No further OGC clearance is required, unless there are other special circumstances.*

- v. *If the parent's intent to waive reunification has not been provided by the ACLU, the child cannot be discharged.*
 - vi. *If you believe the parent has provided intent to waive reunification but that intent has not been reflected on the ACLU's report, do not discharge: inform OGC and request clearance.*
- e. *If a parent is outside the U.S., and has indicated through the ACLU that they intend to be reunified with their child in home country:*
- vii. *Follow instructions from Jonathan White's team to prepare the child for discharge and repatriation travel. Direct questions about travel to Jonathan first, but you can CC OGC.*
- f. *If the parent is inside the U.S.:*
- viii. *The children listed at the bottom under 2ci can be discharged from ORR care to a sponsor. These children have LODs on file, and the ACLU is aware of and has not challenged the LODs. **(I will send you this list)***
 - ix. *If ORR identifies any additional children with a parent in the U.S. and a LOD on file not listed above, inform OGC and request clearance.*
 - x. *The children listed at the bottom under 2ciii **(I will send you this list)** cannot be discharged from ORR care at this time, because the ACLU is challenging the LOD.*
 - xi. *If there is no LOD on file, ORR should work toward reunification.*
 - 1. *If you are running into any barriers to reunification from ICE, please inform OGC **(through Marivic Fields)***
 - 2. *Note: this child can be reunified once parent's status allow (criminal red flag has been lifted):* (b)(6)
(b)(6)

v/r

Marivic Fields, LMSW, BCD
 CAPT, United States Public Health Service
 Senior Advisor for Child Well-being and Safety
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 maria.fields@acf.hhs.gov

Department of Health and Human Services Records Pertaining to Guidance on DNA Testing

December 17, 2018

DNA Testing Information

PCU works with DNA Diagnostics Center for all DNA testing. Below are the steps that need to take place when your FFS has ordered DNA testing between the minor and potential family member.

Step 1- Contact only (b)(6) and/or (b)(6) @ 1-866-(b)(6) for pricing and nearest testing centers. Extensions are (b)(6) or (b)(6) ****Please do not google the phone number for DNA Diagnostics Center. The phone number above is the only number that should be used (b)(6) and (b)(6) work specifically on DNA cases for PCU & ORR program shelters****

(Some of the agencies tend to work on Saturday's and even Sunday's and many after hours. (b)(6) and (b)(6) work Monday through Friday's from 8:30am to 5:30pm EST. If they send an email to them outside of those hours, they will contact the shelter when they are back in the office. They ask to please refrain from calling outside those hours since our phones go straight to OHIO call center if they are not in. If you do call and don't get (b)(6) or (b)(6) please ask who ever answers to transfer the call to ext (b)(6) (b)(6) or (b)(6) (b)(6) and leave a message. They will return the call when they are back in the office)

Step 2- Once you have received the information (pricing and type of testing) from only (b)(6) and/or (b)(6) then the TAR can be submitted.

- The TAR category is -Medical→ lab/imaging
- The TAR must include
 - The name of the FFS that is requesting the DNA testing
 - Type of DNA testing (maternity, paternity, etc)
 - The relationship between the minor and potential sponsor (example: minor & father)
 - The pricing estimate including any separation fees
- If you need assistance with completing the TAR please contact the PCU Clinical Dept
 - Email-clinical@pointcomfort.com
 - Phone 317-210-2010

Step 3- Once the TAR has been approved, then you will need to fax or email the following information to DNA Diagnostic's Center

- Email: info@allabouttruthdna.com
- Fax: 513-881-4082

BEFORE WE CAN EVEN SCHEDULE - We will need the following emailed or faxed:

- Program Name and address for mailing results. (Result only to be mailed to the Program Coordinator)
- TAR (treatment Authorization Request)
- Custodial Paperwork of the child (Placement paperwork)
- Identification Document of the child such as photo and (Medical/Dental/Rx)
- Name of Case Manager or medical coordinator bringing child for the DNA collection
- Date and Time needed for appointment of child
- Full Name and contact number for the other party/parties testing – zip code if known
- Letter from the facility program (on it's letterhead) titled "REQUEST FOR MEDICAL RECORDS" signed by Case Manager, Program Director or Program Coordinator stating the following:
 - Date

DNA Testing Information

- Attn: All About Truth DNA Services/DDC
- Minor's Name:

Date of Birth:
Reference #: (we give this number to you- you may leave blank also)
- The above named child is currently residing and in the custody and care of (name of facility). Please fax the DNA test results to (FAX NUMBER) once available and also mail hardcopy to:

(Name and address of facility)

IMPORTANT TO BRING WITH YOU TO THE COLLECTION OF DNA OF THE MINOR CHILD and to DO AT THE COLLECTION:

- Any person bringing the child for the collection must bring with them the following for identification purposes and MUST also do the following as to not delay testing and/or avoid having to re-schedule:
 - o ID Badge and other form of ID such as Driver's license or State ID
 - o Identification Document of the child (docs that have picture of child and info)
 - o The person bringing the child MUST, sign the form directly as (their own signature) DO NOT PUT THE NAME OF FACILITY. A signature is required and it must be the signature of the person on the ID badge who brought the child.
 - o Please check all spelling of the names that are written on the chain of custody form and the collection envelope. Check that the race, date of birth, and medical question etc.

NEW YORK CASES:

NOTE: ALL NEW YORK CASES REQUIRE A DOCTOR'S PRESCRIPTION FOR SCHEDULING THE PERSON WHO RESIDES IN THE STATE OF NEW YORK ONLY. RX must be written to include:

- 1) Name of the person to test (only those residing in NY)
- 2) The DNA test that is being performed ie...DNA Test for Paternity/Maternity/etc. and
- 3) Rx must state Release results.

IF THE SPONSOR IS DETAINED:

- Before we even start the process above for the child, all the listed below needs to be obtained as we will need to find a collector to go to the detention center to collect the DNA sample of the Detainee and we need to obtain the cost of such so it can be added to the TAR.
- You will need to contact the facility where detainee resides and make sure that you obtain information regarding the detainee such as full name, ID or inmate number, date of birth and confirm that they are still located at the facility information you have on file and if he or she is schedule to be moved and what date.

DNA Testing Information

- You will also need to obtain the name of the officer and their contact information. This will be the person who will authorize the clearance of entry to the facility for the taking of the DNA sample of detainee. (Sometimes it is not allowed depending on the detainee)
- Also, make sure that the officer confirms with the detainee that he/she is willing to provide DNA samples.
- Once you have obtained all information and have confirmed that all information is current, you will send it to us via email so that we may find a mobile collector, correspond with the officer on getting clearance for the mobile collector to come to the facility. No one is allowed without clearance first.
- There is an additional charge called a mobile fee for someone to come to the detention center to take the DNA sample of the detainee. Once we have obtained the cost we will respond accordingly so that it can be added to the TAR.

INTERNATIONAL CASES: (when a sponsor or relative is in another country)

- All international cases will incur a shipping fee that will have to be added to the TAR. Every country has a different fee for shipping so please call to inquire.
- If the Lab cannot secure a collection facility in the country that is needed, the other option will be that a private doctor can be used instead. However, this doctor has to be contracted by the Agency and it will not be our responsibility if samples are not collected properly. We will ship a kit to wherever you designate and will provide the doctor with instructions on how to do the collection so they follow the chain of custody. We don't recommend doing it this way as samples can be tampered with since these are not doctors or collection facilities we work with routinely.

**Department of Health and Human
Services Records Pertaining to Emails
Regarding Coordination of Phone Calls
Between Separated Family Members**

December 17, 2018

From: De LA Cruz, James (ACF)
Sent: 5 Jun 2018 02:09:53 +0000
To: Gonzalez, Jose (ACF);Volovar, Jill (ACF);Velazquez, Ivonne (ACF)
Subject: FW: Collect Calls from Parents in Detention Centers
Importance: High

Do we know how programs accepting collect calls from parents are setting up the calls? See below and check around.

Thx.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
Washington, DC 20201
Office: 202-690-8477
Cell: 202-(b)(6)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: De Puy, Jacqueline (ACF)
Sent: Monday, June 04, 2018 1:56 PM
To: Viola, Sarah (ACF) <Sarah.Viola@acf.hhs.gov>; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>
Subject: FW: Collect Calls from Parents in Detention Centers
Importance: High

Hi Sarah and Jim,

Today one of my care provider's elevated this question to me:

Do you know how other providers are handling the collect calls? I assumed we could talk and then have the call bill to us, but it seems like we have to put in a credit card in order to put money in someone's account. The problem with this is that we don't have a way of getting an invoice/receipt, and we can't ensure that the person will use this for the call with their child here/the agency. Another problem is that if we are pre-paying, the call may not last as long as we imagine, or may last longer than we imagine.

Is this your understanding of how the process is supposed to work?

Thank you,

Jacqueline De Puy
Project Officer
Division of Unaccompanied Children Operations (DUCO)
Office of Refugee Resettlement

Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street SW
Washington, D.C. 20201
202-754-2087

From: Viola, Sarah (ACF)
Sent: Thursday, May 31, 2018 9:28 AM
To: Blakney, Mindy (ACF) <Mindy.Blakney@acf.hhs.gov>; Boss, Mark (ACF) <Mark.Boss@ACF.hhs.gov>; Bryson, Wanda (ACF) <Wanda.Bryson@acf.hhs.gov>; Byrd, Reina M. (ACF) <Reina.Byrd@acf.hhs.gov>; Crespo, Hilda (ACF) <Hilda.Crespo@ACF.hhs.gov>; Cruz, Emma (ACF) <Emma.Cruz@acf.hhs.gov>; De Puy, Jacqueline (ACF) <Jacqueline.DePuy@acf.hhs.gov>; Ekwere, Ima-obong (ACF) (CTR) <Ima-Obong.Ekwere@acf.hhs.gov>; Grant, Trudi (ACF) <Trudi.Grant@ACF.hhs.gov>; Houppert, Gail (ACF) <Gail.Houppert@acf.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; Kiett, Dana (ACF) <Dana.Kiett@acf.hhs.gov>; Mathur, Sunil (ACF) (CTR) <Sunil.Mathur@acf.hhs.gov>; McAvoy, Catherine (ACF) <Catherine.Mcavoy@acf.hhs.gov>; McGhee, Shannon (ACF) <Shannon.McGhee@ACF.hhs.gov>; Rochelle, Belinda (ACF) <Belinda.Rochelle@acf.hhs.gov>; Acevedo, Sathya (ACF) <Sathya.Acevedo@acf.hhs.gov>; Schenkenberg, James (ACF) (CTR) <james.schenkenberg@acf.hhs.gov>; Shireena, Tanzeena (ACF) <Tanzeena.Shireena@ACF.hhs.gov>; Tyrell, Stacy (ACF) <Stacy.Tyrell@acf.hhs.gov>; Young, April (ACF) <april.young@acf.hhs.gov>
Cc: De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>; Gonzalez, Jose (ACF) <Jose.Gonzalez@ACF.hhs.gov>; Velazquez, Ivonne (ACF) <Ivonne.Velazquez@ACF.hhs.gov>; Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Subject: Collect Calls from Parents in Detention Centers
Importance: High

Good morning! With the increase of family separations, the grantees are experiencing higher levels of parents in US Marshall custody only able to communicate with UACs in care through collect calls.

Effective today, Thursday May 31, 2018, ORR is approving Grantees to accept the calls from the parents to ensure communication with the children and Case Managers for release planning.

Please let your programs know of this approval.

If your programs have concerns with budgets or any other issues, please let myself or Jim know as soon as possible.

