

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FATMA MAROUF, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of the United States Department
of Health and Human Services, *et al.*,

Defendants.

Case No. 18-cv-378 (APM)

FEDERAL DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants United States Department of Health and Human Services (“HHS”); Administration for Children and Families (“ACF”); Office of Refugee Resettlement (“ORR”); Xavier Becerra, in his official capacity as Secretary of HHS; January Contreras, in her official capacity as Assistant Secretary for ACF; and Andrea Chapman, in her official capacity as Acting Director of ORR (collectively the “Federal Defendants”), hereby move for summary judgment pursuant to Fed. R. Civ. P. 56. For the reasons set forth in the Government’s Statement of Points and Authorities filed this day, Federal Defendants are entitled to summary judgment in their favor.

Dated: July 27, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

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/s/ James Powers
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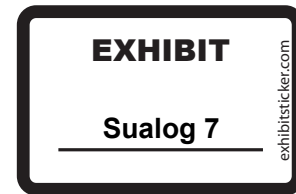
**[PROPOSED] ORDER GRANTING FEDERAL DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Upon consideration of Federal Defendants' Motion for Summary Judgment, the Plaintiffs' opposition thereto, and the entire record before the Court, and for the reasons set forth in Federal Defendants' Statement of Points and Authorities, it is hereby **ORDERED** that the Motion is **GRANTED**. And it is further **ORDERED** that Judgment be entered in favor of Federal Defendants and Plaintiffs take nothing on their claims.

SO ORDERED.

AMIT P. MEHTA
United States District Judge
District of Columbia

Exhibit A



Administration for Children and Families

Office of Refugee Resettlement

Standing Announcement for Residential (Long Term Foster Care) Services for Unaccompanied Children

HHS-2017-ACF-ORR-ZU-1135

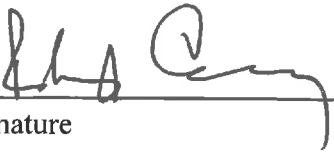
Application Due Date: 08/01/2016

Due Date for Applications:

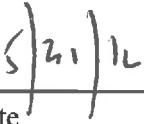
- FY 2016: 08/01/16
- FY 2017: 06/16/17
- FY 2018: 06/15/18

No applications will be accepted in between the open application periods.

Handwritten signature: Lisa C. [unclear] 5/31/16



Signature



Date

Standing Announcement for Residential (Long Term Foster Care) Services for Unaccompanied
Children

HHS-2017-ACF-ORR-ZU-1135

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**Department of Health & Human Services
Administration for Children and Families**

Program Office: Office of Refugee Resettlement
Funding Opportunity Title: Standing Announcement for Residential (Long Term Foster Care) Services for Unaccompanied Children
Announcement Type: Initial
Funding Opportunity Number: HHS-2017-ACF-ORR-ZU-1135
Primary CFDA Number: 93.676
Due Date for Applications: 08/01/2016

Due Date for Applications:

- FY 2016: 08/01/16
- FY 2017: 06/16/17
- FY 2018: 06/15/18

No applications will be accepted in between the open application periods.

Executive Summary

Notice:

- **Applicants are strongly encouraged to read the entire funding opportunity announcement (FOA) carefully and observe the application formatting requirements listed in *Section IV.2. Content and Form of Application Submission*. For more information on applying for grants, please visit "How to Apply for a Grant" on the ACF Grants Page at <http://www.acf.hhs.gov/grants/howto>.**

The Office of Refugee Resettlement/Division of Children's Services (ORR/DCS), within the Administration for Children and Families (ACF), provides temporary shelter care and other child welfare-related services to unaccompanied children (UC) in ORR custody. Residential care services begin once ORR accepts a UC for placement and ends when the UC is released from ORR custody, turns 18 years of age or the UC's immigration case results in a final disposition of removal from the United States. Residential care and other child welfare-related services are provided by state-licensed residential care programs in the least restrictive setting appropriate for the UC's age and needs.

ORR is announcing this funding opportunity announcement (FOA) to seek long-term foster care providers. Long term foster care providers are required to be licensed in the state in which they are located to provide foster care services and are required to meet the needs of UC by

providing quality care in a community setting. UC who may qualify for placement in long-term foster care include UC between the ages of 0-17 years of age, sibling groups, pregnant/parenting teens and/or UC who are especially vulnerable or with other needs.

All entities, funded under this FOA, must also comply with the *Flores v. Reno*, Case No. CV 85-4544RJK (C.D. Cal. 1996) (the *Flores* settlement agreement), the Perez-Olano Settlement Agreement, Case No. CV05-3604 (C.D. Cal., Dec. 14, 2010), pertinent regulations, laws, and ORR policies, instructions, and procedures. ORR encourages applicants to review ORR's policies, instructions, and procedures <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied> as these will be critical to the overall program design.

I. Program Description

Statutory Authority

This program is governed by: Section 462 of the Homeland Security Act (HSA) of 2002, 6 U.S.C. § 279, which in March 2003, transferred responsibility for the care and custody of UC from the Commissioner of the former Immigration and Naturalization Service to the Director of ORR. In making decisions on placement and services provided to UC, the Director is governed by §462 of the HSA of 2002; section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457 (TVPPRA of 2008), as amended; relevant portions of the Prison Rape Elimination Act of 2003, Pub. L. No. 108-79 (PREA), as amended; and when it is not inconsistent with subsequent law, the *Flores* settlement agreement and the Perez-Olano Settlement Agreement, Case No. CV85-4544RJK (C. D. Cal. 1996) (Perez-Olano settlement agreement).

In December 2014, the Department of Health and Human Services (HHS) released an Interim Final Rule (IFR) on standards to prevent, detect, and respond to sexual abuse and sexual harassment involving UC. The IFR sets forth standards to prevent, detect, and respond to sexual abuse and sexual harassment in ORR care provider facilities that house UC in accordance with section 1101(c) of the Violence Against Women Reauthorization Act of 2013, Pub. L. 113-4 (VAWA 2013). The IFR does not apply to individual homes, such as the individual home of the long-term foster family with whom UC lives, but does apply to care providers and group homes. All long-term foster individual homes, group homes, and care providers must comply with relevant ORR policies and procedures related to sexual abuse and harassment

Description

BACKGROUND

The primary function of ORR/DCS is to provide temporary shelter care and other related services to UC in ORR custody.[1] The HSA of 2002 §462(g)(2) defines an unaccompanied alien child as a child who:

- (A) has no lawful immigration status in the United States;
- (B) has not attained 18 years of age; and
- (C) with respect to whom—

- (i) there is no parent or legal guardian in the United States; or
- (ii) no parent or legal guardian in the United States is available to provide care and physical custody.

Although the UC population generally consists of adolescents 12 to 17 years of age, with males representing a higher percentage of the overall population, ORR is seeking applicants who can provide services for a diverse population of UC of all ages and genders, as well as pregnant and parenting teens. UC come from all over the world, but most are from El Salvador, Honduras, Guatemala, and Mexico. Unless otherwise specified, successful applicants are expected to provide services for UC from any country.

UC are in the legal custody of the federal government throughout their stay in ORR care but are in the physical custody of the care provider. The majority of UC typically stay in ORR custody between 30-35 days, but a UC's length of care can vary. The size of the entire UC population in ORR custody will fluctuate depending on the number of UC the United States Department of Homeland Security refers to ORR for placement and the rate at which UC are discharged from ORR custody.

PROGRAM STRUCTURE

UC are referred to long term foster care (LTFC) following placement in a ORR/DCS care provider facility after efforts for the safe and timely release indicated no sponsor being willing or able to care for the UC. Generally, before placement into LTFC, the UC is interviewed by an immigration attorney and assessed for the basis of legal relief to remain in the United States. Once placed in LTFC, ORR continues to explore options for release. LTFC providers (care providers) meet the individual needs of UC aged from 0-17, sibling groups, pregnant/parenting teens, and/or UC who are especially vulnerable or with other special needs. Care providers must be licensed to provide foster care services by the relevant state or local agency or authority with jurisdiction where services will be rendered. In addition, care providers must have state-certified caregivers, referred to as a "foster parent" or "house parent" or an equivalent (as accepted by ORR). Care providers are responsible for recruiting, assessing, selecting, credentialing, training, monitoring, and retaining foster/house parents and foster care sites.

As community-based care, not all services are provided directly by the care provider. However, care providers remain responsible for ensuring that all required services, under the *Program Requirements* section in this FOA, are properly administered and documented. Care provider services include a continuum of services with a focus on basic care and providing placement in a home or home-like environment such as a group home. In a LTFC setting, care and stabilization of UC occurs in accordance with domestic child welfare guidelines administered through contracted provider programs specifically designed to meet the unique needs of UCs.

LTFC types vary depending on placement setting and level of care. Categories include: basic foster care, therapeutic foster care, basic group home (extended care), and/or therapeutic group home. Applicant can apply for one, multiple, or all levels of care under this FOA.

- Basic foster care: UC resides with an unrelated licensed foster parent(s) and requires only the minimal services required in a licensed foster care setting.

- **Therapeutic foster care:** UC resides with an unrelated licensed foster parent(s) but receives additional treatment services and/or supervision specific to the UC identified treatment needs. UC with significant emotional, behavioral, medical, and/or developmental needs receive structured treatment within a therapeutic foster care setting.
- **Basic group home:** UC resides in a group care living arrangement, with a designated house parent(s) and/or staff. This setting is used for those UC who do not wish to be placed in a family setting.
- **Therapeutic group home:** UC resides in a group care living arrangement with a designated house parent(s) and/or staff. This setting is used for those UC that have difficulties within a family setting and require therapeutic services/interventions due to significant emotional, behavioral, medical, and/or developmental needs. The UC receives additional treatment services and/or supervision specific to the UC identified treatment needs.

In addition to the placement settings mentioned above, care providers must have Respite Care/Homes available. Respite care is short term care of a UC by someone other than the primary foster parent(s). Respite care gives foster parent(s) and UC the chance to have short, regular periods of time apart in which they can rest and recharge. Respite care can also be offered in emergency situations, and it involves caring for a UC when a foster family must temporarily transfer the UC to a different home due to an emergency or other extenuating circumstances.

Care providers, not individual foster homes, must comply with the following ORR policies on sexual abuse and harassment:

- Maintaining and enforcing a zero tolerance policy for all forms of sexual abuse, sexual harassment, and inappropriate sexual behavior;
- Meeting personnel requirements including but not limited to background checks, training, and disciplinary sanctions and corrective actions;
- Meeting staffing and supervision requirements, including but not limited to staffing levels, staffing plans, and video monitoring restrictions;
- Providing responsive planning in the event there is an incident of sexual abuse or sexual harassment that occurs at the care provider facility;
- Providing a coordinated response in coordination with medical and mental health care practitioners community service providers, outside investigators, and care provider leadership immediately following an incident of sexual abuse or sexual harassment, as well as the follow-up necessary to ensure the safety of all UC and staff;
- Educating UC of policies and topics related to preventing, detecting, and responding to sexual abuse and harassment via an orientation, pamphlets, and bulletins board postings;
- Assessing all UC for risk of being a victim or a perpetrator of sexual abuse while in ORR care and custody in order to inform the UC's housing, education, recreation, and other service assignments;
- Providing medical and mental health care, including services following an incident of sexual abuse; and
- Reporting, providing notifications, and following up on sexual abuse, sexual harassment, and inappropriate sexual behavior occurring in ORR care, any retaliatory

actions resulting from reporting allegations, and staff neglect or violations of responsibilities that have contributed to incidents.

Unless waived by ORR, in addition to being state licensed, care providers must incorporate child welfare best practice standards and emphasize a child-centered approach while working with UC. Care providers must comply with all applicable state child welfare laws and regulations and all state and local building, fire, health, and safety codes.

Care providers' facility must be readily accessible to visitors, staff, and UC with disabilities and must comply with local, state and federal laws, codes, and regulations including the Americans with Disabilities Act (ADA).

Care providers are required to be located in areas easily accessible to immigration courts, pro bono legal services, national airports, and community mental health and medical services providers.

Care providers are required to have a security system to monitor the care provider facility from unauthorized entrance and egress, including the use of alarm systems and video monitoring. All security measures are required to be in compliance with state licensing standards and not pose a threat to the safety of UC. In the event a care provider provides services to UC at a central location, or location other than an individual foster care home, relevant security features, such as the use of video monitoring and storage are required.

Care providers must be familiar with the issue of human trafficking in order to provide appropriate services to UC who are victims of human trafficking, as well as to protect UC from potential threats of human trafficking. The Trafficking Victims Protection Act of 2008 (TVPA) defines human trafficking as: The recruitment, harboring, transportation, provision, or obtaining of a person for sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Any child (under the age of 18) engaged in commercial sex (including prostitution, pornography, stripping) is a victim of trafficking. For more information, click on link: <http://www.acf.hhs.gov/programs/orr/programs/anti-trafficking>.

UC Eligibility

A UC is a candidate for LTFC if he or she:[2]

- Is expected to have an extended stay of four months or more in ORR custody because he or she does not have a viable sponsor;
- A legal service provider has identified the UC as potentially eligible for various forms of immigration relief (unless waived by ORR); AND
- Is under the age of 17 and six months at the time of placement.

A UC who is ineligible for LTFC include:

- An UC with a moderate to high escape risk
- An UC with a history of significant criminal activity or violence who may pose a threat of harm to self, others (including the foster family), or community
- A UC who is seeking voluntary departure

ORR also considers a LTFC placement on a case-by-case basis for an UC who will have a longer stay due to other circumstances. ORR considers the following when making long term placement decisions:

- The UC's mental, emotional, behavioral, and physical health needs
- The UC's ability and commitment to live in a family and community-based setting
- The UC's age
- Availability of an appropriate placement that meets the individual's needs

However, a UC with past behavioral or safety concerns but who does not pose a threat to self, others (including the foster family) or the community may be considered for LTFC after demonstrating safe behavior in a non-secure setting.

LTFC Parent/House Parent Requirements

Care providers are required to follow the requirements of their state licensing agency; but at a minimum, all foster parents/house parents must:

- Be at least 21 years of age;
- Be able to obtain medical clearance from a health provider;
- Be able to meet family's current financial obligations;
- Reside in a home that passes health and fire inspection; and
- Obtain a background check clearance (including fingerprint background checks, child abuse and neglect checks, and other checks as required) in accordance with state law, including background checks of household members, the results of which must be available to ORR.

All foster parents identified to care for UC must meet the care provider's and state regulatory requirements and be actively licensed/certified to provide LTFC. Foster parents are required to attend, at a minimum, 30 hours of Model Approach to Partnership in Parenting (MAPP) Training or an equivalent foster parent training curriculum prior to being certified as a foster parent/house parent.

Care providers must recruit foster parents who are willing to foster UC males between the ages of 15-17 as they represent the majority of UC eligible for LTFC.

PROGRAM STAFFING REQUIREMENTS

Care providers are required to develop, implement, and document a staffing plan based on the population served, the scope and type of provided services, anticipated requirements, staff vacancies, and budgets. The staffing plan must include staffing ratios in accordance with state licensing requirements and as required by ORR's policies and procedures. Care provider facilities must be staffed with qualified professionals, bi-lingual professionals, paraprofessionals, and support staff to meet the diverse needs, level of care, supervision, safety, and well-being of UC. Care providers must also include a plan to staff sufficiently to cover a one-on-one safety plans, when necessary.

Care providers must supervise UC in accordance with state licensing requirements. However, staff-children ratios for group homes must be maintained at a minimum of:

- One on-duty staff for every eight UC during waking hours;
- One on-duty staff for every 16 UC during sleeping hours;
- One case manager for every eight UC; and
- One clinician for every 12 UC.

Care providers are subject to the provisions of the Service Contract Act, Code of Federal Regulations (CFR) Title 29 and must abide by applicable state wage determination guidelines in their programs. For additional information on the provisions of the Service Contract Act, please click here: <http://www.dol.gov/whd/govcontracts/sca.htm> and/or <http://www.wdol.gov/>.

Care providers must complete background investigations on all staff, contractors, and volunteers prior to hire to ensure the candidate is suitable for employment to work with minors in a residential setting. Background checks must be completed in accordance with ORR's policies and state licensing requirements. At a minimum, a background check must be updated every five years. For additional information on the specific types of checks that must be completed, please consult the ORR Policy Guide at section 4.3 Personnel <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied>.

All hired staff must (at the minimum):

- Be at least 21 years of age;
- Possess the relevant experience and/or qualifications to work with UC and/or children with special needs; and
- Be properly trained and licensed, as necessary.

Care providers' hiring and employment practices must abide by all standards outlined in the IFR on preventing, detecting, and responding to sexual abuse and sexual harassment standards apply to any care provider staff member, contractor or volunteer. For additional information on the standards outlined in the IFR, please click here: <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-4#4.3> and/or <http://www.regulations.gov/#!documentDetail;D=ACF-2015-0002-0001>.

Care providers must have job descriptions and selection criteria for all staff positions that state the qualifications, performance standards, and responsibilities for each position (each job description must include a section on Essential Functions as mandated by ADA).

Care providers are required to have a clear organizational structure that outlines lines of authority and supervision. Staffing plans must be in place that provide a sound relationship between the proposed responsibilities of lead program staff.

Care providers must obtain prior approval from ORR for the positions noted below. Exceptions to the minimum qualifications require ORR's explicit written approval prior to hire.

Program Director is responsible for the overall management of the programmatic, administrative, financial, and operational systems related to the provision of care and services; provision of regular and timely reports to ORR regarding operations, services, and finances; establishing a respectful and supportive workplace environment; and elevating any issues or concerns to ORR. At a minimum, Program Director must have a Master's degree in social

work or an equivalent degree in education, psychology, sociology, or other relevant behavioral science degree or bachelor's degree plus five years' experience in child welfare administration, child protective services, program management, or as director of a licensed child care program. The Program Director must possess the administrator's license for the care provider's facility, if applicable.

Assistant Program Director provides support to the Program Director and serves as secondary liaison with ORR. The need for an Assistant Program Director will vary depending on the number of UC served at care provider facility. At a minimum, the Assistant Program Director must have a Bachelor's degree in education, psychology, sociology or other relevant behavioral science plus five years of progressive employment experience with a social services or childcare agency or organization.

Lead Clinician coordinates clinical services, trains new clinicians, and supervises clinical staff. At a minimum, the Lead Clinician must have a Master's degree in social work with clinical experience or Master's degree in psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement or a bachelor's degree plus five years clinical employment experience. Lead Clinician must be licensed.

Clinician conducts mental health assessments and provides ongoing individual and group counseling services, screens for human trafficking concerns, and provides crisis intervention services. At a minimum, the Clinician must have a Master's degree in social work with clinical experience or Master's degree in psychology, sociology or other relevant behavioral science in which clinical experience is a program requirement, or a bachelor's degree plus five years clinical employment experience. Clinician must be licensed or eligible for licensure.

Lead Case Manager is responsible for coordinating case management and safe and timely release services, training new case managers, and supervising the work of other case manager. At minimum, the Lead Case Manager must have a Master's degree in the behavioral sciences, human services or social services fields or bachelor's degree and at least three years progressive employment experience that demonstrates supervisory and case management experience.

Prevention of Sexual Abuse (PSA) Compliance Manager is responsible for managing implementation and ongoing compliance with the IFR on preventing, detecting, and responding to sexual abuse and sexual harassment. For additional information, please click here: <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-4#4.2>. At minimum, the PSA Compliance Manager must have a Bachelor's degree in behavioral sciences, human services or social service fields or business administration or management, and at least one year experience working with child welfare standards, best practices, quality assurance or compliance.

PROGRAM REQUIREMENTS

Care providers are required to provide services in a structured, safe, and productive environment that meets respective state guidelines, relevant federal law and the ORR Policy Guide: <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied>.

Care providers are required to provide or arrange for the required program services in a

manner that is sensitive to the age, culture, religion, dietary needs, native language, sexual orientation, gender identity, and other unique needs of each UC. All UC in ORR care are entitled to human rights protections and freedom from discrimination and abuse. Care providers must ensure that UC who are lesbian, gay, bisexual, transgender, questioning, or intersex (LGBTQI) are fairly treated and served during their time in ORR custody. All services and assessments are required to be administered for all UC even if they are in ORR custody for a short period of time. Care providers are required to provide care and access to services in the language spoken by the UC and/or provide translation services.

Care providers are expected to provide all the services under *Program Requirements* unless otherwise noted in this announcement.

Important Time-Frames

Care providers must adhere to specific time-frames for required assessments and/or reports that must be administered to UC.

Report / Assessment	Initial Deadline
Initial Intakes Assessment	Within 24 hours of admission
Initial Medical Exam	Within 48 hours of admission
UC Assessment	Within five days of admission
Individual Service Plan	Within seven days of admission
UC Case Review	On the UC's 30th day in care and subsequently every 90 days

Acculturation and Adaptation Services

Care providers are required to provide acculturation and adaptation services that include the development of social and interpersonal skills that contribute to the ability to live independently and responsibly in the community.

Case Management Services

Care providers are required to implement and administer a case management system that tracks and monitors a UC's progress on a regular basis to ensure that each UC receives the full range of program services in an integrated and comprehensive manner. Care provider's case managers are required to meet with UC, at a minimum, twice a month, to include one face-to-face and one telephonic contact. The care provider's case management team is also responsible for maintenance of the UC Portal. All placement, transfer, and release requests, as well as all significant incident reports are processed through this web-based system. When necessary, the care provider's case management staff are required to also work collaboratively with agencies that conduct home studies and provide post release services. If applicable, care providers are required to conduct safety and well-being follow-up calls to a UC and sponsor 30 days after the UC is released.

Educational Services in a Community Based School

Educational services are required to be provided daily, Monday through Friday, and to be appropriate to the UC's level of development, education, and communication skills.

Educational services are required to be administered in a structured classroom setting and concentrate primarily on the development of basic academic competencies and secondarily on English Language Training. The educational program consists of instruction, educational materials, and other reading materials in the following basic academic areas: Science, Social Studies, Mathematics, Reading, Writing, and Physical Education. Care providers are required to enroll UCs into the local school district of the foster and/or group home.

Individual Counseling

Individual counseling, when needed, must be provided by qualified mental health professional.

Individualized Needs Assessments

Care providers are required to maintain individualized ongoing assessment for each UC, which includes:

- *Initial Intakes Assessment* (initial intake assessment, psychosocial summary, and trauma and human trafficking assessment), to be completed within five days of UC placement care provider, to gather initial information relating to the UC's journey; the UC and family's psychosocial assessment; trauma and substance abuse history; information about a UC's work history or concerns about working to pay off debt; exploitation or trafficking concerns; and other essential data relating to the identification and history of the UC and his/her family;
- An *Assessment for Risk*, which must be updated every 90 days, developed to identify risk factors for potential sexual victimization or sexual abuser tendencies so early intervention can take place to mitigate any potential risks or safety concerns;
- A *UC Assessment* and periodic *UC Case Review* every 90 days assessing the UC's:
 - mental health and identification of any special medical needs, including any specific issues that may require immediate intervention;
 - an educational assessment and plan;
 - ongoing assessment of a UC's behavioral issues and any previous juvenile justice or criminal involvement;
 - a statement of religious preference and practice; and
 - identifying information and continuing to pursue additional information regarding the UC's immediate family members, other relatives, or family friends who may be residing in the United States and able to be a UC's sponsor.

Individual Service Plan

Care providers are required to complete a comprehensive and realistic Individual Service Plan (ISP), every 90 days, for each UC in accordance with the UC's needs as determined by the UC Assessments and assessment of any trafficking concerns. ISPs are implemented and closely coordinated through an operative clinical assessment and intervention plan, as well as a case management system. The ISP must be completed within seven days of admission and updated every 90 days thereafter. In cases where human trafficking is suspected or confirmed, the care provider is required to refer the UC to ACF's Office of Anti-Trafficking in Persons division and provide or refer the UC for other services to ensure the UC has access to all services guaranteed by TVPRA of 2008.

Legal Services

Care providers are required to inform UC of the availability of free legal assistance, the right to be represented by counsel at no expense to the federal government and the rights victims of trafficking have under TVPRA of 2008. A private space for the UC and his/her attorney to meet and confer on legal matters must be made available.

The care provider must make reasonable accommodations to allow the UC to meet privately with their attorney and attend all hearings or proceedings to which the UC is a party.

Maintenance of Case Files

Care providers must maintain comprehensive, accurate, and up-to-date case files, as well as electronic records on UC that are kept confidential and secure at all times and must be accessible to ORR upon request. Electronic records include those on the care provider's network drive, as well as those on the UC Portal. Care providers must have written policies and procedures for organizing and maintaining the content of active and closed case files that incorporate state licensing requirements and/or accrediting agency requirements and ORR policies and procedures.

Medical Services

Care providers are required to provide:

- a complete medical examination (including a screening for infectious diseases) within 48 business hours of admission; excluding weekends and holidays, only if UC does not have documentation of a medical examination completed within the previous six months at another ORR facility;
- appropriate immunizations in accordance with the United States Public Health Service and the Centers for Disease Control and Prevention;
- family planning services, including pregnancy tests and comprehensive information about and access to medical reproductive health services and emergency contraception;
- other appropriate and routine medical and dental care;
- emergency health care services;
- administration of prescribed medication and special diets;
- appropriate mental health interventions, when necessary;
- arranging forensic medical examinations, as necessary; and
- sexually transmitted infections prophylaxis.

Mental Health Services

Care providers are required to provide clinical services, including regular on-site (or community based) individual and group counseling sessions and have the ability to access community mental health services for UC with special needs. Community mental health services include psychiatric evaluations and treatment, medication assessments and management, crisis intervention, in-patient acute psychiatric care, and other clinical interventions as identified by ORR.

Nutritional Services

Care providers must provide nutritional services in accordance with United States Department of Agriculture and HHS nutritional guidelines and state licensing requirements. They also must establish procedures to accommodate dietary restrictions, food allergies, health issues,

and religious or spiritual dietary requirements.

Orientation

Within 48 hours of admission, care providers are required to provide every UC with a comprehensive program orientation that covers the program's/foster/group home's services, rules (written and verbal), expectations, zero tolerance policy towards sexual abuse and sexual harassment and the availability of free legal assistance. The orientation must be provided in formats that are accessible to UC who are limited English proficient, deaf, visually impaired or otherwise disabled, as well as those who have limited reading skills.

Religious Access

Whenever possible, care providers must provide or arrange for access to any available religious services of the UC's choice. Care providers must abide by 45 CFR § 87.1(c), which prohibits the program administrators from providing inherently religious activities, such as worship, religious instruction or proselytization, as part of the federally funded program or services. This means that the materials disseminated by staff persons must be neutral in their treatment of religion. Neither staff nor materials used in these programs should promote, endorse, or favor religious beliefs over non-religious beliefs, nor should they disparage religious beliefs in any way. Further, they should not express a judgment with regard to religious beliefs or non-belief, or seek to influence the beliefs of UC with respect to religion. Yet, this does not limit the speech of any UCs who might choose to talk about religion, as long as the program administrators, instructors, or officials do not control, encourage, or approve of their speech after the fact. For example, a UC may choose to engage in prayer, subject to the same rules designed to prevent material disruption of the program that are applied to any other privately initiated speech. Additionally, as indicated above, care providers should provide or arrange for access to outside privately funded religious services that a UC requests by, for example, providing television access or arranging for transportation to such services.

If a care provider chooses to operate a program with inherently religious content then the provider must take steps to completely separate that program from the federally funded services in time or location, and do so in such a way that it is clear that the two programs are separate and distinct. For example, the inherently religious program may be offered in another facility. Yet, participation in that program must be voluntary for any UCs that chooses to attend, and that program must be privately funded.

Right to Privacy

UC have a reasonable right to privacy that includes the right to: (a) wear his or her own clothes (b) retain a private space in the residential facility, group, or foster home for the storage of personal belongings; (c) talk privately on the phone, as permitted by the care provider/foster home rules and regulations; (d) visit privately with guests, as permitted by care provider/foster home rules and regulations; and (e) receive and send uncensored mail unless there is a reasonable belief that the mail contains contraband.

Rules/Behavior Management

Care providers' program rules and discipline standards are required to be formulated with consideration for the range of ages and maturity levels of UC in the program and with cultural sensitivity towards all UC. A behavior management plan, used by the care

provider/foster/group home, must meet child welfare best practice standards and must be approved by ORR. Each foster/group home must have basic rules posted in both English and UCs native language. These rules must be reviewed with UC upon placement into foster/group home with a focus on safety, respect, and family living. Misbehavior must be resolved on an individual basis. All interventions must be positive, strength-based and must never subject UC to corporal punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping.

Safe and Timely Release Services

Care providers must adhere to ORR's policies and procedures that are in place to ensure the care and safety of UC. These policies require the timely release of UC to qualified parents, guardians, relatives or other adults, referred to as "sponsors." Safe and timely release must occur within a setting that promotes public safety and ensures that sponsors are able to provide for the physical and mental well-being of children. ORR evaluates potential sponsors' ability to provide for the UC's physical and mental well-being, as the law requires ORR to protect UC from smugglers, traffickers, or others who might seek to victimize or otherwise engage the UC in criminal, harmful or exploitative activity. The process for the safe and timely release of a UC from ORR custody involves many steps, including: the identification of sponsors; the submission by a sponsor of the application for release and supporting documentation; the evaluation of the suitability of the sponsor, including verification of the sponsor's identity and relationship to the UC, background checks, and in some cases home studies; and planning for post-release. The provision of safe and timely release services will be monitored and evaluated by ORR, and poor performance may result in corrective actions or termination of the agreement.

As a general matter, UC in long-term foster care do not have immediate sponsorship options and their placement into long-term foster care is a result of this. However, long-term foster care providers are required to continue efforts to identify a potential sponsor for UC in their care.

Safety Planning

Care providers must develop a written safety and security plan that includes policies and procedures for all UC in its care and program staff. The safety plan must address emergency situations covering the following areas: runaways, evacuations (for example due to a hurricane, fire, or other emergency), medical and mental health emergencies, and disease outbreaks.

Care providers must meet the safety requirements maintained by state and/or local licensing entities, fire code regulations, and local zoning and building code regulations.

Transportation/Escort

Care providers are required to provide UC with transportation services to local airports and if necessary provide an escort for the UC according to ORR policies and to local services and appointments, such as medical, mental health, and dental appointments, immigration court hearings, or community services as part of the ISP.

Visitation/Phone Calls

UC must be provided the opportunity to make a minimum of two telephone calls per week (10

minutes each) to family members and/or sponsors, in a private setting. UC are allowed to call both family members and sponsors living in the United States and abroad. UC also have a right to receive visitors. Attorneys of record are required to have reasonable access to UC according to ORR/DCS instructions and procedures and care provider's time and place restrictions. Visitations may need to occur in a setting other than the foster home placement to ensure the safety and well-being of the UC and others in the foster home.

Vocational Educational Services

Care providers are encouraged to create or provide access to vocational training opportunities that will provide UC with practical and competitive job skills and assist in the preparation for adulthood. Vocational programs may not replace academic education or be a substitute for the basic subject areas.

In addition to the *Program Requirements* listed above and here: <http://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-3#3.3>, care providers must adhere to the requirements of the IFR which can be found by clicking on the link: <http://www.regulations.gov/#!documentDetail;D=ACF-2015-0002-0001>.

For more information on application requirements, please see *Section IV.2. The Project Description*.

FAITH BASED ORGANIZATIONS

Consistent with the ACF Policy on Grants to Faith-Based Organizations (please see *Section III.1 Eligible Applicants* for more information), ACF is mindful that potential grantees may have religious objections to providing certain kinds of services. ACF is committed to providing the full range of legally permissible services to people who need them, and to do so in a timely fashion and in a manner that respects the diverse religious and cultural backgrounds of those we serve. At the same time, ACF is also committed to exploring ways for organizations to partner with ACF and other grantees even if they object to providing specific services on religious grounds.

If an organization has a religious objection to providing any of the services required in the program, it may propose an approach to meeting its grant obligations consistent with ACF's faith-based policy. The alternative approach must be one that accomplishes the goal of ensuring that UC in ORR's custody understand the full range of services available in the program, including family planning services, and that there is a mechanism by which UC requesting such services can receive appropriate services. If an alternative approach is proposed, ORR will decide whether to accept the alternative approach, based upon a determination of whether the alternative approach will ensure timely provision of all services for which the individual is eligible, is not burdensome to the client, and is operationally feasible for ACF.

POST-AWARD REQUIREMENTS

ORR is seeking approval from the Office of Management and Budget (OMB) for information collection under the Paperwork Reduction Act (PRA) on the forms for post-award reporting. Forms will include, but are not limited to:

- UC Portal Capacity Report

- Notice of Placement in Secure or Staff Secure Facility
- Initial Intakes Assessment
- UC Assessment
- ISP
- UC Case Review Form
- Significant Incident Report (SIR)
- Sexual Abuse SIR Form
- Assessment for Risk Form
- Care Provider Incident Review Form
- New Sponsor Form
- Transfer Request and Tracking Form
- Long Term Foster Care Placement Memo
- Travel Request form for UC Long Term Foster Care
- Notice of Transfer to Immigration and Customs Enforcement (ICE) Chief Counsel and Change of Address
- Care Provider Family Reunification Checklist
- Release Request
- Discharge Notification
- Verification of Release
- Child Advocate Referral and Appointment Form
- Notice of Rights and Provision of Services Handout
- Legal Service Provider List for UC

NOTE: Consistent with the PRA of 1995, 44 U.S.C. §§ 3501-3521, under this FOA, ORR will not conduct or sponsor – and a person is not required to respond to - a collection of information covered by such Act, unless it displays a currently valid OMB control number. ORR is seeking approval of its UC forms through the OMB Office of Information and Regulatory Affairs. ORR will not request this information if these forms are not approved at the time that reports are due.

Please see Section VI.3. Reporting for more information.

[1] The term “unaccompanied child” or “UC” is used in place of the statutory term “unaccompanied alien child,” but it retains the statutory meaning.

[2] This references current ORR policy found in the ORR Policy Guide. Eligibility requirements pertaining to this policy are subject to change by ORR. In the event these policies or implementing procedures are revised ORR will notify the long term foster care provider.

II. Federal Award Information

Funding Instrument Type:	Cooperative Agreement
Estimated Total Funding:	\$13,500,000
Expected Number of Awards:	15

Award Ceiling: \$2,500,000 Per Budget Period
 Award Floor: \$100,000 Per Budget Period
 Average Projected Award Amount: \$900,000 Per Budget Period
 Anticipated Project Start Date: 10/01/2016

Length of Project Periods:

Length of Project Period: 36-month project with three 12-month budget periods

Additional Information on Awards:

Awards made under this announcement are subject to the availability of federal funds.

Applications requesting an award amount that exceeds the *Award Ceiling* per budget period, or per project period, as stated in this section, will be disqualified from competitive review and from funding under this announcement. This disqualification applies only to the *Award Ceiling* listed for the first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period. Please see *Section III.3. Other, Application Disqualification Factors*.

Note: For those programs that require matching or cost sharing, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period or by project period for fully funded awards, even if the projected commitment exceeds the required amount of match or cost share. **A recipient's failure to provide the required matching amount may result in the disallowance of federal funds.** See *Section III.2.* of this announcement for information on cost-sharing or matching requirements.

Funds for years two through three will be awarded on the basis of submission and approval of the non-competing continuation applications. Awards are subject to the satisfactory progress by the grantee and a determination that continued funding would be in the best interest of the federal government.

Applicants proposing staff allocated to several funding sources or several funding applications must ensure that Full Time Employees (FTEs) allocations do not exceed 100%.

Description of ACF's Anticipated Substantial Involvement Under the Cooperative Agreement

ORR supports grantees in the following areas:

- The design, implementation, and modification of program activities, services, and facilities;
- The design of protocols or procedures;
- The evaluation of contractors (if applicable);
- The approval of key program staff;

- The provision of training and technical assistance to staff;
- Input of case information into the UC Portal;
- Select decisions regarding individual case management activities; and
- The approval of all releases of UC to sponsors, when applicable.

ORR monitors grantees by reviewing of budgets, mandatory reports, and overall compliance outlined by the ORR/DCS policies and procedures manual. ORR will not request any UC reports from grantees unless it has received OMB approval under PRA. Although ORR reviews budgets, the Office of Grants Management (OGM) is included in all budgetary and fiscal matters and final budget approval is made by OGM.

III. Eligibility Information

III.1. Eligible Applicants

Care providers are required to be licensed or license eligible (temporary, provisional, or an equivalent license) with license being issued, by a state licensing agency, within 60 days of award to provide residential, group, or foster care services for dependent children.

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and from funding under this announcement. See *Section III.3. Other, Application Disqualification Factors*.

Faith-based and community organizations that meet the eligibility requirements are eligible to receive awards under this funding opportunity announcement. Faith-based organizations are encouraged to review the ACF Policy on Grants to Faith-Based Organizations at: <http://www.acf.hhs.gov/acf-policy-on-grants-to-faith-based-organizations>.