Thank you!
Sarah

Sarah Viola, LICSW
Project Officer Supervisor
Office of Refugee Resettlement Division of Unaccompanied Children Operations
CUBE 5206C
Office: (202) 401-4832
Cell Phone: (202) (b)(6)
330 C ST SW mailroom 5123
Washington, DC 20201
Sarah.Viola@acf.hhs.gov

Please note I telework every Monday and Wednesday and may be reached at 202-(b)(6)

Department of Health and Human Services Records Pertaining to Procedures for Release of Children to Parents After Separation at U.S.- Mexico Border

December 17, 2018

**Department of Health and Human
Services Records Pertaining to Email
from Federal Specialist Supervisor,
James DE La Cruz**

December 17, 2018

From: De LA Cruz, James (ACF)
Sent: 12 Feb 2017 21:25:42 +0000
To: Hogle, Olivia (ACF)
Cc: Fields, Marivic (Maria) (ACF)
Subject: FW: Procedures for Release of Children to Parents after DHS Separation
Attachments: ORR Notification to DHS Family Case Management Program.docx

Here you go. Copying Marivic for her situational awareness.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
Washington, DC 20201
Office: 202-690-8477
Cell: 202-(b)(6)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: De LA Cruz, James (ACF)
Sent: Tuesday, September 20, 2016 9:43 PM
To: Gonzalez, Jose (ACF); Brooks, Teresa (ACF); Fink, David (ACF); Velazquez, Ivonne (ACF); Volovar, Jill (ACF)
Cc: Dent, Martina (ACF); Sinkins, Katherine (ACF); Herboldsheimer, Shannon (ACF)
Subject: RE: Procedures for Release of Children to Parents after DHS Separation

Here is the correct version that includes repatriation.

Please consider these items a work in progress with changes to come. (The best that could happen is for the OFO to stop the practice of family separation.)

James S. De La Cruz
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Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: De LA Cruz, James (ACF)
Sent: Tuesday, September 20, 2016 6:21 PM
To: Gonzalez, Jose (ACF); Brooks, Teresa (ACF); Fink, David (ACF); Velazquez, Ivonne (ACF); Volovar, Jill (ACF)
Cc: Dent, Martina (ACF); Sinkins, Katherine (ACF); Herboldsheimer, Shannon (ACF)
Subject: RE: Procedures for Release of Children to Parents after DHS Separation

Hello,

I have an updated version of the instructions for reunification. I accidentally sent the early version. I will send when I exit the train.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
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Office: 202-690-8477
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Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: De LA Cruz, James (ACF)

Sent: Tuesday, September 20, 2016 6:13 PM

To: Gonzalez, Jose (ACF); Brooks, Teresa (ACF); Fink, David (ACF); Velazquez, Ivonne (ACF); Volovar, Jill (ACF)

Cc: Dent, Martina (ACF); Sinkins, Katherine (ACF); Herboldsheimer, Shannon (ACF)

Subject: Procedures for Release of Children to Parents after DHS Separation

Hello Supervisors,

Please find reunification procedures for children separated from their parents by DHS. In this email you find:

1. A sample spreadsheet of UC separated from their parents.
2. Instructions for reunifying children with their separated parents if that is possible
3. A contact sheet for DHS staff assigned to Alternatives to Detention
4. A flyer about the DHS program.

What is not on this email message are activities that can be construed as policy:

1. Transport of UC to Parents with a Consular Official
2. A statement about family reunification of children to their parents when the child's case has been terminated.
3. A statement about how to proceed with reunification of a child to his or her parent when the child's attorney does not want the child to be repatriated and there is no reason to deny the request.
4. What to do if the parent has been vetted as appropriate but has been deported and wants the child back in country of origin.

These issues will be elevated to Policy and you will be copied.

We should talk about these this week or next week.

Also as a tip – you can identify a staff on your team to assist you and other FFS when these types of cases come up.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
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**Department of Health and Human
Services Records Pertaining to
Information on Family Case
Management Program as It Relates to
Family Separation**

December 17, 2018

ORR Notification to DHS Family Case Management Program/Parental Interest Directive Initiative

- I. **Intakes:** When DHS notifies ORR that they are separating a child from one or both of his or her biological parents or legal guardian then the Intakes Staff should:
 1. Accept the referral and refer to ORR's Policy in regards to placing the child in the least restrictive environment and appropriate care provider setting.
 2. Request information about why the UC is being separated from the parent. If the separation is due to criminal charges then intakes should request a brief description of the charges.
 3. Intakes should also request the name of the child's parent from whom he or she is being separated and the parent's A number.
 4. Intake will include this information on a spreadsheet containing the case names of separated children.
 5. Each morning at the beginning of each business day an Intakes Staff will send the spread sheet to each ORR FFS Supervisor to follow up.

2. **FFS Supervisor – Initial Case Coordination with DHS :**
 1. The FFS Supervisor will review the spread sheet to determine if a separated UC has been designated to a care provider in the Supervisors Area of Responsibility.
 2. If a child was referred to the Supervisor's area then the Supervisor will reference the DHS Compliance Officer Contact Sheet for the DHS Family Case Management Program. The FFS Supervisor will contact the assigned Compliance Officer and provide:
 - a. The name of the UC
 - b. Name of the adult parent and the adult parent's A number.
 - c. The FFS Supervisor should also copy the assigned FFS who is attached to the designated ORR care provider where the child is designated to be placed.
 3. The FFS Supervisor will request from the DHS FCMP Compliance officer that he or she make a determination if the parent fits the criteria for release to a program identified as an "Alternate to Detention Program."
 4. If so then the FFS will work with DHS to determine if the child can be reunified with the separated parent. NOTE: The Compliance Officer might identify that the parent will be released to a shelter home in a region not within the initial FFS Supervisor's region. If that is the case then both the FFS Supervisor and Compliance Officer will determine what DHS regional Compliance Officer will work on the case.
 5. The FFS Supervisor and FFS will make sure that the case of family separation is reported to DHS CRCL per ORR reporting procedures.

3. **FFS – Family Reunification Process to a Separated Parent:**
 1. If the DHS Compliance Officer determines that the child will be released to an "Alternate to Detention Program" or will be released to a family member or other responsible party in the United States then the FFS will work to determine if the child can be released to the parent upon the parents release from DHS Detention.
 2. The ORR FFS will obtain the following information from DHS:
 - a. Confirmation of the identity and familial relationship of the sponsor to the minor, and detail (i.e. what type of identification was presented, were birth certificates

- presented, DNA completed, etc.) of how the identity and familial relationship was established;
- b. Confirmation by DHS confirms that a criminal history background check has been completed and that the results of that check indicate that the individual has no criminal history which would present a danger/risk to the child;
 - c. Confirmation by DHS and information from DHS that the sponsor and minor will have an established place of residence in the United States;
 - d. A point of contact or manner for an ORR Care Provider to speak with the parent to complete an ORR Sponsor Assessment;
 - e. Confirmation from DHS that the parent and the minor will be participating in the DHS FCMP and establish the site where the minor may be released to the care of the parent.
3. Upon receipt of all of the required information from DHS and the ORR Care Provider Program, the ORR FFS instructs the ORR Care Provider Program to complete the "Sponsor Information" tab on the UC Portal and to complete a Release Request in the UC Portal with the parent as the proposed sponsor.
 4. The Care Provider Program notifies the ORR FFS and FFS Supervisor of the completion of the UC Portal documents.
 5. The ORR FFS reviews the Family Reunification case in the UC Portal, and enters the ORR release decision in the UC Portal, noting all information gathered from DHS in the ORR Decision Comments section of the Release Request on the UC Portal.
 6. The ORR FFS disburses the ORR release decision to the local FOJC, etc., in accordance with ORR Family Reunification Policy and procedures.
 7. The ORR FFS ensures that the Care Provider Program and DHS coordinate the transportation and physical discharge of the minor to the care of the parent/sponsor.
- 4. FFS – Family Reunification Process to an alternate sponsor:** In some cases a child might not be able to be reunified with a separated parent due to:
- Criminal charges
 - Illness on the part of the parent
 - The parent will be repatriated and does not want the child to return.
- In these and similar situations the FFS will need to communicate with the program to proceed with ORR Release Process as in cases of UC not separated from a parent by DHS. In these situations the FFS should ask the compliance officer for:
- a. Confirmation of the identity and familial relationship of the sponsor to the minor, and detail (i.e. what type of identification was presented, were birth certificates presented, DNA completed, etc.) of how the identity and familial relationship was established;
 - b. Information about the parent's criminal history if there is such a history.
 - c. A point of contact or manner for an ORR Care Provider to speak with the parent to gather information about an alternate sponsor in the US if one is available.
 - i. If possible the care provider should interview the parent to gather information that would be helpful to explore the release of the child to a sponsor with distant or no biological relationship to the family.

5. FFS- Reunification of a Child with a Parent in Removal Proceedings

In some circumstances a parent separated from his or her child might be in removal proceedings and will be required to return to his or her country of origin. The parent, in addition, might want to be reunified with his or her child so that they can be repatriated together as a family. In these cases the ORR FFS should determine if there is evidence that the child will be at risk **from the parent** should the child be repatriated with the parent. To make this determination the FFS should use his or her discretion to make initial contact with the parent in detention via assistance from the FCMP Compliance Officer associated with the Alternative to Detention Program or the local ICE FOJC.

1. The ORR FFS will obtain the following information from DHS:
 - a. Confirmation of the identity and familial relationship of the sponsor to the minor, and detail (i.e. what type of identification was presented, were birth certificates presented, DNA completed, etc.) of how the identity and familial relationship was established;
 - b. Confirmation by DHS confirms that a criminal history background check has been completed and that the results of that check indicate that the individual has no criminal history which would present a danger/risk to the child;
 - c. A point of contact or manner for an ORR Care Provider to speak with the parent to complete an ORR Sponsor Assessment;
 - i. The ORR Care Provider should receive confirmation from the parent that he or she wants to be reunified with his or her child if ordered removed from the US;
 - d. Confirmation from DHS that if the parent is ordered removed then the child will be reunified at the time of removal if ORR approves the release to the parent.

If it is determined that the adult apprehended with the child is the actual parent/legal guardian and that there are no safety concerns then the FFS may approve the child to be reunified with his or her parent for repatriation.

2. Upon receipt of all of the required information from DHS and the ORR Care Provider Program, the ORR FFS instructs the ORR Care Provider Program to complete the "Sponsor Information" tab on the UC Portal and to complete a Release Request in the UC Portal with the parent as the proposed sponsor. **The care provider should make a note in the release request that the parent requests reunification with his or her child for purposes of repatriation and that no safety concerns were identified.**
3. The Care Provider Program notifies the ORR FFS and FFS Supervisor of the completion of the UC Portal documents.
4. The ORR FFS reviews the Family Reunification case in the UC Portal, and enters the ORR release decision in the UC Portal, noting all information gathered from DHS in the ORR Decision Comments section of the Release Request on the UC Portal.
5. The ORR FFS disburses the ORR release decision to the local FOJC, etc., in accordance with ORR Family Reunification Policy and procedures.
6. The ORR FFS ensures that the Care Provider Program and DHS coordinate the transportation and physical discharge of the minor to the care of the parent/sponsor at the time of transportation for purposes of repatriation.

From: Genao, Claudia (ACF) (CTR)
Sent: 5 Nov 2018 17:14:04 +0000
To: Volovar, Jill (ACF)
Subject: separated minors data gathering
Attachments: compiled guidance on separated minors, FW: List of Juveniles under Zero Tolerance, RE: Guidance on separated minors, RE: Guidance on separated minors, Guidance on separated minors

Hi – not sure whether you need to include this, but these are the emails that I sent that may be included in the inquiry.