See *Section IV.2. Legal Status of Applicant Entity* for documentation required to support eligibility.

III.2. Cost Sharing or Matching

Cost Sharing / Matching Requirement: No

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all of the criteria listed in 45 CFR 75.306.

For awards that require matching by statute, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period, or by project period for fully funded awards, even if the projected commitment exceeds the amount required by the statutory match. **A recipient's failure to provide the statutorily required matching amount may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

For awards that do not require matching or cost sharing by statute, where "cost sharing"

refers to any situation in which the recipient voluntarily shares in the costs of a project other than as statutorily required matching. These include situations in which contributions are voluntarily proposed by an applicant and are accepted by ACF. Non-federal cost sharing will be included in the approved project budget so that the applicant will be held accountable for proposed non-federal cost-sharing funds as shown in the Notice of Award (NOA). **A recipient's failure to provide voluntary cost sharing of non-federal resources that have been accepted by ACF as part of the approved project costs and that have been shown as part of the approved project budget in the NOA, may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

III.3. Other

Application Disqualification Factors

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and from funding under this announcement.

Award Ceiling Disqualification

Applications that request an award amount that exceeds the *Award Ceiling* per budget period or per project period as stated in *Section II. Federal Award Information*, will be disqualified from competitive review and from funding under this announcement. This disqualification applies only to the *Award Ceiling* listed for first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period.

Required Electronic Application Submission

ACF requires electronic submission of applications at www.Grants.gov. **Paper applications received from applicants that have not been approved for an exemption from required electronic submission will be disqualified from competitive review and from funding under this announcement.**

Applicants that do not have an Internet connection or sufficient computing capacity to upload large documents to the Internet may contact ACF for an exemption that will allow the applicant to submit applications in paper format. Information and the requirements for requesting an exemption from required electronic application submission are found in "Request an Exemption from Electronic Application Submission" in *Section IV.2. Content and Form of Application Submission*.

Missing the Application Deadlines (Late Applications)

The deadline for electronic application submission is 11:59 p.m., ET, on the due date listed in the *Overview* and in *Section IV.4. Submission Dates and Times*. Electronic applications submitted to www.Grants.gov after 11:59 p.m., ET, on the due date, as indicated by a dated and time-stamped email from www.Grants.gov, will be disqualified from competitive review and from funding under this announcement. That is, applications

submitted to www.Grants.gov, on or after 12:00 a.m., ET, on the day after the due date will be disqualified from competitive review and from funding under this announcement.

Applications submitted to www.Grants.gov at any time during the open application period, and prior to the due date and time, which fail the www.Grants.gov validation check, will not be received at, or acknowledged by, ACF.

Each time an application is submitted via www.Grants.gov, the submission will generate a new date and time-stamp email notification. Only those applications with on-time date and time stamps that result in a validated application, which is transmitted to ACF, will be acknowledged.

The deadline for receipt of paper applications is 4:30 p.m., ET, on the due date listed in the Overview and in Section IV.4. Submission Dates and Times. Paper applications received after 4:30 p.m., ET, on the due date will be disqualified from competitive review and from funding under this announcement. **Paper applications received from applicants that have not received approval of an exemption from required electronic submission will be disqualified from competitive review and from funding under this announcement.**

Notification of Application Disqualification

Applications that are disqualified under these criteria are considered to be “non-responsive” and are excluded from the competitive review process. Applicants will be notified of a disqualification determination by email or by USPS postal mail within 30 federal business days from the closing date of this FOA.

IV. Application and Submission Information

IV.1. Address to Request Application Package

Shannon McGhee
Administration for Children and Families
Office of Refugee Resettlement
Division of Children's Services
330 C Street, SW
Washington, DC 20201
Phone: (202) 205-9513
Fax: (202) 401-1022
Email: DCS_ProjectOfficers@acf.hhs.gov

Electronic Application Submission:

The electronic application submission package is available in the FOA's listing at www.Grants.gov.

Applications in Paper Format:

For applicants that have received an exemption to submit applications in paper format,

Standard Forms, assurances, and certifications are available in the Application Package available in the FOA's Grants.gov synopsis at www.Grants.gov. They are also available at <http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. See *Section IV.2. Request an Exemption from Required Electronic Application Submission* if applicants do not have an Internet connection or sufficient computing capacity to upload large documents (files) to www.Grants.gov.

Standard Forms that are compliant with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d):

Available at the Grants.gov Forms Repository website at <http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>.

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) for assistance at www.gsa.gov/fedrelay.

IV.2. Content and Form of Application Submission

FORMATTING APPLICATION SUBMISSIONS

In FY 2013 ACF implemented a new application upload requirement. Each applicant applying electronically via www.Grants.gov is required to upload only two electronic files, excluding Standard Forms and OMB-approved forms. No more than two files will be accepted for the review, and additional files will be removed. Standard Forms and OMB-approved forms will not be considered additional files.

FOR ALL APPLICATIONS:

Authorized Organizational Representative (AOR)

AOR is the designated representative of the applicant/recipient organization with authority to act on the organization's behalf in matters related to the award and administration of grants. In signing a grant application, this individual agrees that the organization will assume the obligations imposed by applicable Federal statutes and regulations and other terms and conditions of the award, including any assurances, if a grant is awarded.

AOR authorization is part of the registration process at www.Grants.gov, where the AOR will create a short profile and obtain a username and password from the Grants.gov Credential Provider. AORs will only be authorized for the DUNS number registered in the System for Awards Management (SAM).

Point of Contact

In addition to the AOR, a point of contact on matters involving the application must also be identified. The point of contact, known as the Project Director or Principal Investigator, should not be identical to the person identified as the AOR. The point of contact must be available to answer any questions pertaining to the application.

Application Checklist

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials.

Accepted Font Style

Applications must be in Times New Roman (TNR), 12-point font, except for footnotes, which may be TNR 10-point font.

Page Limitations

Applicants must observe the page limitation(s) listed under "PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:". Page limitation(s) do not include SFs and OMB-approved forms.

All applications must be double-spaced. An application that exceeds the cited page limitation for double-spaced pages in the Project Description file or the Appendices file will have the last extra pages removed and the removed pages will not be reviewed.

Application Elements Exempted from Double-Spacing Requirements

The following elements of the application submission are exempt from the double-spacing requirements and may be single-spaced: the table of contents, the one-page Project Summary/Abstract, required Assurances and Certifications, required SFs, required OMB-approved forms, resumes, logic models, proof of legal status/non-profit status, third-party agreements, letters of support, footnotes, tables, the line-item budget and/or the budget justification.

Adherence to FOA Formatting, Font, and Page Limitation Requirements

Applications that fail to adhere to ACF's FOA formatting, font, and page limitation requirements will be adjusted by the removal of page(s) from the application. Pages will be removed before the objective review. The removed page(s) will not be made available to reviewers.

In instances where formatting and font requirements are not adhered to, ACF uses a formula to determine the actual number of pages to be removed. The formula counts the number of characters an applicant uses when following the instructions and using 12-point TNR and compares the resulting number with that of the submitted application. For example, an applicant using TNR, 11-point font, with 1-inch margins all around, and single-spacing, would have an additional 26 lines, or 1500 characters, which is equal to 4/5 of an additional page. Extra pages resulting from this formula will be removed and will not be reviewed. Applications that have more than one scanned page of a document on a single page will have the page(s) removed from the review.

For applicants that submit paper applications, double-sided pages will be counted as two pages. When the maximum allowed number of pages is reached, excess pages will be removed and will not be made available to reviewers.

NOTE: Applicants failing to adhere to ACF's FOA formatting, font, and page limitation requirements will receive a letter from ACF notifying them that their application was

amended. The letter will be sent after awards have been issued and will specify the reason(s) for removal of page(s).

Copies Required

Applicants must submit one complete copy of the application package electronically. Applicants submitting electronic applications need not provide additional copies of their application package.

Applicants submitting applications in paper format must submit one original and two copies of the complete application, including all Standard Forms and OMB-approved forms. The original copy must have original signatures.

Signatures

Applicants submitting electronic applications must follow the registration and application submission instructions provided at www.Grants.gov.

The original of a paper format application must include original signatures of the authorized representatives.

Accepted Application Format

With the exception of the required Standard Forms (SFs) and OMB-approved forms, all application materials must be formatted so that they are 8 ½" x 11" white paper with 1-inch margins all around.

If possible, applicants are encouraged to include page numbers for each page within the application.

ACF generally does not encourage submission of scanned documents as they tend to have reduced clarity and readability. If documents must be scanned, the font size on any scanned documents must be large enough so that it is readable. Documents must be scanned page-for-page, meaning that applicants may not scan more than one page of a document onto a single page.

PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:

With the exception of the Standard Forms and OMB-approved forms, the application submission in its entirety (Project Description and Appendices) is limited to 100 pages.

The Project Description (Narrative) includes the following:

- A one page Project Summary/Abstract;
- Table of Contents;
- Approach;
- Organizational Capacity;
- Line-item Budget and Budget Justifications; and
- Program Performance Evaluation Plan.

The Appendices includes the following:

- Required Certifications and Assurances;
- Proof of Legal Status;
- A List of Organization's Board of Directors;
- Third-Party Agreements;
- Resumes of Current Staff, and/or Position Descriptions;
- Organizational Chart of Applicant Entity and the Project;
- Letter of Agreement with a Cognizant Federal Agency on Indirect Charges, if applicable;
- Letters of Support;
- Proof of licensure or license eligibility to provide residential, group, or foster care services;
- Management Letter/Summary Report in lieu of full audit reports; and
- Any other information the applicant deems relevant and necessary.

ELECTRONIC APPLICATION SUBMISSION INSTRUCTIONS

Applicants are required to submit their applications electronically unless they have requested and received an exemption that will allow submission in paper format. See *Section IV.2. Application Submission Options* for information about requesting an exemption.

Electronic applications will only be accepted via www.Grants.gov. **ACF will not accept applications submitted via email or via facsimile.**

Each applicant is required to upload ONLY two electronic files, excluding SFs and OMB-approved forms.

File One: Must contain the entire Project Description, and the Budget and Budget Justification (including a line-item budget and a budget narrative).

File Two: Must contain all documents required in the Appendices.

Adherence to the Two-File Requirement

No more than two files will be accepted for the review. Applications with additional files will be amended and files will be removed from the review. SFs and OMB-approved forms will not be considered additional files.

Application Upload Requirements

ACF strongly recommends that electronic applications be uploaded as Portable Document Files (PDFs). One file must contain the entire Project Description and Budget Justification; the other file must contain all documents required in the Appendices. Details on the content of each of the two files, as well as page limitations, are listed earlier in this section.

To adhere to the two-file requirement, applicants may need to convert and/or merge documents together using a PDF converter software. Many recent versions of Microsoft

Office include the ability to save documents to the PDF format without need of additional software. Applicants using the Adobe Professional software suite will be able to merge these documents together. ACF recommends merging documents electronically rather than scanning multiple documents into one document manually, as scanned documents may have reduced clarity and readability.

Applicants must ensure that the version of Adobe Professional they are using is compatible with Grants.gov. To verify Adobe software compatibility please go to Grants.gov and click on "Support" at the top bar menu and select "Adobe Software Compatibility", which is listed under the topic "Find Answers Online." The Adobe verification process allows applicants to test their version of the software by opening a test application package. Grants.gov also includes guidance on how to download a supported version of Adobe, as well as troubleshooting instructions if an applicant is unable to open the test application package. There is also a help page for configuring Firefox and Chrome to open PDFs using Adobe software.

The Adobe Software Compatibility page located on Grants.gov also provides guidance for applicants that have received error messages while attempting to save an application package. It also addresses local network and/or computer security settings and the impact this has on use of Adobe software.

For any systems issues experienced with Grants.gov or with SAM.gov, please refer to ACF's "Policy for Applicants Experiencing Federal Systems Issues" document for complete guidance at https://www.acf.hhs.gov/sites/default/files/assets/systems_issue_policy_final.pdf under "How to Apply for a Grant/Submit an Application."

Required Standard Forms (SFs) and OMB-approved Forms

Standard Forms (SFs) and OMB-approved forms, such as the SF-424 application and budget forms and the SF-P/PSL (Project/Performance Site Location), are uploaded separately at Grants.gov. These forms are submitted separately from the Project Description and Appendices files. See *Section IV.2. Required Forms, Assurances, and Certifications* for the listing of required Standard Forms, OMB-approved forms, and required assurances and certifications.

Naming Application Submission Files

Carefully observe the file naming conventions required by www.Grants.gov. Limit file names to 50 characters (characters and spaces). Special characters that are allowed under Grants.gov's naming conventions, and are accommodated by ACF's systems, are listed in the instructions available in the Download Application Package at Grants.gov. Please also see <http://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html>.

Use only file formats supported by ACF

It is critical that applicants submit applications using only the supported file formats listed here. While ACF supports all of the following file formats, we **strongly**

recommend that the two application submission files (Project Description and Appendices) are uploaded as PDF documents in order to comply with the two file upload limitation. Documents in file formats that are not supported by ACF will be removed from the application and will not be used in the competitive review. This may make the application incomplete and ACF will not make any awards based on an incomplete application.

ACF supports the following file formats:

- Adobe PDF – Portable Document Format (.pdf)
- Microsoft Word (.doc or .docx)
- Microsoft Excel (.xls or .xlsx)
- Microsoft PowerPoint (.ppt)
- Corel WordPerfect (.wpd)
- Image Formats (.JPG, .GIF, .TIFF, or .BMP only)

Do Not Encrypt or Password-Protect the Electronic Application Files

If ACF cannot access submitted electronic files because they are encrypted or password protected, the affected file will be removed from the application and will not be reviewed. This removal may make the application incomplete and ACF will not make awards based on an incomplete application.

FORMATTING FOR PAPER APPLICATION SUBMISSIONS:

The following requirements are only applicable to applications submitted in paper format. Applicants must receive an exemption from ACF in order for a paper format application to be accepted for review. See *Section IV.2. Request an Exemption from Required Electronic Application Submission* later in this section under *Application Submission Options* for more information.

Format Requirements for Paper Applications

All copies of mailed or hand-delivered paper applications must be submitted in a single package. If an applicant is submitting multiple applications under a single FOA, or multiple applications under separate FOAs, each application submission must be packaged separately. The package(s) must be clearly labeled for the specific FOA it addresses by FOA title and by Funding Opportunity Number (FON).

Because each application will be duplicated, do not use or include separate covers, binders, clips, tabs, plastic inserts, maps, brochures, or any other items that cannot be processed easily on a photocopy machine with an automatic feed. Do not bind, clip, staple, or fasten in any way separate sections of the application. Applicants are advised that the copies of the application submitted, not the original, will be reproduced by the federal government for review. **All application materials must be one-sided for duplication purposes. All pages in the application submission must be sequentially numbered.**

Addresses for Submission of Paper Applications

See *Section IV.7. Other Submission Requirements* for addresses for paper format

application submissions.

Required Forms, Assurances, and Certifications

Applicants seeking grant or cooperative agreement awards under this announcement must submit the listed Standard Forms (SFs), assurances, and certifications with the application. All required Standard Forms, assurances, and certifications are available in the Application Package posted for this FOA at www.Grants.gov.

Other versions of required Standard Forms, assurances, and certifications are available at Grants.gov <http://www.grants.gov/web/grants/forms/sf-424-family.html>.

Forms / Assurances / Certifications	Submission Requirement	Notes / Description
SF-LLL - Disclosure of Lobbying Activities	If submission of this form is applicable, it is due at the time of application. If it is not available at the time of application, it may also be submitted prior to the award of a grant.	If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
SF-424A - Budget Information - Non-Construction Programs and SF-424B - Assurances - Non-Construction Programs	Submission is required for all applicants when applying for a non-construction project. Standard Forms must be used. Forms must be submitted by the	Required for all applications when applying for a non-construction project. By signing and submitting the SF-424B, applicants are making the appropriate certification of their compliance with all federal

	application due date.	statutes relating to nondiscrimination.
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Submission required of all applicants with the application package. If it is not submitted with the application package, it must be submitted prior to the award of a grant.	Submission of the certification is required for all applicants.
SF-424 Key Contact Form	Submission is required for all applicants by the application due date.	Required for all applications.
SF-424 - Application for Federal Assistance	Submission is required for all applicants by the application due date.	Required for all applications.
Mandatory Grant Disclosure	Submission is required for all applicants and recipients, in writing, to the awarding agency and to the HHS Office of the Inspector General (OIG) all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to: The Administration for Children and	Mandatory Disclosures, 45 CFR 75.113

	Families, U.S. Department of Health and Human Services, Office of Grants Management, ATTN: Grants Management Specialist, 330 C Street, SW., Switzer Building, Corridor 3200, Washington, DC 20201 <u>And</u> U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330 Independence Avenue, SW., Cohen Building, Room 5527, Washington, DC 20201	
DUNS Number (Unique Entity Identifier) and Systems for Award Management (SAM) registration.	A DUNS number (Unique Entity Identifier) is required of all applicants. To obtain a DUNS number, go to http://fedgov.dnb.com/webform. Active registration at the Systems Award Management (SAM) website must be maintained	A DUNS number (Unique Entity Identifier) and SAM registration are eligibility requirements for all applicants. See <i>Section IV.3. Unique Entity Identifier and System for Award Management (SAM)</i> for more information.

	throughout the application and project award period. SAM registration is available at http://www.sam.gov.	
SF-Project/Performance Site Location(s) (SF-P/PSL)	Submission is required for all applicants by the application due date.	Required for all applications. In the SF-P/PSL, applicants may cite their primary location and up to 29 additional performance sites.

ORR Non-discrimination Assurance

Submission of an application for this funding opportunity constitutes assurance that in serving beneficiaries of this program; applicants have made reasonable good faith efforts to:

- have policies prohibiting discrimination and harassment of such beneficiaries based on race, sexual orientation, gender, gender identity (or expression), religion, and national origin in place;
- be inclusive of and non-stigmatizing toward lesbian, gay, bisexual, and transgender LGBTQI individuals including LGBTQI youth;
- ensure that all staff serving program beneficiaries are trained to prevent and respond to harassment in all forms; and
- to monitor claims of harassment and discrimination of beneficiaries, address them seriously, and document corrective action(s) so all participants are assured that programs are safe, inclusive, and non-stigmatizing by design and in operation.

Submission of an application for this award further constitutes an assurance that any subcontractors directly engaged in the care and custody of UC:

- will be inclusive of and non-stigmatizing toward LGBTQI individual, including LGBTQI youth;
- will ensure that all staff will be trained prior to program implementation on how to prevent and respond to harassment and discrimination of beneficiaries in all forms, and;
- are prepared to monitor claims of harassment and discrimination of beneficiaries, address them seriously, and document corrective action(s) so all participants are assured that programs are safe, inclusive, and non-stigmatizing by design and in operation.

Non-Federal Reviewers

Since ACF will be using non-federal reviewers in the review process, applicants have the option of omitting from the application copies (not the original) specific salary rates or amounts for individuals specified in the application budget as well as Social Security Numbers, if otherwise required for individuals. The copies may include summary salary information. If applicants are submitting their application electronically, ACF will omit the same specific salary rate information from copies made for use during the review and selection process.

The Project Description**The Project Description Overview****Purpose**

The project description provides the majority of information by which an application is evaluated and ranked in competition with other applications for available assistance. It should address the activity for which federal funds are being requested, and should be consistent with the goals and objectives of the program as described in *Section I. Program Description*. Supporting documents should be included where they can present information clearly and succinctly. When appropriate, applicants should cite the evaluation criteria that are relevant to specific components of their project description. Awarding offices use this and other information in making their funding recommendations. It is important, therefore, that this information be included in the application in a manner that is clear and complete.

General Expectations and Instructions

Applicants should develop project descriptions that focus on outcomes and convey strategies for achieving intended performance. Project descriptions are evaluated on the basis of substance and measurable outcomes, not length. Extensive exhibits are not required. Cross-referencing should be used rather than repetition. Supporting information concerning activities that will not be directly funded by the grant or information that does not directly pertain to an integral part of the grant-funded activity should be placed in an appendix.

General Instructions for Preparing a Full Project Description**Introduction**

Applicants must prepare the project description statement in accordance with the following instructions while being aware of the specified evaluation criteria in *Section V.I. Criteria*. The text options give a broad overview of what the project description should include while the evaluation criteria identify the measures that will be used to evaluate applications.

Table of Contents

List the contents of the application including corresponding page numbers. The table of contents must be single spaced and will be counted against the total page limitations.

Project Summary/Abstract

Provide a summary of the application's project description. The summary must be clear, accurate, concise, and without reference to other parts of the application. The abstract must include a brief description of the proposed grant project including the needs to be addressed, the proposed services, and the population group(s) to be served.

Please place the following at the top of the abstract:

- Project Title
- Applicant Name
- Address
- Contact Phone Numbers (Voice, Fax)
- E-Mail Address
- Web Site Address, if applicable

The project abstract must be single-spaced, in Times New Roman 12-point font, and limited to one page in length. Additional pages will be removed and will not be reviewed.

Approach

Outline a plan of action that describes the scope and detail of how the proposed project will be accomplished. Applicants must account for all functions or activities identified in the application. Describe any design or technological innovations, reductions in cost or time, or extraordinary social and/or community involvement in the project. Provide a list of organizations, cooperating entities, consultants, or other key individuals that will work on the project, along with a short description of the nature of their effort or contribution.

Cite potential obstacles and challenges to accomplishing project goals and explain strategies that will be used to address these challenges.

Program Design and Service Provision

- Applicants must describe their overall program design for either foster and/or group care and provide documentation supporting its ability to provide the required program services indicated in *Section I, Program Requirements*.
- Applicants must describe how their service delivery for either foster and/or group care is sensitive to the culture, native language, sexual orientation, and special needs of UC.
- Applicant's program design for either foster and/or group care must describe how it is appropriate for the target population.
- Applicants must describe experience and proficiency in implementing a behavioral management plan for either foster and/or group care as indicated *Section I, Program Requirements, Rules/Behavior Management*.
- Applicants must describe experience and provide documentation supporting their ability to provide appropriate case management services for either foster and/or group care including developing and updating ISPs, as well as other assessment required by ORR.
- Applicants must describe their ability to comply with the pertinent laws, regulations and settlement agreements, and with ORR policies, procedures, and instructions as referenced in *Section I, Program Description, Statutory Authority*.

- Applicants must design developmentally appropriate programs for either foster and/or group care that address the specialized and individual needs of all UC, including vulnerable and traumatized UC.
- Applicants must describe their capacity to identify possible victims of human trafficking and other crimes.
- Applicants must describe the ability to process the identification and safe and timely release of UC.
- Applicants must describe their ability to recruit and train foster parents utilizing MAPP or an equivalent foster parent training curriculum.
- If an applicant has a religious objection to providing any of ORR's required program services, applicant must explicitly describe an alternative approach to meeting the grant obligations consistent with ACF's faith-based policy. The alternative approach must be one that accomplishes the goal of ensuring that UC in ORR's custody understand the full range of services available in the program, including family planning services, and that there is a mechanism by which UC requesting such services can receive appropriate services. The alternative approach must ensure that all services for which the UC is eligible are timely, not be burdensome to the UC, and be operationally feasible for ORR.

Program Management

- Applicants must provide a comprehensive overview of the applicant's organization, including qualifications, history, organizational mission and goals, and lists of all federal, state, or local funded grants and/or contracts received.
- Applicants must describe their experience in the provision of child welfare services, child protective services, services to children with special needs and/or victims of trafficking, youth outreach, and/or other social services. Describe organizational experience working directly with UC or cross cultural/international or related services to children from various cultural backgrounds, various language capabilities, and special needs, including vulnerability to human trafficking.
- Applicants must provide documentation of clear organizational structure outlining lines of authority and supervision.
- Applicants must describe a plan to implement ORR's sexual abuse and harassment policies, including, but not limited to appropriate screening of new hires, developing internal policy documents, and training staff on PREA policies.
- Applicants must describe staffing plans that provide a sound relationship between the proposed responsibilities of lead program staff, including Program Director, Lead Clinician, and Lead Case Manager, and the educational and professional experience required for the position according to requirements outlined in *Section I, Program Staffing Requirements*.
- As required by state licensing, applicants must provide a detailed plan for completing background checks for applicable staff, contractors, and volunteers.
- Applicants must describe the ability to provide a comprehensive staff training plan that meets state licensing requirements, ORR policy requirements and include elements specific to working with the UC population, prevention and intervention in child abuse and neglect, including local reporting procedures and staff code of conduct.
- Applicants must describe case management staff is proficient in using the Internet and

related computer programs.

Administrative and Service Environment

- Applicants must describe their overall program service environment for foster and/or group care and provide documentation supporting its ability to provide the required program services indicated in *Section I, Program Requirements*.
- Applicants must describe the facility's accessibility to immigration court, airports, fire, police, and the local community. Applicants must provide evidence on the feasibility of administering a program in the area that is proposed.
- Applicants must clearly describe and/or provide photographs of the proposed facility (including description of sleeping arrangements, food preparation, kitchen and dining area, classrooms, office space, rest rooms, outside recreation areas, and living space).
- Applicants must describe that the facility meets all relevant zoning, licensing, fire, safety, and health codes required to operate a residential based social service program. Applicants must provide detailed information regarding type of state licensure, including information on capacity, age/gender permitted, and length of stay allowable. Any and all documented state licensing allegations/concerns must be reported.
- Applicants must explain and document facility ownership or leasing agreements.
- Applicants must describe all security measures for the facility and describe how they adequately meet the requirements of the program in order to prevent unauthorized absence from the facility and to monitor those who enter and exit the facility.
- Applicants must provide documented evidence/references or letters of local community support and acceptance of the applicant's program. This must include established relationships with local emergency services (i.e., police, fire), medical and mental health agencies, religious and community organizations, and state licensing offices' recommendations for serving UC.

Project Timeline and Milestones

Provide quantitative monthly or quarterly projections of the accomplishments to be achieved for each function, or activity, in such terms as the number of people to be served and the number of activities accomplished. Data may be organized and presented as project tasks and subtasks with their corresponding timelines during the project period. For example, each project task could be assigned to a row in the first column of a grid. Then, a unit of time could be assigned to each subsequent column, beginning with the first unit (i.e., week, month, quarter) of the project and ending with the last. Shading, arrows, or other markings could be used across the applicable grid boxes or cells, representing units of time, to indicate the approximate duration and/or frequency of each task and its start and end dates within the project period.

When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

Program Performance Evaluation Plan

Applicants must describe the plan for the program performance evaluation that will contribute to continuous quality improvement. The program performance evaluation should monitor ongoing processes and the progress towards the goals and objectives of the project. Include descriptions of the inputs (e.g., organizational profile, collaborative partners, key staff, budget, and other resources), key processes, and expected outcomes of the funded activities. The plan may be supported by a logic model and must explain how the inputs, processes and outcomes will be measured, and how the resulting information will be used to inform improvement of funded activities.

Applicants must describe the systems and processes that will support the organization's performance management requirements through effective tracking of performance outcomes, including a description of how the organization will collect and manage data (e.g. assigned skilled staff, data management software) in a way that allows for accurate and timely reporting of performance outcomes. Applicants must describe any potential obstacles for implementing the program performance evaluation and how those obstacles will be addressed.

- Applicants must describe effective and resource-efficient strategies for programmatic control, predictability, and accountability as evidenced by the program design for either foster and/or group care.
- Applicants must describe evaluation methodology based on performance. Focus must be placed on child welfare practices, particularly child safety and ability to ensure safe and timely release for those UC with potential sponsors, when applicable. Applicants must describe measures that effectively track performance in this area.
- Applicants must provide an effective plan for developing and maintaining internal structure, control, and accountability through programmatic means.
- Applicants must describe ability to produce statistical reports to track demographics and performance of program.
- Applicants must describe ability to maintain adequate records, including client files, medical files, financial files and personnel files.
- Applicants must provide documentation of a system that preserves the confidentiality of UC information and protects the records from unauthorized use or disclosure. The records of UC are the property of ORR and are required to be provided to ORR upon request.
- Applicants must describe the ability to make regular reports as required by ORR that permit ORR to monitor and enforce the Flores Settlement Agreement, federal requirements, ORR policies and procedures and other requirements and standards. ORR will not request any UC reports from grantees unless it has received OMB approval under PRA.
- Applicants must describe the ability to implement and maintain the UC Portal.
- Applicants must include a plan for assessing performance with regard to the safe and timely release process for UC, when applicable. Applicants must address how it will monitor the progression of individual cases and include a clear structured timeline with regard to working with each UC safe and timely release, when applicable.

Geographic Location

Describe the precise location of the project and boundaries of the area to be served by the proposed project.

Legal Status of Applicant Entity

Applicants must provide the following documentation:

Applicants must provide documentation in order to certify their legal status and/or eligibility. This may include but is not limited to, Governing Board Membership Documentation and/or articles of incorporation.

Non-profit organizations applying for funding are required to submit proof of their non-profit status. Proof of non-profit status is any one of the following:

- A reference to the applicant organization's listing in the IRS's most recent list of tax-exempt organizations described in the IRS Code.
- A copy of a currently valid IRS tax-exemption certificate.
- A statement from a state taxing body, state attorney general, or other appropriate state official certifying that the applicant organization has non-profit status and that none of the net earnings accrue to any private shareholders or individuals.
- A certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status.
- Any of the items in the subparagraphs immediately above for a state or national parent organization and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Unless directed otherwise, applicants must include proof of non-profit status in the *Appendices* file of the electronic application submission.

Additional Eligibility Documentation

Applicants must provide the additional, required documentation, or required credentials, to support eligibility for an award, as described in *Section III. Eligibility Information* of this announcement:

Applicant must provide documentation of licensure or eligibility (temporary, provisional, or an equivalent license) with license being issued, by a state licensing agency, within 60 days of award to provide residential, group, or foster care services for dependent children.

Organizational Capacity

Provide the following information on the applicant organization and, if applicable, on any cooperating partners:

- Organizational charts;
- Resumes (no more than two single-spaced pages in length);
- Financial statements adhering to Generally Accepted Accounting Principles (GAAP), if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations);

- Audit reports or statements from Certified Public Accountants/Licensed Public Accountants, if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations);
- Copy or description of the applicant organization's fiscal control and accountability procedures;
- Evidence that the applicant organization, and any partnering organizations, have relevant experience and expertise with administration, development, implementation, management, and evaluation of programs similar to that offered under this announcement;
- Evidence that each participating organization, including partners and/or subcontractors, possess the organizational capability to fulfill their role(s) and function(s) effectively;
- Child care licenses and other documentation of professional accreditation;
- Information on compliance with federal/state/local government standards;

Protection of Sensitive and/or Confidential Information

If any confidential or sensitive information will be collected during the course of the project, whether from staff (e.g., background investigations) or project participants and/or project beneficiaries, provide a description of the methods that will be used to ensure that confidential and/or sensitive information is properly handled and safeguarded. Also provide a plan for the disposition of such information at the end of the project period.

Third-Party Agreements

Third-party agreements include Memoranda of Understanding (MOU) and Letters of Commitment. General letters of support are **not** considered to be third-party agreements. Third-party agreements must clearly describe the project activities and support to which the third party is committing. Third-party agreements must be signed by the person in the third-party organization with the authority to make such commitments on behalf of their organization.

Provide written and signed agreements between grantees and subgrantees, or subcontractors, or other cooperating entities. These agreements must detail the scope of work to be performed, work schedules, remuneration, and other terms and conditions that structure or define the relationship.

Letters Of Support

Provide statements from community, public, and commercial leaders that support the project proposed for funding. All submissions must be included in the application package.

Plan for Oversight of Federal Award Funds

Provide a plan describing how oversight of federal funds will be ensured and how grant activities and partner(s) will adhere to applicable federal and programmatic regulations. Applicants must identify staff that will be responsible for maintaining oversight of program activities, staff, and partner(s). Applicants must describe procedures and policies used to oversee staff and/or partners/contractors.

Describe organizational records systems that relate financial data to performance data by identifying the source and application of federal funds so that they demonstrate effective control over and accountability for funds, compare outlays with budget amounts, and provide accounting records supported by source documentation.

The Project Budget and Budget Justification

All applicants are required to submit a project budget and budget justification with their application. The project budget is entered on the Budget Information Standard Form, either SF-424A or SF-424C, according to the directions provided with the SFs. The budget justification consists of a budget narrative and a line-item budget detail that includes detailed calculations for "object class categories" identified on the Budget Information Standard Form. Applicants must indicate the method they are selecting for their indirect cost rate. See Indirect Charges for further information.

Project budget calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. If matching or cost sharing is a requirement, applicants must include a detailed listing of any funding sources identified in Block 18 of the SF-424 (Application for Federal Assistance). See the table in *Section IV.2. Required Forms, Assurances, and Certifications* listing the appropriate budget forms to use in this application.

Special Note: *The Consolidated Appropriations Act, 2016, (Division E, Title VII, General Provisions – Government-Wide), limits the salary amount that may be awarded and charged to ACF grants and cooperative agreements. Award funds issued under this announcement may not be used to pay the salary, or any percentage of salary, to an individual at a rate in excess of Executive Level II. The Executive Level II salary of the "Rates of Pay for the Executive Schedule" is \$185,100. This amount reflects an individual's base salary exclusive of fringe benefits and any income that an individual may be permitted to earn outside of the duties of the applicant organization. This salary limitation also applies to subawards and subcontracts under an ACF grant or cooperative agreement.*

Provide a budget using the 424A and/or 424C, as applicable, for each year of the proposed project. Provide a budget justification, which includes a budget narrative and a line-item detail, for the first year of the proposed project. The budget narrative should describe how the categorical costs are derived. Discuss the necessity, reasonableness, and allocation of the proposed costs.

Applicants proposing staff allocated to several funding sources or several funding applications must ensure that FTE allocations does not exceed 100%. Budgets must include the names of staff for positions already filled and level of effort (percentage dedicated to the project).

Funding for UC medical services is provided under a separate ORR managed care program and must not be included as a component of the applicant's budget. However, applicant must

include the cost of coordinating medical, dental, and mental health services. Coordination will include over the counter medication, having a staff person who dispenses medication, and books, and transports UC's to medical appointments.

Based on UC needs, transfer to a facility within ORR network may be necessary. In addition, temporary placement, outside of ORR network, in an acute psychiatric hospital and/or psychiatric residential setting, would require transportation of UC for placement and discharge once treatment has been completed. Placement decisions, outside of ORR's network, are initiated by the care provider in conjunction with ORR and final approval is made by ORR. These transfers would include airfare, escort, and transport to and from airport/facility. Applicant should include transport cost for no more than one percent of the estimated number of UC applicant proposes to serve annually.

Applicants and their subcontractor(s), if applicable, must provide a description of an internal financial monitoring system that demonstrates structure and accountability, as well as describe effective fiscal management and accountability. A discussion of most recent audit and findings should be included.

For profit organizations must clearly describe that they are only charging the program actual cost incurred.

General

Use the following guidelines for preparing the budget and budget justification. Both federal and non-federal resources (when required) shall be detailed and justified in the budget and budget narrative justification. "Federal resources" refers only to the ACF grant funds for which you are applying. "Non-federal resources" are all other non-ACF federal and non-federal resources. It is suggested that budget amounts and computations be presented in a columnar format: first column, object class categories; second column, federal budget; next column(s), non-federal budget(s); and last column, total budget. The budget justification should be in a narrative form.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify the project director or principal investigator, if known at the time of application. For each staff person provide: the title; time commitment to the project in months; time commitment to the project as a percentage or full-time equivalent; annual salary; grant salary; wage rates; etc. Do not include the costs of consultants, personnel costs of delegate agencies, or of specific project(s) and/or businesses to be financed by the applicant. Contractors and consultants should not be placed under this category.

Fringe Benefits

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, Federal Insurance Contributions Act (FICA) taxes,

retirement insurance, and taxes.

Travel

Description: Costs of out-of-state or overnight project-related travel by employees of the applicant organization. Do not include in-state travel or consultant travel.

Justification: For each trip show the total number of traveler(s); travel destination; duration of trip; per diem; mileage allowances, if privately owned vehicles will be used to travel out of town; and other transportation costs and subsistence allowances. If appropriate for this project, travel costs for key project staff to attend ACF-sponsored workshops/conferences/grantee orientations should be detailed in the budget.

Equipment

Description: "Equipment" means an article of nonexpendable, tangible personal property having a useful life of more than one year per unit and an acquisition cost that equals or exceeds the lesser of: (a) the capitalization level established by the organization for the financial statement purposes, or (b) \$5,000. (Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation, shall be included in or excluded from acquisition cost in accordance with the applicant organization's regular written accounting practices.)