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

(b)(6)

Claudia.Genao@acf.hhs.gov

Department of Health and Human Services Records Pertaining to Fact Sheet on Separated Minors in ORR Care

December 17, 2018

From: Genao, Claudia (ACF) (CTR)
Sent: 7 Jul 2018 00:03:48 +0000
To: De LA Cruz, James (ACF)
Cc: Volovar, Jill (ACF)
Subject: compiled guidance on separated minors
Attachments: Fact Sheet Regarding Separated Minors.docx

Hi Jim,

Jill and I have been compiling all of the guidance we've received via email, from conference calls, and from the staff members in the field regarding separated minors. Please find attached a fact sheet we created with all of guidance to date. I hope you find it useful! Please let us know if you need anything else.

Thanks,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

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Claudia.Genao@acf.hhs.gov

Fact Sheet: Separated Minors in ORR Care

Court-ordered deadlines:

- All separated minors 0-4 at the time of the court order must be reunited by July 10th
- All separated minors 5 and up must be reunited by July 26th

- Guidance Regarding Detention Centers with ORR/ PHS Staff
 - FFS/ PHS staff are located in the following detention centers: Port Isabel, Eloy, Otero, Folkston, and Irwin.
 - They will be assisting in conducting phone calls between detained parents/ minors, completing sponsor assessments, completing letters of designations, and completing FRPs with the detained parents. If you have a minor at these facilities, you should be receiving phone calls/ documents to the 2 names you provided to HQ and/ or you should be seeing documents for these minors being uploaded to their Portal files.
 - You should wait until these documents are provided to you and ensure that the minors are having their 10-minute phone calls a week with their parents.

- Guidance Regarding Reunification Process with Separated Parents
 - For separated/detained parents who would like to be repatriated with their children:
 - Must open Sponsor Tab with separated parent's information. Include the detention center's address where parent is being held, if you do not have it then include the ORR HQ building address
 - Must complete Sponsor Assessment
 - Must complete FRP
 - Must conduct one 10 minute phone call a week between parent and minor
 - Must send email to FFS, CFS to contact FOJC for ORR to work with ICE to attempt to obtain background check
 - Must obtain DNA test or consulate authentication of birth certificates
 - For separated parents who were released from detention and would like to sponsor their children:
 - If a separated parent was released from detention and would like to sponsor their child, they do not need to obtain fingerprint results if you are provided with the background check results from ICE.
 - All of other normal procedures remain in place for reunification.
 - ORR will accept bond documents that have an address listed as well as DHS and EOIR change of address documents as proof of address
 - The discharged separated parents are part of the class, so the separated children must be reunited by the court-imposed deadlines, unless there is a safety issue. If we have a TVPRA HS concern that is unrelated to a safety issue with the parent (such as the child is disabled) please elevate those cases ASAP

- Guidance for Separated/ Detained parents who would like their children to be sponsored by someone in the U.S.
 - Must obtain a letter of designation from detained parent (preferable notarized, but not required)

- Complete regular reunification process with sponsor in U.S.
- Ensure minor is obtaining 10 minute phone call per week with detained parent

- Guidance on DNA Testing
 - All of the separated children will be swabbed for DNA matches with their parents
 - Children undergoing DNA testing need to have a document indicating their: name, A#, Picture of child, DOB, Family unit number (the number on the Portal that indicates that they are in a family group)
 - DNA kits will be sent to programs with separated children 0-4 on Week of July 2nd and DNA kits will be sent to programs with separated children 5 and up on week of July 9th
 - Children can be released with either a DNA swab or a consulate verification of BCs – whichever comes first

- Guidance on Consulates
 - If consulates are requesting data regarding separated minors, their embassies must make these requests to Toby Biswas and Tricia Schwartz

Department of Health and Human Services Records Pertaining to Inquiries From Consulates Regarding Separated Children

December 17, 2018

From: Genao, Claudia (ACF) (CTR)
Sent: 6 Jul 2018 16:02:22 +0000
To: Samayoa-Brown, Monica (ACF) (CTR);Pragman, Maria (ACF) (CTR);Rivera, Ricardo (ACF) (CTR);Bennett, Mark (ACF) (CTR)
Cc: Volovar, Jill (ACF)
Subject: FW: List of Juveniles under Zero Tolerance
Attachments: Re: important: consulate inquiries

Hi – I saw on the weekly report that you had raised the same questions regarding the consulates requesting information about the separated minors and their parents. Please see attached an email from Toby indicating the process.

From: Genao, Claudia (ACF) (CTR)
Sent: Friday, July 06, 2018 11:56 AM
To: Gabbard, Michael (ACF) (CTR) <Michael.Gabbard@acf.hhs.gov>; Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Cc: Nott Villamercado, Emily (ACF) <Emily.Nott@acf.hhs.gov>; Buchheit, Abigail (ACF) (CTR) <Abigail.Buchheit@acf.hhs.gov>; Trevino, Stephanie (ACF) <Stephanie.Trevino@acf.hhs.gov>; Banzon, Julissa (ACF) <Julissa.Banzon@acf.hhs.gov>; Gonzalez, Monica (ACF) <Monica.Gonzalez@acf.hhs.gov>; De Puy, Jacqueline (ACF) <Jacqueline.DePuy@acf.hhs.gov>; Young, April (ACF) <april.young@acf.hhs.gov>
Subject: RE: List of Juveniles under Zero Tolerance

Hi Michael – I actually just requested guidance on this same thing. Please see Toby's email attached. The embassies (not the consulates) have to send their information requests to Tricia and Toby.

From: Gabbard, Michael (ACF) (CTR)
Sent: Friday, July 06, 2018 11:30 AM
To: Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Cc: Nott Villamercado, Emily (ACF) <Emily.Nott@acf.hhs.gov>; Buchheit, Abigail (ACF) (CTR) <Abigail.Buchheit@acf.hhs.gov>; Trevino, Stephanie (ACF) <Stephanie.Trevino@acf.hhs.gov>; Banzon, Julissa (ACF) <Julissa.Banzon@acf.hhs.gov>; Gonzalez, Monica (ACF) <Monica.Gonzalez@acf.hhs.gov>; De Puy, Jacqueline (ACF) <Jacqueline.DePuy@acf.hhs.gov>; Young, April (ACF) <april.young@acf.hhs.gov>; Genao, Claudia (ACF) (CTR) <Claudia.Genao@acf.hhs.gov>
Subject: FW: List of Juveniles under Zero Tolerance

Hi Jill,

Please see request below from the Guatemalan Consulate for UC-parent separation information. I don't know if any other regions have provided this information to the Consulates, but to date Chicago Care Providers or CFS/FFS have only provided lists of all current Guatemalan UC in care and have not provided any case details or flagged any parent separations. Please advise if we are to assist or are prohibited from sharing any of this information with the Consulate and I will respond accordingly. Thanks.

Michael Gabbard
Contract Field Specialist
General Dynamics Information Technology

Office of Refugee Resettlement (ORR)
233 N. Michigan Avenue, Suite 400
Chicago, IL 60603
701 (b)(6) Office/Cell
Michael.Gabbard@acf.hhs.gov

GENERAL DYNAMICS
Information Technology

From: Olga Ivonne Sanchez Ardón [<mailto:isanchez@minex.gob.gt>]
Sent: Friday, July 06, 2018 10:04 AM
To: Gabbard, Michael (ACF) (CTR)
Cc: Olga Ivonne Sanchez Ardón; Ivonne Sanchez; alejandro.yalibat@consulguatechicago.com
Subject: List of Juveniles under Zero Tolerance

Dear Mr. Gabbard

Greetings, would you please help us providing us the list of the Juveniles that arrive to the ORR Facilities under the Zero Tolerance (May 6, 2018).

We want to coordinate with our other Consulates of Guatemala in the US that are in charge of assisting the parents detained in the Adult Detention facilities under their jurisdiction. Our goal is to help in the reunification and/or possible return to Guatemala.

Regards,

Ivonne Sanchez

Vice Consul

Consulate General of Guatemala

5559 N. Elston Ave.

Suite 100

Chicago, Illinois 60630

Tel: 312 540 0781

Fax: 312 540 0897

isanchez@minex.gob.gt



GOBIERNO DE LA REPÚBLICA DE
GUATEMALA

MINISTERIO DE RELACIONES EXTERIORES
CONSULADO GENERAL DE GUATEMALA EN
CHICAGO, ILLINOIS, EEUU

From: Biswas, Toby R M (ACF)
Sent: 6 Jul 2018 15:52:13 +0000
To: Genao, Claudia (ACF) (CTR);UCPolicy (ACF)
Cc: Volovar, Jill (ACF)
Subject: Re: important: consulate inquiries

They should email Tricia and me.

On: 06 July 2018 11:47, "Genao, Claudia (ACF) (CTR)" <Claudia.Genao@acf.hhs.gov> wrote:

Thank you for your quick response. To what email address should the embassies send their requests?

From: Biswas, Toby R M (ACF)
Sent: Friday, July 06, 2018 11:36 AM
To: Genao, Claudia (ACF) (CTR) <Claudia.Genao@acf.hhs.gov>; UCPolicy (ACF) <UCPolicy@acf.hhs.gov>
Subject: RE: important: consulate inquiries

Those requests need to come through their embassies.

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director - Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: Genao, Claudia (ACF) (CTR)
Sent: Friday, July 06, 2018 11:07 AM
To: Biswas, Toby R M (ACF) <Toby.Biswas@ACF.hhs.gov>; UCPolicy (ACF) <UCPolicy@acf.hhs.gov>
Subject: FW: important: consulate inquiries

Good morning,

The Miami branches of the consulates of El Salvador, Guatemala, and Honduras have all asked for data regarding separated children. Has there been a standard developed regarding what information we can and cannot provide them? Most of the consulates are asking for the names of the separated minors, the names of their parents, and their parent's whereabouts. Some of them have asked for more detailed information, such as: where were the parent/ child initially detained, what is the reunification status, et cetera.

Thank you,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

(b)(6)

Claudia.Genao@acf.hhs.gov

From: Volovar, Jill (ACF)
Sent: Friday, July 06, 2018 10:08 AM
To: Genao, Claudia (ACF) (CTR) <Claudia.Genao@acf.hhs.gov>
Subject: RE: important: consulate inquiries

Ask toby

From: Genao, Claudia (ACF) (CTR)
Sent: Friday, July 06, 2018 9:56 AM
To: De LA Cruz, James (ACF)
Cc: Volovar, Jill (ACF)
Subject: RE: important: consulate inquiries
Importance: High

Hi Jim,

Sorry to pester you, I know you are super busy! The Guatemalan Consulate in Miami has been very persistent in their request below. Please advise if this is information we can share with them.

Thank you,

Claudia N. Genao

Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

(b)(6)

Claudia.Genao@acf.hhs.gov

From: Genao, Claudia (ACF) (CTR)
Sent: Tuesday, July 03, 2018 5:59 PM
To: De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>
Cc: Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Subject: RE: important: consulate inquiries

Hi Jim - following up on the question below. Thank you!

From: Genao, Claudia (ACF) (CTR)
Sent: Monday, July 02, 2018 10:02 AM
To: De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>
Cc: Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Subject: important: consulate inquiries
Importance: High

Good morning Jill and Jim,

The Miami branches of the consulates of El Salvador, Guatemala, and Honduras have all asked for data regarding separated children. Has there been a standard developed regarding what information we can and cannot provide them? Most of the consulates are asking for the names of the separated minors, the names of their parents, and their parent's whereabouts. Some of them have asked for more detailed information, such as: where were the parent/ child initially detained, what is the reunification status, et cetera.