Justification: For each type of equipment requested applicants must provide a description of the equipment; the cost per unit; the number of units; the total cost; and a plan for use of the equipment in the project; as well as a plan for the use, and/or disposal of, the equipment after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy, or section of its policy, that includes the equipment definition.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category. This includes office and other consumable supplies with a per-unit cost of less than \$5,000.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information that supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, construction, etc. Include third-party evaluation contracts, if applicable, and contracts with secondary recipient organizations (with budget detail), including delegate agencies and specific project(s) and/or businesses to be financed by the applicant. This area is not for individual consultants.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open, and free competition. Recipients and

subrecipients are required to use 45 CFR 75.328 procedures and must justify any anticipated procurement action that is expected to be awarded without competition and exceeds the simplified acquisition threshold fixed by 41 U.S.C. § 134, as amended by 2 CFR Part 200.88, and currently set at \$150,000. Recipients may be required to make pre-award review and procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, etc., available to ACF.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and budget narrative for each contractor/sub-contractor, by agency title, along with the same supporting information referred to in these instructions. If the applicant plans to select the contractors/sub-contractors post-award and a detailed budget is not available at the time of application, the applicant must provide information on the nature of the work to be delegated, the estimated costs, and the process for selecting the delegate agency.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to: consultant costs, local travel; insurance; food (when allowable); medical and dental costs (noncontractual); professional services costs (including audit charges); space and equipment rentals; printing and publication; computer use; training costs, such as tuition and stipends; staff development costs; and administrative costs.

Justification: Provide computations, a narrative description, and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category has one of two methods that an applicant can select. An applicant may only select one.

- 1) The applicant currently has an indirect cost rate approved by the Department of Health and Human Services (HHS) or another cognizant federal agency.

Note: An applicant must enclose a copy of the current approved rate agreement. If the applicant is requesting a rate that is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

- 2) Per 45 CFR § 75.414(f) Indirect (F&A) costs, "any non-Federal entity [i.e., applicant] that has never received a negotiated indirect costs rate, ... may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in § 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time."

Justification: This method only applies to applicants that have never received an approved negotiated indirect cost rate from HHS or another cognizant federal agency. Applicants

awaiting approval of their indirect cost proposal may request the 10 percent de minimis. When the applicant chooses this method, costs included in the indirect cost pool must not be charged as direct costs to the grant.

Program Income

Description: The estimated amount of income, if any, expected to be generated from this project. Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds.

Justification: Describe the nature, source, and anticipated use of program income in the budget or refer to the pages in the application that contain this information.

Commitment of Non-Federal Resources

Description: Amounts of non-federal resources that will be used to support the project as identified in Block 18 of the SF-424. The match calculation applies to the total project cost (including match) and not just to the federal share.

Justification: If an applicant is relying on match from a third party, then a firm commitment of these resources (letter or other documentation) is required with the application. Detailed budget information must be provided for every funding source identified in Block 18 of the SF-424.

Note: Applicants are required to fully identify and document in their applications the specific costs or contributions they propose in order to meet a matching or cost-sharing requirement. Applicants are also required to provide documentation in their applications on the sources of funding or contribution(s) and, for in-kind contributions, a justification of how the stated valuation was determined.

Paperwork Reduction Disclaimer

As required by the Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501-3521, the public reporting burden for the Project Description and Budget/Budget Justification is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection information. The Project Description and Budget/Budget Justification information collection is approved under OMB control number 0970-0139, expiration date is 01/31/2019. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Application Submission Options

Electronic Submission via www.Grants.gov

Additional guidance on the submission of electronic applications can be found at <http://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

After a grant application package is submitted to www.Grants.gov, a confirmation

screen will appear on the applicant's computer screen. This screen confirms that an application has been submitted an application to Grants.gov. This page also contains a tracking number to identify the status of the application submission in the Track My Application feature.

When the application has completed the Grants.gov submission process, Grants.gov will send email messages to advise the applicant of the progress of the application through its system. **Over the next two business days, an applicant should receive two emails from Grants.gov:**

- **Submission Receipt Email:** Confirms successful receipt of the application by the Grants.gov system and indicates the application's status as "Received."
- **Submission Validation –OR– Rejection with Errors Email:** Indicates that the application was either successfully validated or rejected by Grants.gov. Either the application has been successfully validated by the system prior to transmission to the grantor agency or the application has been rejected due to errors.

Application Validation at www.Grants.gov

After an application has been successfully submitted to www.Grants.gov, it still must pass a series of validation checks. After an application is submitted, Grants.gov generates a submission receipt via email and also sets the application status to "Received." This receipt verifies that the application has been successfully delivered to the Grants.gov system.

Next, Grants.gov verifies the submission is valid by ensuring it does not contain viruses, the opportunity is still open, and the applicant login and applicant DUNS number match. If the submission is valid, Grants.gov generates a submission validation receipt via email and sets the application status to "Validated."

If the application is not validated, the application status is set to "Rejected." The system sends a rejection email notification to the applicant and the applicant must re-submit the application package. See "What to Expect After Submitting" at www.Grants.gov for more information.

Each time an application is re-submitted to www.Grants.gov, the applicant will receive a new **Submission Receipt Email**. Only applications with on-time date and time stamps in Submission Receipt Email, and that pass validation, will be transmitted to ACF. Applications that are submitted on time that fail the validation check are not be transmitted to ACF and will not be acknowledged.

NOTE: The Grants.gov validation check can affect whether the application is accepted for review. If an application fails the Grants.gov validation check and is not resubmitted by 11:59 p.m., ET, on the due date, it will not be transmitted to ACF and will be excluded from the review.

Similarly, if an applicant resubmits their application to Grants.gov by 11:59 p.m., ET, on the due date, and the resubmitted application does not pass the validation check, it will

not be transmitted to ACF and will be excluded from the review.

Grants.gov Support Center

- If applicants encounter any technical difficulties in using www.Grants.gov, contact the Grants.gov Support Center at: 1-800-518-4726, or by email at support@grants.gov, to report the problem and obtain assistance. Hours of Operation: 24 hours a day, 7 days a week. The Grants.gov Support Center is closed on federal holidays.
- Applicants should always retain Grants.gov Support Center service ticket number(s) as they may be needed for future reference.
- **Contact with the Grants.gov Support Center prior to the listed application due date and time does not ensure acceptance of an application. If difficulties are encountered, the Grants Management Officer listed in *Section VII. HHS Awarding Agency Contact(s)* will determine whether the submission issues are due to Grants.gov system errors or user error.**

Issues with Federal Systems

For any systems issues experienced with Grants.gov or SAM.gov, please refer to ACF's "Policy for Applicants Experiencing Federal Systems Issues" document for complete guidance

at https://www.acf.hhs.gov/sites/default/files/assets/systems_issue_policy_final.pdf.

Request an Exemption from Required Electronic Application Submission

ACF recognizes that some applicants may have limited or no Internet access, and/or limited computer capacity, which may prohibit them from uploading large files at www.Grants.gov. To accommodate such applicants, ACF offers an exemption from required electronic submission. The exemption will allow applicants to submit hard copy, paper applications by hand-delivery, applicant courier, overnight/express mail couriers, or by other representatives of the applicant.

To receive an exemption from required electronic application submission, applicants must submit a written request to ACF that must state that the applicant qualifies for the exemption for one of the two following reasons:

- Lack of Internet access or Internet connection, or
- Limited computer capacity that prevents the uploading of large documents (files) at www.Grants.gov.

Applicants may request and receive the exemption from required electronic application submission by either:

- Submitting an email request to electronicappexemption@acf.hhs.gov, or
- Sending a written request to the Office of Grants Management Contact listed in *Section VII. HHS Awarding Agency Contact(s)* in this announcement.

Requests for exemption from required electronic application submission will be

acknowledged with an approval or disapproval.

Requests that do not state one of the two listed reasons will not be approved.

An exemption is applicable to all applications submitted by the applicant organization during the Federal Fiscal Year (FFY) in which it is received. Applicants need only request an exemption once in a FFY. Applicants must request a new exemption from required electronic submission for any succeeding FFY.

Please Note: electronicappexemption@acf.hhs.gov may only be used to request an exemption from required electronic submission. All other inquiries must be directed to the appropriate agency contact listed in *Section VII* of this announcement. Queries or requests submitted to this email address for any reason other than a request for an exemption from electronic application submission will not be acknowledged or answered.

All exemption requests must include the following information:

- Funding Opportunity Announcement Title,
- Funding Opportunity Number (FON),
- The listed Catalog of Federal Domestic Assistance (CFDA) number,
- Name of Applicant Organization and DUNS Number,
- AOR name and contact information,
- Name and contact information of person to be contacted on matters involving the application (i.e., the Point of Contact), and
- The reason for which the applicant is requesting an exemption from electronic application submission. The request for exemption must state one of the following two reasons: 1) lack of Internet access or Internet connection; or 2) lack of computer capacity that prevents uploading large documents (files) to the Internet.

Exemption requests must be received by ACF no later than two weeks before the application due date, that is, 14 calendar days prior to the application due date listed in the *Overview* and in *Section IV.4. Submission Dates and Times*. If the fourteenth calendar day falls on a weekend or federal holiday, the due date for receipt of an exemption request will move to the next federal business day that follows the weekend or federal holiday.

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials. Details concerning acknowledgment of received applications are available in *Section IV.4. Submission Dates and Times* of this announcement.

Paper Format Application Submission

An exemption is required for the submission of paper applications. See the preceding section on "*Request an Exemption from Required Electronic Application Submission*."

Applicants with exemptions that submit their applications in paper format, by mail or delivery, must submit one original and two copies of the complete application with all attachments. The original and each of the two copies must include all required forms, certifications, assurances, and appendices, be signed by the AOR, and be unbound. The original copy of the application must have original signature(s). See *Section IV.7.* of this announcement for address information for paper format application submissions. Applications submitted in paper format must be received by 4:30 p.m., ET, on the due date.

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials. Details concerning acknowledgment of received applications are available in *Section IV.4. Submission Dates and Times* in this announcement.

IV.3. Unique Entity Identifier and System for Award Management (SAM)

All applicants must have a DUNS Number (<http://fedgov.dnb.com/webform>) and an active registration with the System for Award Management (SAM.gov/SAM, <https://www.sam.gov>).

Obtaining a DUNS Number may take 1 to 2 days.

All applicants are required to maintain an active SAM registration until the application process is complete. If a grant is awarded, registration at SAM must be active throughout the life of the award.

Plan ahead. Allow at least 10 business days after you submit your registration for it to become active in SAM and at least an additional 24 hours before that registration information is available in other government systems, i.e. Grants.gov.

This action should allow you time to resolve any issues that may arise. Failure to comply with these requirements may result in your inability to submit your application through Grants.gov or prevent the award of a grant. Applicants should maintain documentation (with dates) of your efforts to register for, or renew a registration, at SAM. User Guides are available under the "Help" tab at <https://www.sam.gov>.

HHS requires all entities that plan to apply for, and ultimately receive, federal grant funds from any HHS Agency, or receive subawards directly from recipients of those grant funds to:

- Be registered in the SAM prior to submitting an application or plan;
- Maintain an active SAM registration with current information at all times during which it has an active award or an application or plan under consideration by an OPDIV; and
- Provide its active DUNS number in each application or plan it submits to the OPDIV.

ACF is prohibited from making an award until an applicant has complied with these requirements. At the time an award is ready to be made, if the intended recipient has not complied with these requirements, ACF:

- May determine that the applicant is not qualified to receive an award; and
- May use that determination as a basis for making an award to another applicant.

IV.4. Submission Dates and Times

Due Dates for Applications

Due Date for Applications:

- FY 2016: 08/01/16
- FY 2017: 06/16/17
- FY 2018: 06/15/18

No applications will be accepted in between the open application periods.

Explanation of Due Dates

The due date for receipt of applications is listed in the *Overview* section and in this section. See *Section III.3. Other, Application Disqualification Factors*.

Electronic Applications

The deadline for submission of electronic applications via www.Grants.gov is 11:59 p.m., ET, on the due date. Electronic applications submitted at 12:00 a.m., ET, on the day after the due date will be considered late and will be disqualified from competitive review and from funding under this announcement.

Applicants are required to submit their applications electronically via www.Grants.gov unless they received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

ACF does not accommodate transmission of applications by email or facsimile.

Instructions for electronic submission via www.Grants.gov are available at: <http://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

Applications submitted to www.Grants.gov at any time during the open application

period prior to the due date and time that fail the Grants.gov validation check will not be received at ACF. These applications will not be acknowledged.

Mailed Paper Format Applications

The deadline for receipt of mailed, paper applications is 4:30 p.m., ET, on the due date. Mailed paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and from funding under this announcement.

Paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

Hand-Delivered Paper Format Applications

Applications that are hand-delivered by applicants, applicant couriers, by overnight/express mail couriers, or other representatives of the applicant must be received on, or before, the due date listed in the *Overview* and in this section. These applications must be delivered between the hours of 8:00 a.m. and 4:30 p.m., ET, Monday through Friday (excluding federal holidays). Applications should be delivered to the address provided in *Section IV.7. Other Submission Requirements*.

Hand-delivered paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and from funding under this announcement.

Hand-delivered paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

No appeals will be considered for applications classified as late under the following circumstances:

- Applications submitted electronically via www.Grants.gov are considered late when they are dated and time-stamped after the deadline of 11:59 p.m., ET, on the due date.
- Paper format applications received by mail or hand-delivery after 4:30 p.m., ET, on the due date will be classified as late and will be disqualified.
- Paper format applications received from applicant organizations that were not approved for an exemption from required electronic application submission under the process described in *Section IV.2. Request an Exemption from Required Electronic Submission* will be disqualified.

Emergency Extensions

ACF may extend an application due date when circumstances make it impossible for an applicant to submit their applications on time. Only events such as documented natural disasters (floods, hurricanes, tornados, etc.), or a verifiable widespread disruption of electrical service, or mail service, will be considered. The determination to extend or

waive the due date, and/or receipt time, requirements in an emergency situation rests with the Grants Management Officer listed as the Office of Grants Management Contact in *Section VII. HHS Awarding Agency Contact(s)*.

Acknowledgement from www.Grants.gov

Applicants will receive an initial email upon submission of their application to www.Grants.gov. This email will provide a **Grants.gov Tracking Number**. Applicants should refer to this tracking number in all communication with Grants.gov. The email will also provide a **date and time stamp**, which serves as the official record of application's submission. Receipt of this email does not indicate that the application is accepted or that it has passed the validation check.

Applicants will also receive an email acknowledging that the received application is in the **Grants.gov validation process**, after which a third email is sent with the information that the submitted application package has passed, or failed, the series of checks and validations. Applications that are submitted on time that fail the validation check will not be transmitted to ACF and will not be acknowledged by ACF.

See "What to Expect After Submitting" at www.Grants.gov for more information.

Acknowledgement from ACF of an electronic application's submission:

Applicants will be sent additional email(s) from ACF acknowledging that the application has been retrieved from www.Grants.gov by ACF. Receipt of these emails is not an indication that the application is accepted for competition.

Acknowledgement from ACF of receipt of a paper format application:

ACF will not provide acknowledgement of receipt of hard copy application packages submitted via mail or courier services.

IV.5. Intergovernmental Review

This program is not subject to Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs," or 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." No action is required of applicants under this announcement with regard to E.O. 12372.

IV.6. Funding Restrictions

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions are unallowable. Fund raising costs for the purposes of meeting the Federal program objectives are allowable with prior written approval from the Federal awarding agency. (45 CFR §75.442)

Proposal costs are the costs of preparing bids, proposals, or applications on potential Federal and non-Federal awards or projects, including the development of data

necessary to support the non-Federal entity's bids or proposals. Proposal costs of the current accounting period of both successful and unsuccessful bids and proposals normally should be treated as indirect (F&A) costs and allocated currently to all activities of the non-Federal entity. No proposal costs of past accounting periods will be allocable to the current period. (45 CFR §75.460)

Grant awards will not allow reimbursement of pre-award costs.

Construction is not an allowable activity or expenditure under this grant award.

Purchase of real property is not an allowable activity or expenditure under this grant award.

Funding for UC medical services is provided under a separate ORR managed care program and must not be included as a component of the applicant's budget.

Each year, the HHS appropriations includes a prohibition, stating that none of the funds appropriated may be expended for an abortion, except in cases where pregnancy is a result of rape or incest or where the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. See Consolidated Appropriations Act, 2016, Pub.L. No. 114-113 §§ 506, 507.

IV.7. Other Submission Requirements

Submit paper applications to one of the following addresses. Also see *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

Submission By Mail

William Kim
Administration for Children and Families
Office of Grants Management
Division of Discretionary Grants
Mary E. Switzer Building
330 C Street, SW
Washington, DC 20201

Hand Delivery

William Kim
Administration for Children and Families
Office of Grants Management
Division of Discretionary Grants
Mary E. Switzer Building
330 C Street, SW
Washington, DC 20201

Electronic Submission

See *Section IV.2.* for application requirements and for guidance when submitting applications electronically via <http://www.Grants.gov>.

For all submissions, see *Section IV.4. Submission Dates and Times.*

V. Application Review Information**V.1. Criteria**

Please note: Reviewers will not access, or review, any materials that are not part of the application documents. This includes information accessible on websites via hyperlinks that are referenced, or embedded, in the application. Though an application may include web links, or embedded hyperlinks, reviewers will not review this information as it is not considered to be part of the application documents. Nor will the information on websites be taken into consideration in scoring of evaluation criteria presented in this section. Reviewers will evaluate and score an application based on the documents that are presented in the application and **will not** refer to, or access, external links during the objective review.

Applications competing for financial assistance will be reviewed and evaluated using the criteria described in this section. The corresponding point values indicate the relative importance placed on each review criterion. Points will be allocated based on the extent to which the application proposal addresses each of the criteria listed. Applicants should address these criteria in their application materials, particularly in the project description and budget justification, as they are the basis upon which competing applications will be judged during the objective review. The required elements of the project description and budget justification may be found in *Section IV.2* of this announcement.

PROGRAM DESIGN AND SERVICE PROVISION**Maximum Points:30**

The application will be reviewed for the overall program design and the applicant's ability to explain the required services to be provided. This will be evidenced by the following:

- Detailed documentation supporting applicant's ability and/or experience in providing the required program services indicated in the *Section I, Program Requirements* for either foster and/or group home. Documentation must include evidence of applicant's ability to provide all program requirements listed in *Section I, Program Requirements*. If applicable, documentation must also include an alternative approach to providing any required program services due to religious objection. (0-5 points)
- Clear description of overall program design for either foster and/or group home and plan for provision of the services listed (i.e. medical services, ISP, education, etc.) in *Section I, Program Requirements*. Description must include ability to adhere to the time-frames required for the provisions of services. (0-6 points)
- Detailed information on how program activities, services, and materials are developed and provided in a manner that is appropriate for the target population taking into account the culture, native language, and special needs of UC. (0-5 points)

points)

- Detailed plan to identify and address the specialized needs of the UC population, including victims of trafficking and risk factors for potential sexual victimization or sexual abuser tendencies. (0-5 points)
- Detailed description of how the applicant's behavior management plan for either foster and/or group home will be developed and implemented as required in *Section I, Program Requirements, Rules/Behavior Management*. Description must identify how the behavior management plan is strength based and meets child welfare best practices. In addition, how the behavior management plan takes in to consideration the range of ages, maturity levels, and cultural sensitivity of the UC. (0-3 points)
- Provides detailed supporting documentation and description of experience in providing appropriate case management services, for either foster and/or group home, e.g. ISPs. Documentation must evidence applicants experience with providing case management services to the UC population, cross cultural/international and/or domestic children from various cultural backgrounds. (0-3 points)
- Detailed plan on how applicant will identify, assess, and release UC with eligible domestic sponsors in a timely manner, when applicable. The plan identifies applicant's ability to facilitate safe and timely release of UC to include but not limited to: identifying sponsor(s); evaluating the suitability of the sponsor; and verification of sponsor's identity and relationship to the UC, when applicable. (0-3 points)

PROGRAM MANAGEMENT

Maximum Points:25

The application will be reviewed for the capacity of the organization to develop and manage a UC program by assessing the following:

- Comprehensive and concise overview of the applicant's organization including qualifications, history, and organizational mission and goals. Evidenced by applicant's key staff having sufficient and relevant experience, knowledge, and capability to implement and manage LTFC. (0-5 points)
- Detailed plan to provide child welfare services to minors with special needs and/or victims of trafficking and minors from various cultural backgrounds and with various language capabilities. (0-5 points)
- Clear and comprehensive organizational structure of the proposed program for either foster and/or group home that describes delineation of authority, roles and responsibilities and supervision across the entire organization allowing for communication and coordination between the various program components and partner agencies. Applicant addresses the educational and professional experience required for key positions according to requirements outlined in *Section I, Program Staffing Requirements*. (0-5 points)
- Detailed plan to screen, hire, and train staff to meet state licensing and ORR requirements. Training must address elements specific to working with the UC population, prevention and intervention in child abuse and neglect, local reporting procedures, and staff code of conduct. (0-4 points)
- Comprehensive plan to implement ORR's sexual abuse and harassment policies

including but not limited to, assigning a PREA Staff Coordinator, appropriate screening of new hires, developing internal policy documents, and training staff and UCs on these policies. (0-3 points)

- Documentation of a detailed, thorough, and realistic description of recruitment and retention staffing plan taking into consideration the particular needs of the target population. Detailed plan for completing background checks for staff, contractors, and volunteers. (0-3 points)

ADMINISTRATIVE AND SERVICE ENVIRONMENT

Maximum Points:15

The application will be reviewed for information regarding the geographic location, community services, and facility design to adequately support program services by assessing the following:

- Comprehensive description of overall program service environment for either foster and/or group home with documentation supporting its ability to provide the required program services indicated in *Section I, Program Requirements*. (0-5 points)
- Clear description of the proposed facility/foster and/or group homes, including description of sleeping arrangements, food preparation, kitchen and dining area, office space, rest rooms, outside recreation areas, designated personal telephone call space, and living space. (0-5 points)
- Documentation of facility/foster and/or group home accessibility to immigration court, airports, fire, police, and the local community. Facility/foster and/or group homes meets all relevant zoning, fire, safety, and health codes required to operate a residential based social service program. Detailed information regarding type of state licensure, including information on capacity, age/gender permitted, and length of stay allowable. Any and all documented state licensing allegations/concerns must be reported. (0-3 points)
- Explanation and documentation of facility ownership or leasing agreements. Documented evidence/references or letters of local community support and acceptance of the applicant's program. This should include established relationships with local emergency services (i.e., police, fire), medical and mental health agencies, religious and community organizations, and state licensing offices' recommendations for serving UC. (0-2 points)

PROGRAM PERFORMANCE EVALUATION PLAN

Maximum Points:15

The application will be reviewed for evidence of the organization's capacity to manage proper documentation and reporting with regard to the proposed program, including internal accountability and plan for monitoring of performance through evaluation and other measures. Evidence of the following must be provided:

- Clear description of an effective model for programmatic control, predictability, and accountability as evidenced by the program design for either foster and/or group home. (0-5 points)
- Detailed evaluation methodology based on performance. Evidenced by focus on child welfare practices, particularly child safety, safe and timely release

performance and ability to ensure timely and appropriate release for UC with potential sponsors, when applicable. Measures that effectively track performance in this area must be described in detail. (0-5 points)

- Ability to maintain adequate electronic and/or hard copy records, including client files, medical files, financial files, and personnel files. Ability to produce reports that track demographics and program performance, effective monitoring and enforcement of the Flores Settlement Agreement, federal requirements, ORR policies and procedures, and other requirements and standards. (0-3 points)
- Proposes an effective and efficient plan to operate the UC Portal and to upload all appropriate UC forms and file information within the timeframes indicated in *Section I, Program Requirements, Important Time-frames*. (0-2 points)

BUDGET AND BUDGET JUSTIFICATION

Maximum Points:15

The application will be reviewed for fiscal soundness and accountability by assessing the following:

- Accurate and detailed budget and budget justification noting line-item expenses with sufficient detail for understanding per item costs for applicant and their contractors, if applicable to include inclusion of the names of staff for positions already filled and level of effort (percentage dedicated to the project) (0-4 points)
- Clear delineation of fixed verses per capita costs and a well-defined structure for calculating each. (0-2 points)
- The costs are reasonable, allocable, and program-related and are commensurate with the types and range of activities to be conducted. (0-4 points)
- Comprehensive plan for overall fiscal management including internal and third-party financial monitoring systems that demonstrate structure and accountability for applicant and any sub-contractors, if applicable. (0-2 points)
- Documentation of a sound plan in compliance with the funding restrictions as noted in *Section IV.5.* of the FOA. (0-1 points)
- Documentation of most recent financial audit management letter/summary report. (0-2 points)

V.2. Review and Selection Process

No grant award will be made under this announcement on the basis of an incomplete application. No grant award will be made to an applicant or sub-recipient that does not have a DUNS number (www.dbn.com) and an active registration at SAM (www.sam.gov). See *Section IV.3. Unique Entity Identifier and System for Award Management (SAM)*.

Initial ACF Screening

Each application will be screened to determine whether it meets any of the disqualification factors described in *Section III.3. Other, Application Disqualification Factors*.

Disqualified applications are considered to be “non-responsive” and are excluded from the

competitive review process. Applicants will be notified of a disqualification determination by email or by USPS postal mail within 30 federal business days from the closing date of this FOA.

Objective Review and Results

Applications competing for financial assistance will be reviewed and evaluated by objective review panels using only the criteria described in *Section V.1. Criteria* of this announcement. Each panel is composed of experts with knowledge and experience in the area under review. Generally, review panels include three reviewers and one chairperson.

Results of the competitive objective review are taken into consideration by ACF in the selection of projects for funding; however, objective review scores and rankings are not binding. Scores and rankings are only one element used in the award decision-making process.

ACF may elect not to fund applicants with management or financial problems that would indicate an inability to successfully complete the proposed project. Applications may be funded in whole or in part. Successful applicants may be funded at an amount lower than that requested. ACF reserves the right to consider preferences to fund organizations serving emerging, unserved, or under-served populations, including those populations located in pockets of poverty. ACF will also consider the geographic distribution of federal funds in its award decisions.

ACF may refuse funding for projects with what it regards as unreasonably high start-up costs for facilities or equipment, or for projects with unreasonably high operating costs.

Federal Awarding Agency Review of Risk Posed by Applicants

As required by 2 CFR 200 of the Uniform Guidance, effective January 1, 2016, ACF is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS), <https://www.fapiis.gov/>, before making any award in excess of the simplified acquisition threshold (currently \$150,000) over the period of performance. An applicant may review and comment on any information about itself that a federal awarding agency has previously entered into FAPIIS. ACF will consider any comments by the applicant, in addition to other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.205 Federal Awarding Agency Review of Risk Posed by Applicants http://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200_1205&rgn=div8).

Please refer to *Section IV.2.* of this announcement for information on non-federal reviewers in the review process.

Approved but Unfunded Applications

Applications recommended for approval that were not funded under the competition because of the lack of available funds may be held over by ACF and reconsidered in a subsequent review cycle if a future competition under the program area is planned. These applications will be held over for a period of up to one year and will be re-competed for funding with all other competing applications in the next available review cycle. For those applications

determined as approved but unfunded, notice will be given of the determination by email.

V.3. Anticipated Announcement and Federal Award Dates

Announcement of awards and the disposition of applications will be provided to applicants at a later date. ACF staff cannot respond to requests for information regarding funding decisions prior to the official applicant notification.

VI. Federal Award Administration Information

VI.1. Federal Award Notices

Successful applicants will be notified through the issuance of a Notice of Award (NoA) that sets forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which initial support will be given, the non-federal share to be provided (if applicable), and the total project period for which support is contemplated. The NoA will be signed by the Grants Officer and transmitted via postal mail, email, or by GrantSolutions.gov or the Head Start Enterprise System (HSES), whichever is relevant. Following the finalization of funding decisions, organizations whose applications will not be funded will be notified by letter signed by the cognizant Program Office head. Any other correspondence that announces to a Principal Investigator, or a Project Director, that an application was selected is not an authorization to begin performance.

Project costs that are incurred prior to the receipt of the NoA are at the recipient's risk and may be reimbursed only to the extent that they are considered allowable as approved pre-award costs. Information on allowable pre-award costs and the time period under which they may be incurred is available in *Section IV.6. Funding Restrictions*.

VI.2. Administrative and National Policy Requirements

Unless otherwise noted in this section, administrative and national policy requirements that are applicable to discretionary grants are available at:

<http://www.acf.hhs.gov/administrative-and-national-policy-requirements>.

Care providers are subject to the provisions of the Service Contract Act, Code of Federal Regulations (CFR) Title 29 and must abide by applicable state wage determination guidelines in their programs.” For additional information click here: <http://www.dol.gov/whd/govcontracts/sca.htm> and/or <http://www.wdol.gov/>.

The U.S. Government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons. U.S. non-governmental organizations, and their sub-grantees, cannot use U.S. Government funds to lobby for, promote, or advocate the legalization or regulation of prostitution as a legitimate form of work. It is the responsibility of the primary grantee to ensure these criteria are met by its sub-grantees. Accordingly, the grant application must ensure that no monies, if awarded,

will be used for these unallowable purposes.

VI.3. Reporting

Recipients under this FOA will be required to submit performance progress and financial reports periodically throughout the project period. Information on reporting requirements is available on the ACF website at

<http://www.acf.hhs.gov/discretionary-post-award-requirements#chapter-2>.

For planning purposes, the frequency of required reporting for awards made under this announcement are as follows:

Performance Progress Reports: Quarterly

Financial Reports: Quarterly

Recipients under this FOA will be required to submit/administer forms to include but not limited to:

- UC Portal Capacity Report
- Notice of Placement in Secure or Staff Secure Facility
- Initial Intakes Assessment
- UC Assessment
- ISP
- UC Case Review Form
- SIR
- Sexual Abuse SIR Form
- Assessment for Risk Form
- Care Provider Incident Review Form
- New Sponsor Form
- Transfer Request and Tracking Form
- Long Term Foster Care Placement Memo
- Travel Request form for UC Long Term Foster Care
- Notice of Transfer to ICE Chief Counsel and Change of Address
- Care Provider Family Reunification Checklist
- Release Request
- Discharge Notification
- Verification of Release
- Child Advocate Referral and Appointment Form
- Notice of Rights and Provision of Services Handout
- Legal Service Provider List for UC

VII. HHS Awarding Agency Contact(s)

Program Office Contact

Shannon McGhee

Administration for Children and Families
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building
330 C Street, SW
Washington, DC 20201
Phone: (202) 205-9513
Fax: (202) 401-1022
Email: DCS_ProjectOfficers@acf.hhs.gov

Office of Grants Management Contact

William Kim
Administration for Children and Families
Office of Grants Management
Division of Discretionary Grants
Mary E. Switzer Building
330 C Street, SW
Washington, DC 20201
Phone: (202) 205-4717
Fax: (202) 205-3449
Email: William.Kim@acf.hhs.gov

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) at www.gsa.gov/fedrelay.

VIII. Other Information

Reference Websites

U.S. Department of Health and Human Services (HHS) <http://www.hhs.gov/>.
HHS Grants Forecast <http://www.acf.hhs.gov/hhsgrantsforecast/index.cfm>.
Administration for Children and Families (ACF) <http://www.acf.hhs.gov/>.
ACF Grants Homepage <https://www.acf.hhs.gov/grants>.
ACF Funding Opportunities <http://www.acf.hhs.gov/grants/open/foa/>.
ACF "How to Apply for a Grant" <https://www.acf.hhs.gov/grants/>

[how-to-apply-for-grants.](#)

Catalog of Federal Domestic Assistance (CFDA) <https://www.cfda.gov/>.

For submission of a paper format application, all required Standard Forms (SF), assurances, and certifications are available on the ACF Grants-Forms page through <https://www.acf.hhs.gov/grants-forms>.

Standard grant forms are available at the [Grants.gov](#) Forms Repository webpage at <http://www.grants.gov/web/grants/forms/sf-424-family.html>.

For information regarding accessibility issues, visit the Grants.gov Accessibility Compliance Page at <http://www.grants.gov/web/grants/accessibility-compliance.html>

Code of Federal Regulations (CFR) <http://www.ecfr.gov/>.

The *Federal Register* <https://www.federalregister.gov/>.

United States Code (U.S.C.) <http://uscode.house.gov/>.

Application Checklist

What to Submit	Where Found	When to Submit
DUNS Number (Unique Entity Identifier) and Systems for Award Management (SAM) registration.	Referenced in <i>Section IV.3. Unique Entity Identifier and System for Award Management (SAM)</i> in the announcement. To obtain a DUNS number (Unique Entity Identifier), go to http://fedgov.dnb.com/webform . To register at SAM, go to http://www.sam.gov .	A DUNS number (Unique Entity Identifier) and registration at SAM.gov are required for all applicants. Active registration at SAM must be maintained throughout the application and project award period.

Mandatory Grant Disclosure	Requirement, submission instructions, and mailing addresses are found in the "Mandatory Grant Disclosure" entry in the table in <i>Section IV.2. Required Forms, Assurances and Certifications</i> .	Concurrent submission to the Administration for Children and Families and to the Office of the Inspector General is required.
SF-Project/Performance Site Location(s) (SF-P/PSL)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i>. For electronic application submission, these forms are available on the FOA's Grants.gov "Download Opportunity Instructions and Application" page under "Download Application Package" in the section entitled, "Mandatory." Also available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family."	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i>.
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i>. For electronic application submission, these forms are available on the FOA's Grants.gov page under the "Application Package" tab in the section entitled, "Mandatory." Available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family."	Submission is due with the application package or prior to the award of a grant.

SF-424 - Application for Federal Assistance	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> For electronic application submission, these forms are available on the FOA's Grants.gov "Download Opportunity Instructions and Application" page under "Download Application Package" in the section entitled, "Mandatory." Also available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family."	Submission is due by the application due date found in the <i>Overview and in Section IV.4. Submission Dates and Times.</i>
SF-LLL - Disclosure of Lobbying Activities	"Disclosure Form to Report Lobbying" is referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> For electronic application submission, this form is available on the FOA's Grants.gov "Download Opportunity Instructions and Application" page under "Download Application Package" in the section entitled, "Optional." The form is available in the electronic application kit at Grants.gov and at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family." If applicable, submission of this	If submission of this form is applicable, it is due at the time of application. If it not available at the time of application, it may also be submitted prior to the award of a grant.

	form is required if any funds have been paid, or will be paid, to any person for influencing, or attempting to influence, an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan.	
SF-424A - Budget Information - Non-Construction Programs and SF-424B - Assurances - Non-Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> For electronic application submission, these forms are available on the FOA's Grants.gov "Download Opportunity Instructions and Application" page under "Download Application Package" in the section entitled, "Mandatory." Also available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family." These forms are <i>required</i> for applications under this FOA: • Projects that include only non-construction activities must submit the SF-424A and SF-424B, along with the SF-424 and SF-P/PSL.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>

SF-424 Key Contact Form	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> For electronic application submission, this form is available on the FOA's Grants.gov "Download Opportunity Instructions and Application" page under "Download Application Package" in the section entitled, "Optional." The form is also available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family."	Submission is due with the application by the application due date found in the <i>Overview and in Section IV.4. Submission Dates and Times.</i>
Commitment of Non-Federal Resources	Referenced in <i>Section IV.2. The Project Budget and Budget Justification.</i>	Submission is due by the application due date found in the <i>Overview and Section IV.4. Submission Dates and Times.</i>
Table of Contents	Referenced in <i>Section IV.2. The Project Description.</i>	Submit with the application by the due date found in the <i>Overview and in Section IV.4. Submission Dates and Times.</i>
Project Summary/Abstract	Referenced in <i>Section IV.2. The Project Description.</i> The Project Summary/Abstract is limited to one single-spaced page.	Submission is due by the application due date found in the <i>Overview and in Section IV.4. Submission Dates</i>

		<i>and Times.</i>
Third-Party Agreements (also, MOUs and Consortia Agreements)	Referenced in <i>Section IV.2. Project Description.</i>	If available, submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4.</i> If not available at the time of application submission, due by the time of award.
Letters of Support	Referenced in <i>Section IV.2. The Project Description.</i>	Submission is due by the application due date listed in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Proof of Non-Profit Status	Referenced in <i>Section IV.2. The Project Description, Legal Status of Applicant Entity.</i>	Proof of non-profit status should be submitted with the application package by the due date listed in the <i>Overview</i> and <i>Section IV.4. Submission Dates and Times.</i> If it is not available at the time of application submission, it must be submitted prior to the award of a grant.

The Project Description	Referenced in <i>Section IV.2. The Project Description.</i>	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
The Project Budget and Budget Justification	Referenced in <i>Section IV.2. The Project Budget and Budget Justification</i> of the announcement.	Submission is required in addition to submission of SF-424A or SF-424C. It must be submitted with the application package by the due date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Indirect Cost Rate Agreement (IDR)	Referenced in <i>Section IV.2. The Project Budget and Budget Justification.</i> The IDR must be submitted with the application package.	If the IDR is available by the application due date, it must be submitted with the application package. If it is not available by the application due date, listed in the <i>Overview</i> and <i>Section IV.4. Submission Dates and Times</i> , it may be submitted prior to the award of a grant.