During Friday's phone call, I know you referred Ivonne to an email where she can send these types of requests. Would you also provide us with that email please?

Thank you!

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations

Office of Refugee Resettlement
Miami, FL

(b)(6)

Claudia.Genao@acf.hhs.gov

**Department of Health and Human
Services Records Pertaining to Notes
From a Meeting with HHS Secretary Alex
Azar**

December 17, 2018

From: Genao, Claudia (ACF) (CTR)
Sent: 6 Jul 2018 15:31:16 +0000
To: Banzon, Julissa (ACF);Gonzalez, Monica (ACF);Trevino, Stephanie (ACF);Nott Villamercado, Emily (ACF);Husted, Karen (ACF);Ahlberg, Jeffrey (ACF);Ventura, Magdalia (ACF);Miller, Amanda J. (ACF);Valdez, Elcy (ACF);Rivera, Patricia (ACF);Boswell, Nichole (ACF);David, Natasha (ACF);Benn, Latise (ACF);Mansilla, Jessie (ACF);Mansilla, Karla (ACF);Brannon, Kristian (ACF);Bennett, Mark (ACF) (CTR);Martinez, Brenny (ACF) (CTR);Gabbard, Michael (ACF) (CTR);Buchheit, Abigail (ACF) (CTR);Pragman, Maria (ACF) (CTR);Rivera, Ricardo (ACF) (CTR);Samayoa-Brown, Monica (ACF) (CTR)
Cc: Volovar, Jill (ACF)
Subject: RE: Guidance on separated minors

Good morning,

Please see additional guidance that we've received from Policy. Please let us know if you have any questions.

In One case the father was the person apprehended with the child but the mother was already in the US. Does this case need to be resolved in the same deadline as other children in the same class? *If the father is seeking reunification then yes, if he is not then no. You will need to be able to verify that dad does not want to seek reunification.*

For parents who were separated, detained, but now discharged do our regular release procedures remain in place? Specifically do we need to comply with our normal background check procedures? *Yes, normal procedures remain in place but we've been clear, THERE IS NO NEED TO FINGERPRINT THE RECENTLY SEPARATED PARENT if you are able to receive a background check summary from ICE. We've gone over this a few times on several calls, and Scott repeated this on the call with the Secretary yesterday. I want to make sure this is absolutely clear because in every individual habeas case we've received the FFS and CMs have been ordering fingerprints for the separated parents despite our repeated insistence that it is unnecessary.*

Additionally, we will accept bond documents that have an address listed as well as DHS and EOIR change of address documents as proof of address.

And just so we're absolutely clear, the discharged separated parents are part of the class, so the separated children must be reunited by the court imposed deadlines, unless there is a safety issue. If we have a TVPRA HS concern that is unrelated to a safety issue with the parent (such as the child is disabled) please elevate those cases ASAP.

Thanks,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

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Claudia.Genao@acf.hhs.gov

From: Genao, Claudia (ACF) (CTR)

Sent: Thursday, July 05, 2018 10:59 AM

To: Banzon, Julissa (ACF) <Julissa.Banzon@acf.hhs.gov>; Gonzalez, Monica (ACF)

<Monica.Gonzalez@acf.hhs.gov>; Trevino, Stephanie (ACF) <Stephanie.Trevino@acf.hhs.gov>; Nott

Villamercado, Emily (ACF) <Emily.Nott@acf.hhs.gov>; Husted, Karen (ACF)

<Karen.Husted@acf.hhs.gov>; Ahlberg, Jeffrey (ACF) <Jeffrey.Ahlberg@acf.hhs.gov>; Ventura,

Magdalia (ACF) <Magdalia.Ventura@acf.hhs.gov>; Miller, Amanda J. (ACF)

<Amanda.Miller@acf.hhs.gov>; Valdez, Elcy (ACF) <Elcy.Valdez@acf.hhs.gov>; Rivera, Patricia (ACF)

<Patricia.Rivera@acf.hhs.gov>; Boswell, Nichole (ACF) <Nichole.Boswell@acf.hhs.gov>; David, Natasha

(ACF) <Natasha.David@acf.hhs.gov>; Benn, Latise (ACF) <Latise.Benn@acf.hhs.gov>; Mansilla, Jessie

(ACF) <Jessie.Mansilla@acf.hhs.gov>; Mansilla, Karla (ACF) <Karla.Mansilla@acf.hhs.gov>; Brannon,

Kristian (ACF) <Kristian.Brannon@acf.hhs.gov>; Bennett, Mark (ACF) (CTR)

<Mark.Bennett@acf.hhs.gov>; Martinez, Brenny (ACF) (CTR) <Brenny.Martinez@acf.hhs.gov>;

Gabbard, Michael (ACF) (CTR) <Michael.Gabbard@acf.hhs.gov>; Buchheit, Abigail (ACF) (CTR)

<Abigail.Buchheit@acf.hhs.gov>; Pragman, Maria (ACF) (CTR) <Maria.Pragman@acf.hhs.gov>; Rivera,

Ricardo (ACF) (CTR) <Ricardo.Rivera@acf.hhs.gov>; Samayoa-Brown, Monica (ACF) (CTR)

<Monica.Samayoa-Brown@acf.hhs.gov>

Cc: Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>

Subject: Guidance on separated minors

Good morning team,

We have gathered guidance on reunification efforts for separated minors. Please review the guidance below and the minutes I took from this morning's phone call with Secretary Azar. Please send me any additional questions you have regarding parental separations by 6 PM today. We will be gathering those questions and setting up a conference call to address them.

-
- FFS/ PHS staff will be located in the following detention centers: Port Isabel, Eloy, Otero, Folkston, and Irwin.
 - They will be assisting in conducting phone calls between detained parents/ minors, completing sponsor assessments, completing letters of designations, and completing FRPs with the detained parents. If you have a minor at these facilities, you should be receiving phone calls/ documents to the 2 names you provided to HQ and/ or you should be seeing documents for these minors being uploaded to their Portal files.
 - You should wait until these documents are provided to you and ensure that the minors are having their 10 minute phone calls a week with their parents.
 - For separated/detained parents who would like to be repatriated with their children:
 - Must complete Sponsor Assessment
 - Must complete FRP
 - Must conduct one 10 minute phone call a week between parent and minor
 - Must send email to FFS, CFS to contact FOJC for ORR to work with ICE to attempt to obtain background check

- Once all of these documents have been obtained, please advise your FFS/CFS. More guidance will be sent after this has been completed.
- For separated/ detained parents who would like their children to be sponsored by someone in the U.S.
 - Must obtain a letter of designation (preferable notarized, but not required)
 - Complete regular reunification process with sponsor in U.S.
 - Ensure minor is obtaining 10 minute phone call per week with detained parent
- DNA Testing: Programs will be receiving DNA kits and further instructions on who should be tested.
 - Children undergoing DNA testing need to have a document indicating their: name, A#, Picture of child, DOB, Family unit number (the number on the Portal that indicates that they are in a family group)

Please let us know if you have any other questions.

Thanks,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

(b)(6)

Claudia.Genao@acf.hhs.gov

From: Genao, Claudia (ACF) (CTR)
Sent: 5 Jul 2018 15:29:44 +0000
To: Buchheit, Abigail (ACF) (CTR)
Cc: Ahlberg, Jeffrey (ACF);Volovar, Jill (ACF)
Subject: RE: Guidance on separated minors

Hi Abigail – I'll add these to the lists of questions. I can answer your first question. If the parent is at one of the following detention centers: Port Isabel, Eloy, Otero, Folkston, and Irwin, then CMs should not be focusing on conducting sponsor assessments since the deployed staff over there will be assisting with those. I've informed my care providers of the staff at the detention center (we sent out the guidance below to our local programs).

The program should be following up and making sure that they are receiving documents from the staff deployed at those facilities (some of my programs have already seen these documents being uploaded to the Portal).

They should be focusing their resources on detained parents not at one of those sites.

I'm copying Jeff who is currently deployed at Folkston detention center in case he wants to add anything else.

Thanks!
Claudia

From: Buchheit, Abigail (ACF) (CTR)
Sent: Thursday, July 05, 2018 11:22 AM
To: Genao, Claudia (ACF) (CTR) <Claudia.Genao@acf.hhs.gov>
Subject: RE: Guidance on separated minors

Hi Claudia,

- CM have several times now been given the guidance to try to be completing sponsor assessments with detained parents. Should they be spending their time on these efforts if there are people on the ground at detention facilities working on this? We have been given very little information about what to expect from those deployed and/or working on those efforts. Are care providers even aware this is happening? Who should be doing this work so it is not doubled? Are CM responsible for these assessments only for detained parents NOT in those facilities listed below?
- This will likely be discussed this afternoon but what should the expectation or plan be for the UAC who were separated from a parent when the parent has already been deported and the UAC is requesting VD...? In particular, UAC ages 0-4 for whom this is the case.
- Is only 1 phone call per week the expectation, not 2?

Thank you,

Abigail Buchheit
Contract Field Specialist
General Dynamics Information Technology

Office of Refugee Resettlement (ORR)
233 N. Michigan Avenue, Suite 400
Chicago, IL 60603
(312) 497-0502
Abigail.Buchheit@acf.hhs.gov

From: Genao, Claudia (ACF) (CTR)
Sent: Thursday, July 5, 2018 10:00 AM
To: Banzon, Julissa (ACF) <Julissa.Banzon@acf.hhs.gov>; Gonzalez, Monica (ACF) <Monica.Gonzalez@acf.hhs.gov>; Trevino, Stephanie (ACF) <Stephanie.Trevino@acf.hhs.gov>; Nott Villamercado, Emily (ACF) <Emily.Nott@acf.hhs.gov>; Husted, Karen (ACF) <Karen.Husted@acf.hhs.gov>; Ahlberg, Jeffrey (ACF) <Jeffrey.Ahlberg@acf.hhs.gov>; Ventura, Magdalia (ACF) <Magdalia.Ventura@acf.hhs.gov>; Miller, Amanda J. (ACF) <Amanda.Miller@acf.hhs.gov>; Valdez, Elcy (ACF) <Elcy.Valdez@acf.hhs.gov>; Rivera, Patricia (ACF) <Patricia.Rivera@acf.hhs.gov>; Boswell, Nichole (ACF) <Nichole.Boswell@acf.hhs.gov>; David, Natasha (ACF) <Natasha.David@acf.hhs.gov>; Benn, Latise (ACF) <Latise.Benn@acf.hhs.gov>; Mansilla, Jessie (ACF) <Jessie.Mansilla@acf.hhs.gov>; Mansilla, Karla (ACF) <Karla.Mansilla@acf.hhs.gov>; Brannon, Kristian (ACF) <Kristian.Brannon@acf.hhs.gov>; Bennett, Mark (ACF) (CTR) <Mark.Bennett@acf.hhs.gov>; Martinez, Brenny (ACF) (CTR) <Brenny.Martinez@acf.hhs.gov>; Gabbard, Michael (ACF) (CTR) <Michael.Gabbard@acf.hhs.gov>; Buchheit, Abigail (ACF) (CTR) <Abigail.Buchheit@acf.hhs.gov>; Pragman, Maria (ACF) (CTR) <Maria.Pragman@acf.hhs.gov>; Rivera, Ricardo (ACF) (CTR) <Ricardo.Rivera@acf.hhs.gov>; Samayoa-Brown, Monica (ACF) (CTR) <Monica.Samayoa-Brown@acf.hhs.gov>
Cc: Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Subject: Guidance on separated minors

Good morning team,

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 - For separated/detained parents who would like to be repatriated with their children:
 - Must complete Sponsor Assessment
 - Must complete FRP

- Must conduct one 10 minute phone call a week between parent and minor
 - Must send email to FFS, CFS to contact FOJC for ORR to work with ICE to attempt to obtain background check
 - Once all of these documents have been obtained, please advise your FFS/CFS. More guidance will be sent after this has been completed.
- For separated/ detained parents who would like their children to be sponsored by someone in the U.S.
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 - Children undergoing DNA testing need to have a document indicating their: name, A#, Picture of child, DOB, Family unit number (the number on the Portal that indicates that they are in a family group)

Please let us know if you have any other questions.