Exhibit B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FATMA MAROUF, *et al.*,

Plaintiffs,

V.

Xavier Becerra, in his official capacity as
Secretary of the UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, *et al.*,

Defendants.

) Case No. 1:18-cv-378 (APM)

**FEDERAL DEFENDANTS' SECOND SUPPLEMENTAL OBJECTIONS AND
RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 26(e)(1) and the Court’s January 18, 2022, Minute Order, Defendants United States Department of Health and Human Services (“HHS”); Administration for Children and Families (“ACF”); Office of Refugee Resettlement (“ORR”); Xavier Becerra, in his official capacity as Secretary of HHS; January Contreras, in her official capacity as Assistant Secretary for ACF; and Cindy Huang, in her official capacity as Director of ORR (collectively, “Federal Defendants”), hereby submit these second supplemental objections and responses to Plaintiffs’ First Set of Interrogatories.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

2. The terms “Federal Defendants,” “you,” and “your,” as used herein, refer to HHS; ACF; ORR; Alex Azar, in his official capacity as Secretary of HHS; Lynn Johnson, in her official capacity as Assistant Secretary for ACF; and Jonathan Hayes, in his official capacity as Director of ORR, including but not limited to directors, officers, owners, representatives, agents, servants, employees, members, or other persons acting or purporting to act on behalf of Federal Defendants, and any predecessors or successors.

OBJECTIONS TO DEFINITION 2:

Federal Defendants object to this definition insofar as it suggests that other federal officers, agents, employees, predecessors, or successors are themselves defendants in this case and, as such, amenable in their own right to service of a Rule 33 interrogatory.

10. The term “identify” means:
 - a. In connection with persons, to give, to the extent known, the person’s full name, present or last known address, and, when referring to a natural person, the present or last known place of employment;
 - b. In connection with documents, to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s);
 - c. In connection with an oral statement or communication, to the extent known, to (i) state when and where it was made; (ii) identify each of the makers and recipients thereof, in addition to all others present; (iii) indicate the medium of the statement or communication; and (iv) state the substance of the statement or communication.

OBJECTIONS TO DEFINITION AND INSTRUCTION 10:

Federal Defendants object to this definition and instruction to the extent it purports to require obligations inconsistent with or additional to those imposed by the Federal Rules of Civil Procedure. Federal Defendants further object to the extent Plaintiffs have already served requests for production in relation to any interrogatory asking for an identification of documents; in such instances, Federal Defendants will proceed in the manner set forth specifically below, including through the mechanism provided by Fed. R. Civ. P. 33(d). Federal Defendants also object to instruction 10(a) to the extent it attempts to propound an additional interrogatory through the instructions provided with Plaintiffs’ interrogatories. Federal Defendants will answer the interrogatories below as they are written, providing the information actually requested therein.

11. The term “document” has the broadest meaning accorded to it by Rule 34 of the Federal Rules of Civil Procedure. The term includes, without limitation, any writing or any other tangible thing in Federal Defendants’ care, custody, or control, whether printed, recorded, reproduced by any process, written or produced by hand, or generated or stored as

electronic data, in any electronic format. It includes, without limitation, the original and any non-identical copy (which is different from the original because of notations on such copy or otherwise) of letters; reports; agreements; contracts (including drafts, proposals, and exhibits thereto); communications; correspondence; e-mails; telegrams; teletype messages; memoranda; internal or external memoranda; summaries; tape recordings; recordings or records of personal conversations; diaries; forecasts; calendars; brochures; photographs; models; statistical statements; graphs; notebooks; charts; tabulations; computations; plans; drawings; pamphlets; advertisements; circulars; trade letters; press releases; invoices; financial statements; purchase orders; receipts; checks; and any data stored, maintained, published, or organized electronically or magnetically through computer equipment, translated, if necessary, by you into reasonably usable form.

OBJECTIONS TO DEFINITION 11:

Federal Defendants object to everything after the first sentence in this definition, because it is redundant in light of Federal Rule of Civil Procedure 34(a)(1)(A) and insofar as it would modify or supersede that rule.

15. Unless otherwise indicated, the time period covered by each request is from the date of the first action taken by Federal Defendants to implement or administer the URM or UAC Program, respectively, with respect to the first grant period under such program for which USCCB applied or was otherwise considered, successfully or unsuccessfully, for a grant (including any action taken by Federal Defendants to solicit grant applications for such period) through the present (the “Relevant Period”).

OBJECTIONS TO DEFINITION 15:

Federal Defendants object to the timeframe prescribed by Definition 15 because it is unduly burdensome, not reasonably calculated to discover information relevant to Plaintiffs’ claims, and disproportionate to the needs of Plaintiffs’ case. Plaintiffs allege that they first approached Catholic Charities of Forth Worth (“CCFW”) in February 2017. But Plaintiffs’ instruction, as written, would seek information as far back as 2003. Conducting an inquiry extending back that far—across multiple administrations, numerous personnel changes, and long before the facts alleged in the First Amended Complaint—is not reasonable or proportional to the needs of Plaintiffs’ case and it would be unduly burdensome.

Federal Defendants have conducted an inquiry with respect to the period covering the grants in place in February 2017, to the present.

16. For purposes of interpreting or construing the scope of these definitions, instructions, and interrogatories, the terms used shall be given their most expansive and inclusive interpretation, including the following rules of construction:
- a. The singular shall include the plural and vice versa;
 - b. The masculine, feminine, or neuter pronoun shall not exclude other genders or entities;
 - c. The connectives “and” and “or” shall be read either disjunctively or conjunctively as necessary to bring within the scope of the document requests all responses that might otherwise be construed to be outside their scope;
 - d. The terms “any,” “all,” and “each,” and “every” shall be read to mean any, all, each, and every;
 - e. The word “including” shall be read to mean including without limitation; and
 - f. The present tense includes the past and future tenses and vice versa.

OBJECTIONS TO INSTRUCTION 16:

Federal Defendants object to instruction 16(c) insofar as it conflicts with plain English usage by requiring “and” to be read disjunctively and “or” to be read conjunctively. These ungrammatical constructions would make several of Plaintiffs’ requests nonsensical and, at a minimum, it would require Federal Defendants to give at least two different—and contrary—readings to each interrogatory. That constitutes an undue burden on Federal Defendants and is disproportionate to the needs of Plaintiffs’ case.

17. When asked to identify a document, your response should include such information as is sufficient to enable Plaintiffs to form an intelligible request for production of such document with the degree of specificity required by the Federal Rules of Civil Procedure. If no copy of the document identified is in your possession, custody, or control, you should include the name(s) and address(es) of the person(s) now having possession, custody, or control of the document or any copy thereof.

OBJECTIONS TO INSTRUCTION 17:

Federal Defendants object to this instruction to the extent it purports to require obligations inconsistent with or additional to those imposed by the Federal Rules of Civil Procedure. Federal Defendants further object to the extent Plaintiffs have already served requests for production in relation to any interrogatory asking for an identification of documents; in such instances, Federal Defendants will proceed in the manner set forth specifically below. Federal Defendants also object

to instruction 17 to the extent it attempts to propound an additional interrogatory through the instructions provided with Plaintiffs' interrogatories. Federal Defendants will answer the interrogatories below as they are written, providing the information actually requested therein

19. If you object to any interrogatory on the basis of attorney-client privilege, work-product doctrine, or any other privilege, state the privilege claimed, and identify the document, communication, or other information for which such privilege is claimed, stating the following:
- a. The date of the document, communication, or information;
 - b. The subject matter of the document, communication, or information;
 - c. A description of the document, communication, or information protected, including the identity of all persons who authored, transmitted, received a copy of, or otherwise engaged with respect to such document, communication, or information and the number of pages, if written; and
 - d. The basis on which the privilege is claimed.

OBJECTIONS TO INSTRUCTION 19:

Federal Defendants object to this instruction to the extent it purports to impose obligations additional to or inconsistent with the Federal Rules of Civil Procedure. Federal Defendants will comply with their obligations under the rules in regard to assertions of privilege, including Rule 26(b)(5).

20. To the extent all or part of any response to any interrogatory is based upon any document, please identify each document by production number (or describe the document in detail if it has not yet been produced) and indicate the interrogatory or interrogatories to which it is relevant, to the extent not done in each interrogatory response.

OBJECTIONS TO INSTRUCTION 20:

Federal Defendants object to instruction 20 because it attempts to propound an additional interrogatory through the instructions provided with Plaintiffs' interrogatories. Federal Defendants will answer the interrogatories below as they are written, providing the information actually requested therein. If Plaintiffs seek the identification or production of documents, they must so request, which request counts against the limit of 25 interrogatories imposed by the rules. *See Banks v. Office of Senate Sergeant-at-Arms*, 222 F.R.D. 7, 10 (D.D.C. 2004) (holding the "first

and most obvious example” of discrete subparts that count against the limit of Rule 33(a) is “the combining in a single interrogatory of a demand for information and a demand for the documents that pertain to that event”); *see also Smith v. Café Asia*, 256 F.R.D. 247, 254 (D.D.C. 2009) (“Accordingly, each interrogatory that seeks identification of documents in addition to an answer will be counted as two interrogatories.”).

PRELIMINARY STATEMENT REGARDING COMPOUND INTERROGATORIES

As set forth more fully below, Plaintiffs have propounded far more than the number of interrogatories permitted by the rules. Plaintiffs have done so by erroneously and improperly styling as one interrogatory numerous separate inquiries that must be counted as discrete requests under Rule 33(a). Courts in this district have repeatedly rejected such attempts to circumvent the limits of Rule 33(a). A subpart of an interrogatory must be counted separately if it “introduces a line of inquiry that is separate and distinct from the inquiry made by the portion of the interrogatory that precedes it.” *Smith*, 256 F.R.D. at 254 (quoting *Willingham v. Ashcroft*, 226 F.R.D. 57, 59 (D.D.C. 2005)). Said another way, an “interrogatory may only contain multiple parts that are logically or factually subsumed within and necessarily related to the primary question.” *U.S. ex rel. Pogue v. Diabetes Treatment Ctrs. Of Am., Inc.*, 235 F.R.D. 521, 527 (D.D.C. 2006) (citation omitted). Applying these principles, courts have re-numbered interrogatories in a manner that comports with the rules. *See Smith*, 256 F.R.D. at 254 (“... [P]laintiff’s first nine interrogatories actually constitute 25 interrogatories and defendant is therefore only obliged to answer the first nine.”).

A handful of examples from the case law demonstrate why nearly every one of Plaintiffs’ interrogatories contain numerous discrete subparts. In *Willingham*, for example, the court analyzed an interrogatory that asked “when Catherine Reeves (‘Reeves’) started working for the

Office of Attorney Personnel Management and the number of disciplinary actions she decided since she came to that office” as well as “whether the disciplined employee thereafter filed a discrimination complaint and seeks all the particulars of the complaint, including its disposition.” 226 F.R.D. at 59. The court interpreted this as “rais[ing] two distinct areas of inquiry: (1) Reeves’ service, the record of what she did in the cases before her, and the particulars of those cases; and (2) whether the persons disciplined filed discrimination complaints and the particulars of those complaints.” *Id.* It accordingly counted these as two interrogatories. Similarly in *Banks*, the court re-numbered an interrogatory that sought information about “1) the determination that plaintiff was not entitled to disability leave and 2) the number of employees in the past ten years who were denied disability leave.” 222 F.R.D. at 11. Another interrogatory “raise[d] three topics: 1) plaintiff’s evaluations, 2) plaintiff’s loss of certain duties because of them, and 3) what information was provided to the evaluators and from whom did it come.” *Id.*

Federal Defendants have renumbered the interrogatories in the manner described below in accordance with these principles. They have answered the first 25 interrogatories in order (or declined to answer based on other objections where appropriate). Federal Defendants have not answered any further interrogatories and stand on their objections as to those.

SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1:

Please describe the [1] organizational structure of Federal Defendants as relevant to each Program (i) during the grant period encompassing February 2017 and (ii) at the present time, including:

- a. the hierarchy of authority among positions;
- b. the responsibilities or duties associated with each position; and
- c. [2] the names, titles, and dates of service of persons who held those positions, and their responsibilities or duties related to USCCB or any of its sub-grantees (including CCFW or CCD), if any.

OBJECTIONS TO INTERROGATORY NO. 1:

Federal Defendants object to this interrogatory because it has two discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for two separate inquiries, asking for the organizational structure and a listing of certain positions within ACF and ORR, as well as the identity, dates of service, and duties related to USCCB for certain people over a period from February 2017 to the present. Alternatively, this interrogatory calls for two separate inquiries by seeking information about the UC and URM programs respectively. In light of these multiple inquiries, Federal Defendants construe this interrogatory as constituting two interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1).

Federal Defendants also object to this interrogatory to the extent it seeks the identification of persons or positions without any relationship to USCCB's status as a grantee for the provision of long-term foster care in the UC and URM programs in Texas, which is the only part of ACF or ORR that is relevant to Plaintiffs' claims. In their response below, Federal Defendants have not identified HHS employees or positions that lack such a relationship to USCCB's work as a grantee.

Federal Defendants further object to this interrogatory's use of "relevant to each Program" as vague and ambiguous. It is unclear what parts of HHS this interrogatory is intended to identify and whether it is intended to identify persons without specific operational roles regarding administration of the Programs, such as employees of the Office of the General Counsel. Federal Defendants construe this interrogatory to only seek identification of persons and positions within ACF and ORR that have a relationship to USCCB's status as a grantee for the provision of long-term foster care in the UC and URM programs in Texas and have answered accordingly.

RESPONSE TO INTERROGATORY NO. 1:

Subject to the foregoing objections, Federal Defendants previously attached a supplemental copy of the current ORR organizational chart, *see* Exhibit A to July 13, 2020, supplemental responses, which described ORR's structure, including with respect to the UC and URM programs and the hierarchy of authority among positions. That organizational chart identified the names and titles of staff who have had duties related to USCCB and its sub-grantees from February 2017 to the present. Persons shown in red had roles with a relationship to USCCB.

Exhibit A to this supplemental response is a current ORR organizational chart.

The following positions and individuals are identified in response to this interrogatory:

- Assistant Secretary of ACF
 - Amanda Barlow (Acting) – Feb. 2017 to Apr. 2017
 - Steven Wagner (Acting) – May 2017 to Sept. 2018
 - Lynn Johnson – Oct. 2018 to Jan. 2021
 - JooYeun Chang – Feb. 2021 to January 28, 2022
 - Jennifer Cannistra (Acting) – February 2022 to Mar. 31, 2022
 - January Contreras – Mar. 31, 2022 to present
- Director of ORR
 - Kenneth Tota (Acting) – Feb. 2017
 - Scott Lloyd – Mar. 2017 to Nov. 2018
 - Jonathan Hayes (Acting) – Nov. 2018 to Mar. 2, 2019
 - Jonathan Hayes – Mar. 3, 2019 to Mar. 13, 2020
 - Heidi Stirrup (Acting) – Mar. 16, 2020 to Oct. 2020
 - Nicole Cubbage (Acting) – Oct. 2020 to Jan. 2021
 - Cindy Huang – Mar. 2021 to present
- Deputy Director of Refugee Programs
 - Kenneth Tota – Feb. 2017 to present
- Division of Refugee Health
 - Elisa Rainey – Health Program Specialist

- Carol Tumaylle – Health Program Specialist
- URM Program Supervisor
 - Anne Mullooly – Feb. 2017 to present
- URM Program Analyst
 - Mimi Veeraraghavan – Feb. 2017 to present
- ORR Principal Deputy Director
 - Andrea Chapman – August 2021 to present
- ORR Program Manager
 - Laura Kiesler – Nov. 2021 to present
- Deputy Director for Children’s Programs
 - Jonathan White – Feb. 2017 to Feb. 2018
 - Jallyn Sualog – Mar. 2018 to present (on detail)
 - Andrea Chapman (Acting) – Aug. 2021 to present
- Director of Children’s Operations
 - Stephen Antkowiak – Mar. 2019 to present
- Central Branch Supervisor in the Division of Unaccompanied Children Operations (DUCO)
 - Sarah Viola – Feb. 2017 to present (previously DUCO Project Officer Supervisor)
- DUCO Project Officer Supervisor
 - Rachel Jacobs Gainor – Mar. 2019 to present
 - Natalia Becker – Sep. 2020 to present
 - Reina Byrd – July 2021 to present
 - Gail Houppert – July 2021 to present
- Project Officer for USCCB
 - Sathya Acevedo – Feb. 2017 to July 2019
 - April Young – June 2017
 - Tanzeena Mahmood – July 2019
 - Melissa Carlier – Aug. 2019 to Jan. 2021
 - Hilda Crespo – Jan. 2021 - Oct. 2021
 - Connie Morales - Sep. 2021 to present
- Senior Supervisory Field Program Supervisor

- James De La Cruz – Jan. 2015 to Jan. 2022
- Vacancy from Jan. 2022 to present
- Acting Director of Field Operations
 - Laura Kiesler – Nov. 2021 to present
- Federal Field Specialist Supervisor for Fort Worth LTFC
 - Jose Gonzalez – Feb. 2017 to Dec. 2020
- Federal Field Specialist for Fort Worth LTFC
 - Omar Corrales – Feb. 2017 to Sept. 2018
 - Erika Valdez – Oct. 2018 to Aug. 2020
 - Griselda Acuna – Aug. 2020 to Sep. 2020
 - Katrina Shaw – Oct. 2020 to Dec. 2020
- Federal Field Specialist Supervisor for Houston LTFC
 - Jose Gonzalez – Feb. 2017 to Oct. 2018
 - Micaela Vergara – Oct. 2018 to Mar. 2021
- Federal Field Specialist for Houston LTFC
 - Micaela Vergara – Feb. 2017 to Sep. 2018
 - Monique Hymel – Oct. 2018 to Nov. 2019
 - Stephanie Durrett – Dec. 2019 to Mar. 2021

The responsibilities or duties of the foregoing positions at ORR are set forth below. References to responsibilities relating to grantees in the following descriptions encompass grantee USCCB. As for CCFW and other sub-grantees, federal regulations that are applicable to both programs hold grantees responsible for oversight of any sub-recipients that they award. 45 C.F.R. §75.342 (a), 75.352 (d).