Thanks,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
Office of Refugee Resettlement
Miami, FL

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Claudia.Genao@acf.hhs.gov

From: Genao, Claudia (ACF) (CTR)
Sent: 5 Jul 2018 14:59:27 +0000
To: Banzon, Julissa (ACF);Gonzalez, Monica (ACF);Trevino, Stephanie (ACF);Nott Villamercado, Emily (ACF);Husted, Karen (ACF);Ahlberg, Jeffrey (ACF);Ventura, Magdalia (ACF);Miller, Amanda J. (ACF);Valdez, Elcy (ACF);Rivera, Patricia (ACF);Boswell, Nichole (ACF);David, Natasha (ACF);Benn, Latise (ACF);Mansilla, Jessie (ACF);Mansilla, Karla (ACF);Brannon, Kristian (ACF);Bennett, Mark (ACF) (CTR);Martinez, Brenny (ACF) (CTR);Gabbard, Michael (ACF) (CTR);Buchheit, Abigail (ACF) (CTR);Pragman, Maria (ACF) (CTR);Rivera, Ricardo (ACF) (CTR);Samayoa-Brown, Monica (ACF) (CTR)
Cc: Volovar, Jill (ACF)
Subject: Guidance on separated minors
Attachments: Meeting with Secretary Azar.docx

Good morning team,

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Please let us know if you have any other questions.

Thanks,

Claudia N. Genao
Contract Field Specialist
General Dynamics Information Technology
Division of Unaccompanied Children Operations
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Miami, FL

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Claudia.Genao@acf.hhs.gov

Meeting with Secretary Azar

- Secretary Azar, Director Scott Lloyd, Steve Wagner
- Scott:
 - Thank you for assistance in the parental separations
 - Thank you for getting DNA tests in expeditious manner
- Secretary Azar:
 - Thank grantees for excellent work with the children
 - Working hard to ensure that the public knows that the kids receive the best care
 - Current challenges with nationwide visibility:
 - May 6th – zero tolerance initiative that increased UCs coming to our program
 - Class action law suit that orders that all 0-4 (July 10th) to be reunified July 26th (older children)
 - Emergency management team has deployed to ICE detention facilities to reunite families, all resources available to comply with court order
 - Among parents: 2 reported parents had violent charges that may not allow them to be reunified with parents
 - Reiterate:
 - We are complying with court order. We must do everything to identify parents, contact them, and make strides to reunify them or go to another sponsor if the parents want
 - DNA testing all parents
 - Fingerprinting from CBP and ICE for background checks.
 - Suitability assessments will be conducted for parents concerns then elevate to FFS
 - Noon on Tuesday 0-4 UCs must be reunited. If it can't happen by that time then elevate immediately
 - After Tuesday, we focus on the rest of the kids that is currently underway
 - If you need anything, have questions, then elevate to FFS
 - Questions:
 - Can you confirm that detained parents must provide a full FRP packet?
 - Yes, that is a requirement.
 - Separated sibling groups:
 - They should go together even if they are in different age class groups
 - Date of start of zero tolerance policy and which children it affects:
 - It applies to all separated children in care.
 - Are families being forced to leave and not having to request asylum in order to be reunited?
 - Our understanding is that opportunities for asylum remain the same
 - Referring to the FRP packets, how should they proceed without DO's assistance?

- ORR has people deployed to those facilities to fill out the forms
- If parents are in detention, will the children join them in detention
 - ORR will operationalize this questions in a few days
- Do all parents need DNA?
 - If you can get a validated BC, then you can use that instead of DNA test
- What should we do if parents want to pursue reunification to another person in the US?
 - Need to document the parent's wishes, then we can pursue sponsorship with someone else
- Will program care staff will be flying to reunify parents to detention centers? Who will be making those arrangements?
 - Parents are being flown to detention centers near the children. When reunification happens, then the children will be driven to the detention centers.
- ORR: we will be providing instruction to facilities 5 and up regarding DNA. We are using the fingerprint results from ICE agents
- What is the next step if the DNA is not a match
 - CM should conduct follow up in order to follow up with the mismatch and please refer to FFS
- Are parents still only allowed to ask for reunification if they are being repatriated
 - No – court order requires to reunite this Tuesday with their 0-4 children.
- How long will reunified families remain in detention?
 - That is a question for ICE. We do not have visibility on it
- Will children be allowed to take their belongings to ICE?
 - Yes, ICE will be able to accommodate that
- Who is the contact for fingerprint results? And what is the coordination for the reunification.
 - ORR has staff that will be receiving fingerprinting results and will be inputting them into the Portal and notifying CMs.
 - Coordination for 0-4 children will be transported to parents and it will be arranged through HHS
- If a parent has criminal charges, and is not separated...
 - Those are not subject to the court order.
- If any additional questions, please elevate them to your FFS.

Department of Health and Human Services Records Pertaining to "Separated UAC Case Tips."

March 22, 2019

Separated UAC Case Tips

1. Swift contact with the UAC parent who is in detention is critical.
 - a. Your FFS should be working with you to help establish contact with a parent in 1 of 3 Ways.
 - i. If you know the name and A number for the parent of the UAC then you should then enter that information in the following DHS Adult Locator:
<https://locator.ice.gov/odls/#/index>
 - ii. If the A number is not known then the Parental Interest Group can assist.
Parental.Interests@ice.dhs.gov
 - iii. Your FOJC should also be able to assist with identifying the location of the parents of a separated minor if you do not have that information. You can share with your FOJC the name and A number of the UAC, names of the parent, and information provided to ORR when the UAC was referred by USBP. This step is very helpful to locate the parent in Step 1 and Step 2.
 - iv. Also included with this message is an attachment that is guidance for locating DNA services if needed. Please read that information closely and also please provide it to your assigned Care Provider Case Manager, Clinician, and Medical staff teams. In the attachment is some very important and helpful information for requesting the DNA of a parent who is in a detention center.
 - b. Identity and proof of relationship have and are critical to all cases. Proof of identity affects:
 - i. If the shelter can proceed to screen the adult in detention as a parent or sponsor.
 - ii. If the person in detention is not the actual parent then they will not have the authority to consent of a release of a child to someone in the US.
 - iii. If the parent and child do not have documentation to prove relationship the case manager will likely need to consider DNA exams.

Please note that this information is very important for each child's case. If a person is determined to not be a parent after making this claim make sure you inform your FFS.

2. All of ORR responsibilities for Screening UAC and Adults remain in place.
 - a. Screening of Child
 - b. Screening of Adult in Detention
 - c. Proof of Relationship
 - d. Confirmation of Background Check
 - i. For parents requesting repatriation with their child, we only need information provided by DHS.

- ii. For parents being released from detention on their Own Recognizance we need to comply with our background check procedures per ORR's current policy and procedures manual.
 - e. Trafficking Screening and Referral if necessary.
- 3. Legal Service Expectation Remain in Tact
 - a. All children should receive a Know Your Rights presentation and legal screening between 7-10 business days.
 - b. If a child wishes to return home with their parents the legal service provider should be informed of this.
 - c. If parent wishes to return home with their child and the child is young and non-verbal then the local legal service provider should also be informed about this.
- 4. If a parent requests to return home to their country of origin with their child the FFS must be immediately notified and be notified:
 - a. A clear or concerning screening of the child
 - b. A clear or concerning screening of the adult\parent
 - c. Information the shelter gathers in regards to relationship of the parent and child
 - d. Any conditions that might lead the shelter staff to believe that a TVPRA home study would be required.

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

**Department of Health and Human
Services Records Pertaining to
"Separated UAC Transfer of Custody to
DHS for Purpose of Family Reunification
and Repatriation: Interim Guidance."**

December 17, 2018

Separated UAC Transfer of Custody to DHS for Purpose of Family Reunification and Repatriation: Interim Guidance

The purpose of this guidance is to provide Shelter Care Providers, Contract Field Specialists, and Federal Field Specialist direction in cases when:

1. DHS has separated a UAC from an adult claiming to be the UAC's parent or legal guardian, and:
2. The adult\parent or legal guardian asks DHS to reunify him or her with their child for repatriation.
3. In such cases the parent or legal guardian may ask DHS to cancel the NTA for his or her child or the UAC may ask to return home with his or her parent and request that DHS cancel his or her NTA.

In these cases the Care provider staff should ensure that the parent\legal guardian and his or her child do in fact have a parent to child relationship. The care provider staff should also utilize ORR parent and child assessment procedures to determine if the parent\legal guardian poses a safety risk towards his or her child. In addition, the care provider should identify if the child meets the criteria for a TVPRA required home study.

If the separated adult identified as the parent or legal guardian is in fact a parent or legal guardian, poses no safety concern for his or her child, and the case does not require a TVPRA home study, then the FFS should agree to the parent's or child's request to reunify with his or her parent. The FFS would assist with this by approving the transfer of the UAC to DHS custody for reunification. If the care provider does identify:

1. That the detained adult is not the actual legal guardian or parent, or:
2. The care provider learns that the parent poses a safety risk to his or her child and or;
3. The case would require a TVPRA mandated home study

Then the FFS should not agree to the transfer of custody back to DHS without taking proper steps to address the child's safety. The case should then be handled as it would for any case of a UAC needing a home study or other appropriate services. To do this the care provider case manager should work with his or her routine stakeholders to determine a release plan for the child.

- I. Swift contact with the UAC parent who is in detention is critical. The local FFS should be working with assigned care provider staff to help establish contact with a parent in 1 of 3 Ways.
 1. If the name and A number for the parent of the UAC is known then care provider staff should then enter that information in the following DHS Adult Locator:
<https://locator.ice.gov/odls/#/index>
 2. The local FOJC should also be able to assist with identifying the location of the parents of a separated minor if that information is not known. Care provider staff should share with the local FOJC the name and A number of the UAC, names of the parent, and information provided to ORR when the UAC was referred by USBP

3. If the A number is not known and the FOJC is not able to locate the parent then the Parental Interest Group can assist by emailing Parental.Interests@ice.dhs.gov¹

If a parent in detention informs DHS that he or she wants to return home to his or her country of origin then the FOJC may inform either the FFS or Care Provider Program that DHS would like to proceed with the repatriation of the child with his or her parent. The FOJC may ask to repatriate a child with his or her parent before the shelter has properly screen the adult and child. If that occurs then the shelter staff should explain to DHS that he or she must contact the ORR FFS who will then assist in the case. The FFS will explain to DHS that ORR is required to properly take steps ensure that the parent is not a safety risk to the child and that the child does not meet the criteria for mandatory home study under TVPRA. See steps below.

- II. Identity and proof of relationship have and are critical to all cases. Proof of relationship affects:
 1. If the shelter should continue assessing the adult in detention as a parent
 2. If the person in detention is not the actual parent, then that individual does not have the authority to consent of a release of a child to a sponsor in the US.
 3. If the parent and child do not have documentation to prove relationship, the case manager may request a DNA test. If assistance is needed for DNA testing, contact the DHUCS medical coordinators. They will provide you with guidance on how to arrange for DNA tests for detained parents.

! Note that this information is very important for each child's case. If a person is determined to not be a parent after they have made this claim to DHS make sure you inform your FFS and CFS and document this information on an SIR. The FFS will inform local DHS that the UAC is not considered a separated UAC and will therefore not be eligible to be repatriated with the adult should that request be made.

- III. ORR responsibilities for Assessing UAC and Adults remain in place.
 1. This includes UAC Intake, Sponsor (detained parent) and UAC Assessments, and TVPRA Screening, and if there are concerns of trafficking an OTIP referral should be completed.

Note for UAC that are non-verbal, shelter medical staff trained in assessing for signs of abuse or neglect should be consulted. For more information regarding the screening of young children please contact Marivic Fields:

*Marivic Fields, LMSW, BCD
CDR, United States Public Health Service
Senior Advisor for Child Well-being and Safety
Administration for Children and Families
(202) 795-7566 (office)
maria.fields@acf.hhs.gov*

¹ For parents in US Marshall's custody there will be a delay in learning the location of the parent. In these cases the care provider staff should check with the FOJC every 5 days to learn if the parent has been released from Marshall's custody and transferred into DHS supervision.

For cases with TVPRA concerns, the FFS should be notified and consulted on how to best move ahead with a parent reunification/repatriation in regard to requesting a Child Advocate, notifying DHS FOJC of concerns that may hold up a repatriation, or requesting a home study in country of origin through Child Advocates.

2. Screening of Adult in Detention using the Sponsor Assessment
3. Proof of Relationship
4. Confirmation of Background Check through the Detention Officer, DHS FOJC, or with FFS assistance
5. For parents released from detention on their Own Recognizance we need to comply with our background check requirements per ORR's current policy and procedures manual.

IV. Legal Service Expectations Remain in Tact

1. All children should receive a Know Your Rights presentation and legal screening between 7-10 business days.
2. If the child has an attorney of record and the child wishes to return home with the parent, the legal service provider should be informed of this.

V. Release of a Child Separated from a Parent at the time of DHS Apprehension to the Parent in DHS Custody and not released in the U.S.

1. The case manager enters the following information into the Release Request section of the UAC Portal:
 1. Information the shelter gathers in regards to section II-IV above. This is to include information as to the proof of relationship.
 2. Assessment of the child that does or does not discover indication of safety concerns safety for the child²
 3. Assessment of the detained parent\adult that does or does not discover indication of safety concerns of the parent\adult towards the child.
 4. Information provided about the parent's background check and any criminal records.
 5. Any information DHS has provided or statements to the case manager by the parent indicating the parent's desire to be returned to their home country with his or her child.
 6. Any conditions that might lead the shelter staff to believe that a TVPRA home study would be required.
 7. DHS agreement that the UAC's NTA will be canceled or terminated prior to repatriation.
 8. "legal status" should be marked as "without status"
 9. Case Manager enters the care provider program's release recommendation.

² Refer to ORR Policy and Procedures for Safe and Timely Release and entry of screening information in the ORR UAC Portal.

2. The Case Manager directly notifies the FFS and copies the CFS via email requesting a final ORR release decision for a UAC to a parent requesting removal with his or her child.³
Subject Line: Release Request UAC Parent Repatriation Case - last 4 digits of A# and Program Name
3. The FFS reviews the information in the Release Request section of the Portal and provides his or her decision for the child to be transferred back into DHS custody so that DHS can reunify the child with his or her parent as requested by the parent.

VI. Once the FFS approves the release then he or she will notify the program and the LOCAL FOJC assigned to the care provider program that the UAC can now be released\transferred to DHS for reunification with the UAC parent.

If there are any safety concerns, the FFS requests clarification and elevates to the FFS Supervisor if the case would need further assessment or a denial is considered by the FFS.

1. The Case Manager completes the Discharge Notification Form in the Portal.
 Select "Other" in the section for Type of Discharge
 In the space titled, "**Specify, if Other is Selected**" the Case Manager types "**NTA Canceled by DHS.**"
2. Should a UAC need to be transferred from a shelter in a different city in order to complete transfer of custody to DHS\parent then the FFS should be notified. The FFS will determine how to coordinate the transfer of the UAC to DHS\parent.⁴
3. The Care Provider Program communicates with the FOJC to coordinate release efforts:
 1. DHS may request documents so they can request travel documents from the consulate.
 2. Assistance from the Care Provider program to transport the UAC to a location for repatriation or transfer custody to DHS for repatriation (e.g. DHS Office or Airport).
 3. Confirm date and times of flight or discharge from the Care Provider Program

⁴ For purposes of reunification, ORR does not release children to another form of detention. Should this issue become a concern for a case then the FFS and or FFS Supervisor should be notified.

Department of Health and Human Services Records Pertaining to HHS Personnel Raising Sense of Urgency in Reunification Efforts and Elevating Critical Cases

December 17, 2018

From: Sualog, Jallyn (ACF)
Sent: 11 Jul 2018 17:56:24 +0000
To: Volovar, Jill (ACF);Gonzalez, Jose (ACF);Velazquez, Ivonne (ACF)
Cc: De LA Cruz, James (ACF);Belay, Olympia (ACF) (CTR)
(Olympia.Belay@acf.hhs.gov)
Subject: Separations (5-17)
Importance: High

Any of the separations in care have red flags? Doubts on parentage? Please have your staff check with programs and let us know ASAP.

Jallyn N. Sualog

Deputy Director for Children's Programs
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street SW
Washington, DC 20201
Jallyn.Sualog@acf.hhs.gov
O: (202) 401-4997
C: (202) (b)(6)

From: Fields, Marivic (Maria) (ACF)
Sent: 11 Oct 2018 12:42:57 +0000
To: ORR DUCO - Federal Field Specialists
Cc: Sualog, Jallyn (ACF)
Subject: UAC Separations

ALCON,

I am sending this email to remind everyone that if you have any separation cases that fall within the Ms. L/MMM class, before you approve any releases, please elevate these cases to me so I can get clearance from OGC. These releases include those with LODs signed by the parent who are either in ICE custody or have been deported.

If you are unsure, it's best to always ask. Please let me know if you have questions. Thank you.


v/r

Marivic Fields, LMSW, BCD
CAPT, United States Public Health Service
Senior Advisor for Child Well-being and Safety
Unaccompanied Alien Children Program
Administration for Children and Families
(202) 795-7566 (office)
(202) (b)(6) (cell)
maria.fields@acf.hhs.gov

From: De LA Cruz, James (ACF)
Sent: 6 Sep 2018 22:31:35 +0000
To: ORR DUCO - Federal Field Specialists
Cc: ORR DUCO - Contractor Field Specialists;Fields, Marivic (Maria) (ACF);Swartz, Tricia (ACF)
Subject: UAC that can be released with a LOD
Attachments: 107 Cleared to Reunify with LOD Checklist_6Sep2018_v1.xlsx

Hello FFS,

Please see the attached spreadsheet. These 107 UAC have been cleared to be released to a sponsor per the separated parent. You should proceed to reunify using ORR's standard family reunification process. Reunification should commence ASAP.

Thank you! 

From: De LA Cruz, James (ACF)
Sent: 28 Jun 2018 15:59:20 +0000
To: Biswas, Toby R M (ACF);Bena, Anna Marie (HHS/OGC) (ACF)
Cc: Sualog, Jallyn (ACF);Lloyd, Scott (ACF);Volovar, Jill (ACF)
Subject: Re: ORR Mission Objective Update - Deadline July 2, 2018

Thx

On: 28 June 2018 11:46, "Biswas, Toby R M (ACF)" <Toby.Biswas@ACF.hhs.gov> wrote:
See text in red.

Toby R. M. Biswas, ESQ.
Unaccompanied Alien Children Policy Supervisor

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement
Office of the Director – Division of Policy and Procedures

(202) 205-4440 (O)
(301) (b)(6) (C)
(202) 401-1022 (F)

From: De LA Cruz, James (ACF)
Sent: Thursday, June 28, 2018 11:35 AM
To: Bena, Anna Marie (HHS/OGC) (ACF) <Annamarie.Bena@HHS.GOV>; Biswas, Toby R M (ACF) <Toby.Biswas@ACF.hhs.gov>
Cc: Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Lloyd, Scott (ACF) <Scott.Lloyd@acf.hhs.gov>; Volovar, Jill (ACF) <Jill.Volovar@ACF.hhs.gov>
Subject: Fwd: ORR Mission Objective Update - Deadline July 2, 2018

Hi Anna Marie and Toby.

Please see the questions below. Cayuga has a large number of separated UAC. As the prepare to comply with our current mission to reconnect and reunify children they sent some questions, which once clarified, will help us.

Rather than send these directly to the SOC I prefer to provide visibility of these questions to you. Please provide guidance and or let me know that these questions will be elevated before the field receives guidance.

Jsd

From: "Sara Fabian" <sara.fabian@cayugacenters.org>

Subject: Re: ORR Mission Objective Update - Deadline July 2, 2018

Date: 28 June 2018 10:19

To: "De LA Cruz, James (ACF)" <James.DeLACruz@acf.hhs.gov>, "(b)(6)"
<(b)(6)@cayugacenters.org>, "(b)(6)"
<(b)(6)@cayugacenters.org>, "(b)(6)"
<(b)(6)@cayugacenters.org>, "Samayoa-Brown, Monica (ACF) (CTR)"
<Monica.Samayoa-Brown@acf.hhs.gov>, "(b)(6)@cayugacenters.org"
<(b)(6)@cayugacenters.org>

Looping in Edward Hayes.

Sent from my iPhone

On Jun 28, 2018, at 9:29 AM, Sara Fabian <sara.fabian@cayugacenters.org> wrote:

Jim,

As you per our conversation this morning these are our question. Please give guidance.

1. Are we including all separation at the border? Or only the "Zero Tolerance". All separations.
2. What do we do if the parent has already been Deported back to COO? Many minors have started the VD process or even sponsorship. Facilitate parental-child contact. Continue VD or sponsorship process through standard process.
3. Do we still include those that are in the Marshall custody? Yes, unless there is a safety/trafficking concern identified with the parent. Those in USMS custody are likely to be released soon, if only in Marshall's custody for unlawful entry issues.
4. Do we continue with sponsorship if there is one (1) parent detained and the other wants to sponsor? Yes, pursue both parent and other sponsors simultaneously- this is an example of concurrent planning.
5. Do we still place the minor on the list if the parent is contacted at the detention center and states that she/he wants the minor to reunify with the potential sponsor? I assume this refers to another potential sponsor who is not the parent in detention. If so, yes the child should be on the list because they are still a separated child. If the sponsorship falls through or the detained parent otherwise changes their mind we could have a problem on our hands. These cases require concurrent planning in the event the sponsorship falls through. We don't want to be playing catch up. This is an example of concurrent planning.

On Thu, Jun 28, 2018 at 1:54 AM, De LA Cruz, James (ACF)
<James.DeLACruz@acf.hhs.gov> wrote:

Dear Case Managers and Clinician,

Please find this message as an update to current events related to children separated from their detained parents.

Please allow me to share that our current primary task is to reconnect every separated child in our network of care to his or her detained parent by the close of business 5:00 PM EST, July 2, 2018.

As many of you know, ORR is currently tasked with reuniting separated children with their parents. During the past weekend some of you worked with ORR staff to focus/prioritize your case management efforts towards reconnecting separated UAC with their detained parents. Since that time we asked some of you to begin tracking information to capture past and present efforts to connect children with his or her parent(s).

The HHS Secretary's Office has identified an improved way to track our efforts to reconnect families. The HHS Secretary's office is designing a database that will eliminate the need to track information on spreadsheets. To prepare for the new tracking system we need your help to prepare to respond in two separate phases.

Phase I

Phase 1 is for your program is to prepare to implement a new database. Preparation will include for you to:

1. Have an organized list of children separated from his or her parent.
 - a. The list should include the child's name
 - b. The child's A number
 - c. Identify the location of the child's parent that is in detention
 - d. Have the list of detention centers and contact numbers necessary to connect with a parent in detention. (You can obtain this from your FFS and FFS Supervisor)
2. You should know how many cases you need to complete by Monday and work with your staff to develop an operational plan that will help you reach our mission objective by July 2. This might include assigning staff to work on the weekend and overtime.
3. Contact with a parent should last for at least 10 minutes per call and include parent to child conversation via phone, skype, or other medium for conversation.
4. Keep a log of all current efforts to connect children to families so that your program can upload child to parent conversations as soon as the database is available.

***Please do not wait for the database to go live to initiate contact with parents! Contact should have already been initiated and should continue. ***

Phase II

Phase II is to input all contact data into the database. The current plan is to allow all case managers or clinicians to have access for data entry. We should anticipate that this may not be possible and should, therefore, have a contingency plan. Our contingency plan is to ask that you identify two principal staff who can coordinate calls and input data into the database. Due to the short time span to meet our current mission to reconnect children and parents those staff will likely need to work overtime and during the weekend.

By Thursday, June 28, 12:00 Noon EST, send the names and contact information for the two designated staff for your program. Send their information to SeparatedFamilyLocator@acf.hhs.gov.

The subject line of the email should be title: **Family Reunite Project Contact Staff**.

Thank you all for your hard work and assistance in meeting our mission objective! If you have any questions please reach out to your local FFS.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
Washington, DC 20201
Office: 202-690-8477
Cell: 202-(b)(6)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

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Sara Fabian
Director of Case Management
Cayuga Centers
Office: 646-760-9100 x1954
Cell Phone: 646-(b)(6)
Fax: 646-590-7957
www.cayugacenters.org

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Please allow me to share that our current primary task is to reconnect every separated child in our network of care to his or her detained parent by the close of business 5:00 PM EST, July 2, 2018.

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 - a. The list should include the child's name
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 - d. Have the list of detention centers and contact numbers necessary to connect with a parent in detention. (You can obtain this from your FFS and FFS Supervisor)
2. You should know how many cases you need to complete by Monday and work with your staff to develop an operational plan that will help you reach our mission objective by July 2. This might include assigning staff to work on the weekend and overtime.
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4. Keep a log of all current efforts to connect children to families so that your program can upload child to parent conversations as soon as the database is available.

*****Please do not wait for the database to go live to initiate contact with parents! Contact should have already been initiated and should continue. *****

Phase II

Phase II is to input all contact data into the database. The current plan is to allow all case managers or clinicians to have access for data entry. We should anticipate that this may not be possible and should, therefore, have a contingency plan. Our contingency plan is to ask that you identify two principal staff who can coordinate calls and input data into the database. Due to the short time span to meet our current mission to reconnect children and parents those staff will likely need to work overtime and during the weekend.

By Thursday, June 28, 12:00 Noon EST, send the names and contact information for the two designated staff for your program. Send their information to SeparatedFamilyLocater@acf.hhs.gov.

The subject line of the email should be title: **Family Reunite Project Contact Staff.**

Thank you all for your hard work and assistance in meeting our mission objective! If you have any questions please reach out to your local FFS.

James S. De La Cruz
DHHS/ACF/ORR/DCS

Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
330 C Street SW
Washington, DC 20201
Office: 202-690-8477
Cell (b)(6)
Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

Department of Health and Human Services Records Pertaining to Policy of Reporting Family Separations to Office for Civil Rights and Civil Liberties

December 17, 2018

From: De LA Cruz, James (ACF)
Sent: 8 Jun 2018 02:16:54 +0000
To: Lopez, Anna Lee (ACF);Gonzalez, Jose (ACF)
Cc: Cabrera, Elizabeth (ACF) (CTR);Barrera, Servando (ACF);Cantu, Kristopher (ACF);Lowe, Amaeda (ACF);Bellevue Ed.D., Elsie (ACF);Yanez-Cavazos, Nora (ACF);Curry, Thomas (ACF);Shaw, Katrina (ACF);Martinez, Rebecca (ACF) (CTR);Alvarez, Cecilia (ACF) (CTR);Suh, Victor (HHS/OGC) (ACF) (CTR)
Subject: RE: SIR Related Guidance for UAC Separated from a Parent
Attachments: ORR Operations Guide - Section 5 - Version 2 (09.12.16) - Family Separat....pdf



Hello all,

Per Victor's guidance (copied):

"As discussed, yes, our policy is still to report all family separations to CRCL. But we no longer report these to DHS/OIG (meaning the attached guidance in the procedures is outdated)."

So yes all SIRs need to be written and reported to CRCL.

FFS please be very certain that shelters copy the CFS on these SIRS and SIRS that indicate the UAC is not really separated.

CFS it is very important that you update the tracker as soon as you receive an SIR indicating that the UAC was not actually separated from a parent or legal guardian by DHS. We are reporting out to both Senior Management when these cases arise. I noticed that the tracker has not been updated last week. Please update your cases by COB as Monday we need to report out. Once you open the tracker it takes only seconds to check off the correct update.

Thank you.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
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Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: Lopez, Anna Lee (ACF)
Sent: Tuesday, June 05, 2018 10:14 AM

To: De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>; Gonzalez, Jose (ACF) <Jose.Gonzalez@ACF.hhs.gov>
Cc: Cabrera, Elizabeth (ACF) (CTR) <Elizabeth.Cabrera@acf.hhs.gov>; Barrera, Servando (ACF) <Servando.Barrera@acf.hhs.gov>; Cantu, Kristopher (ACF) <Kristopher.Cantu@acf.hhs.gov>; Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; Bellevue Ed.D., Elsie (ACF) <Elsie.Bellevue@acf.hhs.gov>; Yanez-Cavazos, Nora (ACF) <Nora.Yanez-Cavazos@acf.hhs.gov>; Curry, Thomas (ACF) <Thomas.Curry@ACF.hhs.gov>; Shaw, Katrina (ACF) <Katrina.Shaw@acf.hhs.gov>; Martinez, Rebecca (ACF) (CTR) <Rebecca.Morales@acf.hhs.gov>; Alvarez, Cecilia (ACF) (CTR) <Cecilia.Alvarez@acf.hhs.gov>
Subject: RE: SIR Related Guidance for UAC Separated from a Parent

Good morning Jim and Jose,

Previously, although the ORR procedure designated only required reporting via SIR for separations that were not already documented in the UAC Portal, the care providers in *our area of South Texas* were instructed to report all parent separations via an SIR (even if the separation was already noted on the Intakes Tab). The purpose of reporting all was explained that this was the only way an FFS could report the event forward to DHS CRCL (and at the time, the only way the FFS Supervisor could track the separations as the POC for the DHS Parental Interest group).

May you please clarify if care providers are only required to generate an SIR if the Intakes Tab entered by DHS on UAC Portal does not indicate a separation, and the program later becomes aware of the separation? Or should care providers continue to report all separations via SIR?

Thanks,
Anna Lee Lopez
Federal Field Specialist
U.S. Department of Health and Human Services
Administration for Children and Families
Office of Refugee Resettlement/Division of Unaccompanied Children's Operations
Anna.Lopez@acf.hhs.gov
(202) 570-5751

From: De LA Cruz, James (ACF)
Sent: Monday, June 04, 2018 9:58 PM
To: ORR DUCO - Federal Field Specialists; ORR DUCO - Contractor Field Specialists
Subject: RE: SIR Related Guidance for UAC Separated from a Parent

CFS and FFS,

Below in highlights are instructions for how to complete tasks associated for items 1 and 2.

Care provider staff, as many of you are aware, we are currently receiving an increased volume of UAC minors separated from a parent. Please find guidance to address two specific areas of SIRS for these cases.

1. If you become aware of a UAC separated from his or her parent and the separation was not previously reported by DHS to ORR, the care provider should write an SIR and route this according to ORR Procedures. **CFS** – create a new case on the tracker. Before actually adding the case to the tracker make sure that you do not create a duplicate as the separation may have already triggered a case creation in SharePoint. (The section you should complete in SharePoint is the section previously completed by Intakes.) Make sure you enter the proper notation to show that notification for the separation came from the program. This is the column labeled, “ Source Identifying Separation.”

2. When you discover that a UAC separated from a parent IS NOT actually separated from a parent, after having stated this to DHS, an SIR stating the facts and circumstances should be written and elevated.

FFS – Make sure to report the case to DHS by sending a copy to : JFRMU@ice.dhs.gov Copy the assigned CFS as well.

CFS – Make sure to update the tacker to show that Non-Relationship was confirmed. In Share Point this is the column “Method of Confirmation.” In this column select, “Not a Parent Confirmed.”

Please note that this data is now being captured and reported out to ORR Senior Management other external parties. Accuracy is very important

Thank you.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children’s Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
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Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

From: De LA Cruz, James (ACF)
Sent: Monday, June 04, 2018 10:43 PM
To: ORR DUCO - Federal Field Specialists <DUCSFederalFieldSpecialists@acf.hhs.gov>; ORR DUCO - Contractor Field Specialists <DCSUACContractorsFieldSpecialists@acf.hhs.gov>
Subject: SIR Related Guidance for UAC Separated from a Parent

Hello FFS and CFS,

Please forward this email message to your providers.

Care provider staff, as many of you are aware, we are currently receiving an increased volume of UAC minors separated from a parent. Please find guidance to address two specific areas of SIRS for these cases.

1. If you become aware of a UAC separated from his or her parent and the separation was not previously reported by DHS to ORR, the care provider should write an SIR and route this according to ORR Procedures.
2. When you discover that a UAC separated from a parent IS NOT actually separated from a parent, after having stated this to DHS, an SIR stating the facts and circumstances should be written and elevated.

For all such SIRS it is extremely important that you copy both your FFS and CFS to the email when notifying parties per ORR SIR reporting procedures.

Thank you.

James S. De La Cruz
DHHS/ACF/ORR/DCS
Senior Federal Field Specialist Supervisor
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building, 5th Floor (Room: 5223)
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Office: 202-690-8477
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Fax: 202-401-1022
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

- 9) If an investigation is opened for the reported allegation, FFS will notify the FFS Supervisor, Project Officer and CFS.
- 10) If an investigation is opened for the reported allegation, then the FFS Supervisor, FFS and CFS cooperate fully during the investigative process (e.g., providing any information or documentation requested by investigative agency).
- 11) For Human Trafficking Allegations—follows up with ICEHumantrafficking.helpdesk@ice.dhs.gov within ten (10) business days to determine if the reported allegation will be investigated further.
- 12) If the allegation involves care provider staff:
 - Follows up with local USICE HSI agent within ten (10) business days to determine if the reported 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 USICE HSI.
 - Provide the care provider technical assistance.
 - If applicable, issues corrective action findings and requires the care provider to take appropriate action. → [ORR Policy Guide, Section 5.5.2 Follow Up and Corrective Actions](#)
 - Program should submit/have internal disciplinary protocols to address Fraud Scheme involving care provider staff.

5.8.4 Reporting Allegations that Occurred in DHS Custody

→ [ORR Policy Guide, Section 5.8.4 Allegations of Abuse that Occurred in DHS Custody](#)

Checking for Potential Allegations of Abuse that Occurred in the Department of Homeland Security (DHS) Custody

The Department of Homeland Security **Office of Inspector General (DHS OIG) Hotline** is a resource for Federal employees and the public to report allegations of employee corruption, civil rights and civil liberties abuses, program fraud and financial crimes, and miscellaneous criminal and non-criminal activity associated with waste, abuse or fraud affecting the programs and operations of DHS.

The DHS **Office for Civil Rights and Civil Liberties (CRCL)**'s Compliance Branch investigates and resolves civil right and civil liberties complaints regarding DHS policies and activities. CRCL works in coordination with the entirety of DHS to address civil rights and civil liberties concerns, including the DHS OIG.

Types of allegations that should be reported to DHS OIG for investigation:

- **Conditions of Detention:** Includes, but not limited to, not receiving food, drink, access to sanitary items (e.g. diapers, feminine hygiene products) or access to bathroom or medication; discarding personal items (e.g. birth certificate, money, medication); overcrowded hold room cells; or unsanitary hold room cell.

- **Disability Accommodation (Section 504 of the Rehabilitation Act):** Includes, but not limited to, not providing appropriate assistance for a UC with a hearing impairment or not providing assistance for a UC with a mobility impairment during transportation.
- **Excessive Force or Inappropriate Use of Force:** Includes, but not limited to, inappropriate use of taser or baton; use of weapon; inappropriate shackling/handcuffs; inappropriate physical abuse. Particularly after the subject has been apprehended or subdued or when medical attention was needed after the use of force incident.
- **Fourth Amendment (Search and Seizure):** Includes, but not limited to, confiscation of identity documents and property that is then not returned.
- **Intimidation/Threat/Improper Coercion:** Includes, but not limited to, threatening to deport the UC, if he/she does not admit to being an adult.
- **Legal Access/Due Process:** Includes, but not limited to, when the UC states that while in DHS custody they claimed credible fear of returning to home country, or that they are a human trafficking victim, but the information was not documented or communicated in the initial placement request. Also, includes denial of phone call, the UC was in DHS custody over 72 hours, or improper age determination.
- **Separation from a sibling or parent/legal guardian,** but the information was not documented or communicated in the initial placement request.
- **Medical/Mental Health care:** Includes, but not limited to, incidents of not receiving medical attention for an injury or upon request.
- **Violation of Privacy:** Includes, but not limited to, UC's medical privacy was violated or the UC was strip searched by or in front of an officer of the opposite gender.
- **Religious Accommodation:** Includes, but not limited to, not providing reasonable accommodation for religious dietary restrictions.
- **Retaliation:** Includes, but not limited to, punishment by being forced to clean toilets or retaliation as a results of reporting an allegation against a DHS employee.
- **Reporting Sexual Assault/Abuse allegations that occurred in DHS custody**

NOTE: Allegations of sexual abuse/assault that occurred in DHS custody must be reported to DHS OIG, DHS CRCL, CBP and ICE ERO.

Page 81 of 84

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 82 of 84

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 83 of 84

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 84 of 84

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Department of Homeland Security Records Pertaining to Complaints Regarding Family Separation in 2016

October 31, 2019



Family Separation FOIA Response from HHS

Key Documents: CRCL Complaints Regarding Family Separation in 2016

The following documents were received by the American Immigration Council, National Immigrant Justice Center, Kids in Need of Defense, Women's Refugee Commission, and Florence Immigrant and Refugee Rights Project as a result of [litigation](#) demanding a response to a Freedom of Information Act [request](#) filed in April 2018 with the Department of Homeland Security (DHS).

This FOIA production includes a series of complaints filed with the Office for Civil Rights and Civil Liberties (CRCL) following the creation of Significant Incident Reports (SIRs) by Department of Health and Human Services (HHS) officials to report on occurrences of family separation in 2016.

The complaints describe instances of children being separated at the border from parents and other relatives, including:

- [A minor separated from her father due to father's "criminal history." SIR documenting separation completed on December 9, 2016.](#)
- [A minor separated from his older sister in El Paso, Texas on Dec. 8, 2016. The minor was placed in The Children's Village Shelter in New York and the sister was detained.](#)
- [A minor separated from his maternal aunt and maternal cousin in El Paso, Texas on Dec. 8, 2016. The minor was placed in The Children's Village Shelter in New York.](#)
- [A three-year-old minor separated from her father at an unknown date and transferred to Mercy First in New York on December 23, 2016.](#)

From: [Hotline](#)
To: [JOINT INTAKE](#)
Cc: [CBCL Compliance](#)
Subject: C17-CBP-RGV-02558
Date: Tuesday, November 1, 2016 3:40:00 PM
Attachments: [C17-CBP-RGV-02558.pdf](#)
[Report of UC Allegation Significant Incident \(Event 77486\).msg](#)
[image001.png](#)

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The attached information is furnished for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: [Hotline](#)
To: [JOINT INTAKE](#)
Cc: [CBCL Compliance](#)
Subject: C17-CBP-RGV-02565
Date: Wednesday, November 2, 2016 10:27:49 AM
Attachments: [C17-CBP-RGV-02565.pdf](#)
[Report of UC Allegation - Event 7832.msg](#)
[image001.png](#)

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From: CRCL
To: CRCLCompliance
Cc: CRCL
Subject: FW: Report of Significant Incident Event 84755
Date: Wednesday, December 14, 2016 11:19:31 AM
Attachments: (b)(6)

For review. RK

From: (b)(6)
Sent: Tuesday, December 13, 2016 12:00 PM
To: CRCL (b)(6)
Cc: (b)(6)

(b)(6)

Subject: FW: Report of Significant Incident Event 84755

Good Afternoon,

Please see below for notification regarding a UC that reports being separated from her father at the border. Please see attachment for your review, which has her full name and age.

Thank you,

(b)(6)
UAC Program, Lead Case Manager
Catholic Guardian Services

(b)(6)

Providing Help, Creating Hope, Preserving Dignity.
To learn more about CGS, log onto our website at www.catholicguardian.org

From: (b)(6)
Sent: Friday, December 09, 2016 3:30 PM
To: (b)(6)
(b)(6)
Cc: UAC; (b)(6)
Subject: Report of Significant Incident Event 84755

Good Afternoon,

An SIR was completed on 12/09/2016 for the below mentioned UC and it has been uploaded into the portal.

UC: (b)(6)

(b)(6)

Program Name: Catholic Guardian Services

Summary: Family Separation-UC and father

UC traveled with father (b)(6) Father requested asylum for him and his daughter. Due to fathers criminal history minor was processed as a UAC. Father was processed as an ER/CF and transported to PIDC. Minor confirmed that she was separated from her father. Minor was living with biological mother and father in home country.

Please see attached SIR for further details.

Reported by: Lead Case Manager

Thank You,

(b)(6) MSW
UAC Program, Lead Case Manager
Catholic Guardian Services

(b)(6)

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From: (b)(6)
To: CRCLCompliance
Cc: (b)(6)
Subject: Family Separation- UC (b)(6)
Date: Wednesday, December 14, 2016 5:29:25 PM

Good day,

The following minor was separated from his older sister at the border on 12/8/2016.

- UC's full name, Alien number and DOB: (b)(6)
(b)(6)
- Where UC is currently placed/shelter's name: The Children's Village Shelter- Lord Cottage
- Date of arrival/separation from relative 12/8/2016
- Where/border it occurred (i.e. Rio Grande Valley, Brownsville, Nogales) El Paso, Texas
- What happened to the relative (i.e. detained, release on own recognizance)- UC's sister was detained.
- Relative's full name and the relationship (i.e. parent, uncle, aunt, grandparent)- (b)(6)
(b)(6)
- Any other relevant information you consider necessary- UC's sister contacted minor's maternal aunt on 12/10/16 to advise that she was well.

(b)(6)

Case Manager
Division of Immigration Services/TRAC
The Children's Village
1 Echo Hills
Dobbs Ferry, NY 10522

(b)(6)

From: (b)(6)
To: CRGLCompliance
Cc: (b)(6)
Subject: Family Separation- UC (b)(6)
Date: Wednesday, December 14, 2016 5:29:40 PM

Good day,

The following minor was separated from his maternal aunt and maternal cousin at the border on 12/8/2016.

- UC's full name, Alien number and DOB: (b)(6)
- Where UC is currently placed/shelter's name: The Children's Village Shelter- Lord Cottage
- Date of arrival/separation from relative: 12/8/2016
- Where/border it occurred (i.e. Rio Grande Valley, Brownsville, Nogales) El Paso, Texas
- What happened to the relative (i.e. detained, release on own recognizance)- UC's maternal aunt and her son(UC's cousin) were separated from the minor.
- Relative's full name and the relationship (i.e. parent, uncle, aunt, grandparent)-
Maternal aunt- (b)(6) Maternal Cousin: (b)(6)
(b)(6)
- Any other relevant information you consider necessary- n/a

(b)(6)

Case Manager
Division of Immigration Services/TRAC
The Children's Village
1 Echo Hills
Dobbs Ferry, NY 10522

(b)(6)

From: [Hotline](#)
To: [JOINT INTAKE](#)
Cc: [CBCL Compliance](#)
Subject: C17-CBP-DO-05891
Date: Thursday, December 15, 2016 1:01:48 PM
Attachments: [Report of UC Allegation Event 79983.msg](#)
[C17-CBP-DO-05891.pdf](#)
[image001.png](#)

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From: [Hotline](#)
To: [CRCLCompliance](#)
Subject: C17-CBP-DO-05896
Date: Thursday, December 15, 2016 1:19:08 PM
Attachments: [Report of UC Allegation - Event 78496 SEPERATION.msg](#)
[C17-CBP-DO-05896.pdf](#)
[image001.png](#)

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From: [Hotline](#)
To: [CRCLCompliance](#)
Subject: C17-ICE-DO-05899
Date: Thursday, December 15, 2016 1:24:51 PM
Attachments: [Report of UC Allegation Event - 78914 SEPERATION.msg](#)
[C17-ICE-DO-05899.pdf](#)
[image001.png](#)

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From: (b)(6)
To: CRGLCompliance
Cc: (b)(6)
Subject: Report of Family Separation, (b)(6)
Date: Friday, December 23, 2016 2:52:01 PM
Attachments: [image001.png](#)

Good Afternoon,

- (b)(6)
- Mercy First, New York
- Minor arrived to Mercy First on 12/23/16. Date of separation is unknown as father has not been able to contact minor or family.
- Border where this occurred is unknown at this time.
- Minor's mother reported that minor traveled from COO with his father and they were separated upon being apprehended.
- (b)(6) Father
- SIR was submitted for separation.

Please note, minor is 3 years old and unable to speak spanish. Information was obtained from minor's mother

Thank you,

(b)(6)

Caseworker
START with Hope
MercyFirst

(b)(6)



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From: [Hotline](#)
To: [JOINT INTAKE](#)
Cc: [CBCL Compliance](#)
Subject: C17-CBP-SND-05885
Date: Tuesday, December 20, 2016 9:55:27 AM
Attachments: [C17-CBP-SND-05885.pdf](#)
[Report of Incident in DHS Custody Event 146557.msg](#)
[image001.png](#)

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