Deputy Director of Refugee Programs

- Has responsibility for overall management of ORR Refugee Program. Oversees ongoing programmatic activities, administration, and operation activities within the Office.
- Communicates and coordinates with the Director and other senior management staff at all levels in ACF. Provides confidential and pre-decisional advice and recommendations to the Director on the development and implementation of ACF plans for achieving short- and

long-range goals and objectives for the Refugee Resettlement Program, URM program, and Victims of Torture Program.

- Performs a variety of high-level coordinative, consultative, and advisory services relating to national policy, planning, communication, budget and research for ACF. Frequently interacts on behalf of the Director with senior level Government officials and members of the public to effectively present and communicate both in writing and verbally the position of the ORR Director, ACF, and HHS.
- Initiates, develops, and coordinates the implementation and management of major refugee program initiatives, special projects, inter-departmental and workgroup initiatives that inform and advise the Assistant Secretary and other agency leadership in carrying out ACF policy objectives in the area of social services to children and families.
- Reports on activities, progress, findings, and recommendations that will inform the development or enhancement of national policies/programs to improve the lives of refugee and other vulnerable populations.
- Initiates special initiatives and outreach to increase refugee self-sufficiency through discretionary grants, demonstration, evaluation, interagency agreements, or pilot programs. Ensures monitoring and provision of technical assistance to the State administered and alternative programs to ensure compliance and appropriate services to refugees.
- Establishes the framework for the allocation of formula and discretionary grants to State-administered and alternative programs.
- Develops procedures and policy guidance to support services to refugees.
- Ensures review and analysis of State-administered, discretionary and alternative program performance reporting and data submissions.
- Oversees the development and maintenance of the refugee program database system. Develops and oversees a system-wide process for monitoring and technical assistance to State-administered, alternative, formula and discretionary grants.
- Develops refugee program budget estimates based on interagency consultation and coordination. Drafts congressional justifications to support overall operations and services. Oversees State arrival estimates, formula allocations and fund balances to ensure appropriate reconciliation. Reviews and approves State plans and budgets for services and outcome goals, Government Performance and Results Act (GPRA) and the Program Assessment Rating System tool (PARTS).
- Reviews/approves Unaccompanied Minor foster care placement requests. Ensures provision of care complies with State licensing standards and ORR regulations.
- Oversees the development and implementation of surveys and research studies to include the Annual Survey of Refugees.
- Develops and manages the implementation of Federal initiatives focused on improving policy and programs serving refugees and other vulnerable populations. Works with key Agency officials and outside groups to identify problem areas to be addressed.

- Acts as a liaison with State organizations on all related refugee program issues. Maintains contacts and represents the Director, ORR, with officials of other Federal agencies, State and local governments and voluntary organizations participating in refugee assistance programs.
- Develops and presents independent analyses of controversial matters and performs confidential and sensitive assignments for the Director of ORR and the Assistant Secretary for the ACF. Conducts short and long-term special and unique analyses of critical, cross cutting and sensitive program and policy issues relevant to the administration of ACF and ORR programs. Develops, critiques, and/or edit proposals, contracts, and related program or legal materials to address complex and sensitive issues requiring broad coordination, special information gathering techniques, and detailed analysis. Oversees consultation processes to ensure representation of various views, open and full discussion and adherence to designated timeframes. Leads strategic planning initiatives on behalf of the Office.
- Represents ACF/ ORR in conferences, meetings, State and local consultations, onsite visits, and inter/intra agency work groups to coordinate ORR program plans and actions, implement initiatives, negotiate resolutions to conflicts and/or program compliance matters and to stimulate program innovations.
- Represents ORR as member of United States delegations to international forums and working groups on migration, services, best practices and refugee integration. Delegations include the United Nations High Commissioner for Refugees (UNHCR), Intergovernmental Consultations on Migrants, Refugees and Asylees (IGC) and the Organization for Economic and Community Development (OECD).
- Prepares program related and policy reports, decision memoranda, and other written materials for the Director of ORR and the Assistant Secretary, ACF. Determines the technical accuracy, scope and content of materials prepared within ORR to ensure that they are consistent with current policies and procedures. Works independently to determine needed modifications in such documents; negotiates the required changes with Agency officials; expedites completion; and prepares the final review.
- Supervisory Duties
 - Provides day-to-day technical and administrative leadership and guidance, to the ORR staff, which includes subordinate supervisors.
 - Directly supervises and provides direction to a staff, which consists of Federal and/or contract employees who are primarily classified up to the GS-14 or equivalent level.
 - Plans work to be accomplished, sets and adjusts short-term priorities, assigns work based on priorities and prepares schedules for completion of work. Reviews completed work/work in progress; appraises the performance and potential of the subordinate staff.
 - Evaluates work performance of subordinates and furnishes advice to employees on both work and administrative matters. Recommends training, gives advice and guidance on personnel matters to staff members, approves work hours and location, grants leave, and resolves minor complaints and grievances. Develops Performance Management Plans and formally evaluates employee performance.

- Determines ways to improve production and increase the quality of work of the group, including a reorganization of personnel, statistical sampling improvements, participation in system changes, review of workload distributions, and other innovations.
- The work directed has considerable impact on all Agency operations, field and Headquarters, and facilitates the Agency's accomplishment of its primary mission or programs administered service-wide. Supervision at this level involves major decisions and actions that have a direct and substantial effect on the organization and programs managed.
- Equal Employment Opportunity (EEO) Responsibilities
 - Responsible for furthering the goals of EEO by taking positive steps to assure the accomplishment of affirmative action objectives and by adhering to non-discriminatory employee practices in regard to race, color, religion, sex, national origin, age, or handicap. As a supervisor, initiates nondiscriminatory practices and affirmative action for the area supervised in: 1) merit promotion of employees and recruitment and hiring of applicants; 2) fair treatment of all employees; 3) encouragement and recognition of employee achievements; 4) employee career development; and 5) full utilization of employees' skills.
 - In conjunction with the Director, develops an affirmative action plan for the area supervised, including appropriate objectives and goals. Monitors and periodically assesses progress. Keeps informed of, supports, and communicates to employee's Labor Relations (LR)/Employee Relations (ER) policies, plans, and programs

URM Program Supervisor

- Provides leadership and coordination in developing, managing, and administering the nationwide program for the placement and care of children in the URM program. Provides authoritative advice, consultation and technical assistance for the management of the URM national program. Provides significant input to the ORR Associate Deputy Director and the DCS Division Director. Advises senior managers on the impact of events and legislation that affect the placement and care of children in the program.
- Analyzes issues, concerns, trends, legislation and other information to effectively advise the Associate Deputy Director and the DCS Director on policies and procedures as they relate to the placement and care of children in URM.
- Oversees and directs the work of the Program Analysts, ensuring that complex decisions regarding the placement and care of children align with child welfare practices. Oversees Program Analysts monitoring visits to ensure that children receive quality care adhering to national and state child welfare policies.
- Provides leadership and coordination in developing, implementing and administering the URM program for the placement and care of children. Provides direction and guidance to Program Analysts and makes recommendations for changes in procedures and policies to DCS senior management based on expertise in child welfare and analyzing trends and data. Plans, manages, and directs services to URM.

- Develops and ensures effective implementation of case management criteria for placement and care of URM. Provides advice and guidance to Program Analysts to effectively monitor and troubleshoot difficult placements. Oversees coordination with Department of State and the UC program regarding placements.
- Coordinates, supervises and oversees the work of URM Program Analysts. Sets priorities for the completion of work, considers the difficulty and requirement of assignments, and the capability of staff when assigning work projects; tracks progress and quality of performance; effects minor disciplinary measures, such as warning and reprimands, recommending other action in more serious cases; identifies developmental and training needs of subordinates, arranging for needed training. Initiates and conducts detailed analyses of complex program processes and program policy issues. Analyzes workloads and assignments and finds ways to improve production or increase the quality of the work performed by the Program Analysts. Develops effective performance standards. Works with senior management to plan for long range staffing needs and ensures appropriate staffing levels.
- Develops training plans for the URM Program Analyst team. Training topics may include, but are not limited to, child welfare, DCS policies and procedures, Trafficking Victims Protection Reauthorization Act of 2008, best interests of the child, and international standards for the care of unaccompanied children.
- Provides guidance to national and local officials, private, and non-profit organizations on unaccompanied children cases. Serves as DCS liaison and meets with private, non-profit agencies and non-governmental groups, as needed, to discuss unaccompanied children issues, represents DCS by serving on governmental, inter-agency working groups and panels pertaining to child welfare and unaccompanied children issues.

URM Program Analyst

- Designs, develops, and coordinates analytical reports and documents involving the planning, implementation, and assessment of URM programs on a nationwide basis.
- Applies analytical and evaluative methods/techniques to analyze highly interrelated information that is often contradictory or imprecise to draw accurate or viable conclusions, findings, and solutions, and develops new approaches for conducting complex, comprehensive program analysis that deals with major issues affecting URM program management.
- Develops, selects, adapts, and employs advanced qualitative and quantitative methods, procedures, and systems for assessing the efficiency and effectiveness of the URM program policies, practices, and procedures, as well as program-level administrative operations, processes, and mechanisms.
- Uses qualitative and quantitative methods to assess progress toward program goals and objectives.
- Collects and analyzes written documentation and program information directly related to the URM program. Analyzes State plans, program performance reports, budget estimates and

expenditure reports, and client-level reports for conformance with the statute, federal regulations, policies, and guidance governing the URM program.

- Negotiates and presents information and reports on program operations and activities including provisions of technical consultation, technical assistance, directives and guidelines to grantees on operational and administrative procedures to ensure effective program management.
- Conducts on-site reviews to evaluate States' compliance with URM program rules. Identifies issues and problems that hinder program performance and develops new procedures to improve services.
- Assesses grantees' implementation strategies and procedures to evaluate program data, monitor program performance, identify technical assistance needs, and identify successful and innovative program implementation and administration techniques.
- Develops and evaluates program performance results and data (including child welfare data related to unaccompanied refugee minors and the URM program) and portrays it in a context useful for management policy and planning processes. The analyst's interpretation and findings influence the development of policy to improve URM program administration and implementation.
- Coordinates URM program performance and operating data with other agencies and stakeholders with interest in URM services and programs.
- Serves as an authoritative source of information and expertise to senior management for planning, organizing, and coordinating written reports.
- Develops detailed plans, goals, and objectives for the long-range implementation and developing criteria for evaluating the effectiveness of the URM program.
- Identifies and analyzes program challenges involving complex matters (e.g. the availability of program funding, program staffing level, and distribution of program services); formulates and evaluates possible courses of action for resolving them; draws conclusions based on relevant facts; and recommends solutions to management.
- Develops data and other information in response to special initiatives and requests relative to ongoing program operations and performance, including Congressional inquiries.
- Provides comprehensive technical consultation, assistance, and training on URM program operations, program implementation issues, regulations and policy guidance, administrative and budget matters, complex cases, intersection of refugee resettlement and child welfare system, foster care, and Federal reporting requirements.
- Reviews and evaluates program policies and procedures for gaps needing guidance. Formulates and recommends additional policies or procedures or modifications to improve the efficiency and effectiveness of URM program operations. Develops internal operating procedures; resolves functional and internal conflicts; recommends new approaches; and prepares, reviews, and/or evaluates issue papers dealing with significant policy questions.
- Represents ACF at administrative URM management and technical assessment meetings

Deputy Director of Children's Programs

- Provides advice on sensitive issues essential to the UC programs; maintains close contact with high level ACF and HHS leadership on all substantive matters affecting assigned areas of responsibility.
- Assists the Director in directing and leading staff to fulfill ORR and ACF missions; ensures consistency and compliance in program administration.
- Serves as Lead for UC capacity planning based on daily monitoring of arrival trends. Coordinates emergency response planning, working closely with the Federal Departments and US government operation commands to develop a capacity framework to support an appropriate response to an influx.
- Serves as Incident Commander/Liaison to UC Unified Coordinating Group on all related UC operations.
- Leads and coordinates all after-action assessments and reporting, ensuring implementation of actions to facilitate a proactive response.
- Oversees care and services and monitors operations to ensure consistency and integration of ACF and ORR policy objectives.
- Provides oversight to the provision of health screening and on-going health care.
- Provides consultative and advisory services relating to children services program policies to the ORR Director and ACF leadership. Advises the ORR Director in developing the organizational vision and its implementation in a continuously changing environment.
- Leads and coordinates all internal investigations (GAO, IG, etc.) related to ORR Division of Children's Services to ensure operational compliance across programs and grantees.
- On behalf of the Director, provides UC Services framework for program audit reviews and the monitoring of programs to ensure compliance and follow-up implementation.
- Serves as Lead for training and curriculum development for the Division of Children's Services to ensure operational compliance across programs and grantees.
- Employs various methods for assessing and improving complex programs, processes, and systems.

Director of Children's Operations

Provides leadership and coordination in developing, implementing, and administering the Division of Unaccompanied Children's Operations Division (DUCO), including providing advice and expert technical assistance in planning and managing issues related to UC services.

Primary oversight and managerial responsibilities include:

- The development and issuance of grants and contracts in support of services and operations.

- Ensuring compliance with statutory and legislative mandates.
- The development of policies and procedures to ensure effective operational components of the program including the care, placement and release of UC.
- Developing UC capacity and service plans in support of budget planning, justification and program initiatives.
- Providing leadership and coordination in developing, managing, and administering the nationwide field program for the placement and care of UC in custody of ORR.
- Analyzing issues, concerns, trends, and other information to effectively advise the Deputy Director of Children's Programs on policies.
- Overseeing and directing the work of supervisory program specialists overseeing complex decisions regarding the care, placement, reunification with family, transfer, release, and monitoring quality of shelter care and services.
- Implementing and administering the nationwide UC program.
- Notifying senior management of sensitive cases regarding UC and providing options for effective resolution.
- Representing the program on internal and external communications matters working closely with senior management to ensure that critical program policies and initiatives are properly and successfully presented.
- Addressing and resolving program management issues and concerns ensuring effective operations. Overseeing the UC program and identifying adverse operational trends and implementing solutions.
- Advising the Deputy Director on the progress of program operations including field, monitoring and budgetary/financial.
- Participating in national conferences and seminars, presenting information on the UC Program to a wide variety of audiences.
- Developing detailed reports and concept papers that identify issues pertaining to program operations and develop alternatives and providing recommendations as to methods to improve effectiveness and efficiency.
- Drafting performance evaluations for supervisory staff, emails to senior management and other federal government agencies, summaries and various reports to senior management and responses to correspondence from the public, Congressional inquiries, among others.
- Provides advice and counsel to subordinate supervisory staff and ensures reasonable equity among subordinates concerning performance standards, rating techniques, and assessment of subordinates.

Central Branch Supervisor in the Division of Unaccompanied Children Operations

- Supervises the management, administration, and development coordination of nationwide programs for placing and releasing UC in ORR custody safely and efficiently by facilitating dialogue between departments to address issues and gaps.
- Coordinates communication between Central Case Management, Intakes, and Project Management and other departments through regular meetings and contacts with other operations supervisors.
- Coaches and identifies training needs of subordinate supervisors, and organizes trainings.
- Assesses department's capacity to handle workloads; reviews requests for additional staff/contractors.
- Analyzes issues, concerns, and reports on trends from Central Case Management, Intake, and Project Management, and supports subordinate supervisors in developing improvements.
- Conveys key areas of improvement regarding the care and placement of UC to the Directors of DCS and the Division of Policy and Procedures.
- Oversees the Project Management Supervisor's efforts to promote program compliance with ORR and federal policies and procedures, the Flores v. Reno settlement agreement, Trafficking Victims Protection Reauthorization Act of 2008, and the ORR/DCS policies and procedures.
- Sets short and long-term objectives for Central Case Management, Intake, and Project Management in conjunction with ORR priorities, and incorporates and conveys them.
- Advises senior managers on initiatives or events that affect the care and placement of UC.
- Aids the Division Director in answering questions and implementing special initiatives.
- Develops, plans, and tracks' departments' progress on special initiatives.
- Offers guidance to federal partners, grantees, and program stakeholders on UC issues. Serves as ORR liaison and meets with nonprofit agencies and NGOs to discuss UC issues.
- Represents ORR in federal interagency working groups, planning efforts, and panels pertaining to child welfare and UC issues at the direction of the Division Director.
- Works to promote the safe and efficient care and release of UC through placements, complex case management, facility grant and contract management, and release decisions.
- Sets and adjusts short-term priorities and prepares schedules for completion of work by subordinates through subordinate supervisors, assuring reasonable equity of performance standards and rating techniques developed by subordinates.
- Makes decisions on work problems presented by subordinate supervisors or contractors and evaluates subordinate supervisors as the reviewing official on non-supervisory employee evaluations.
- Makes decisions on non-routine training requests, overtime, leave requests, and travel.

- Recommends awards and bonuses for non-supervisory staff.
- Works to reduce bottlenecks to meet quality standards and improve business practices.
- Approves work improvement plans, recommending personnel actions by subordinate supervisors.
- Resolves serious formal complaints and grievances of employees.
- Discharges security responsibilities.
- Supports the Equal Employment Opportunity (EEO) program and works with the Division Director to create a work environment that enhances personal and professional development.
 - Assures the accomplishment of workforce diversity and affirmative action objectives by adhering to nondiscriminatory employee practices regarding race, color, religion, sex, national origin, handicap, age, sexual orientation, or parental status, in regard to: (1) merit promotion of employees and recruitment and hiring of applicants; (2) fair treatment of all employees; (3) encouragement and recognition of employee accomplishments; (4) employee career development; and (5) the full utilization of employees' skills.

DUCO Project Officer Supervisor

- Plans, organizes, and directs the activities of the supportive services team, ensuring that work activities, initiatives, etc., comply with legal and regulatory requirements. Develops goals and objectives that integrate organization and integration objectives. Plans and schedules work in a manner that promotes a smooth flow and even distribution and coordinate work plans and schedules with other organizations. Ensures DHHS grant policies and procedures and adhered to and that contracting mechanism and regulations and OMB Circulars are accurately implemented and applied to effectively administer UC grant and contract programs.
- Plans work to be accomplished by subordinates, sets and adjust short-term priorities.
- Selects or recommends selection of candidates for vacancies, promotions, details, and reassignments in consideration of skills and qualification, mission requirements, EEO and diversity considerations. Applies EEO principles to all personnel management actions and decisions.

Project Officer

- Developing and administering plans to ensure DUCO-funded programs serving Unaccompanied Alien Children (UC) comply with the Flores v. Reno Settlement Agreement, Trafficking Victims Protection Reauthorization Act of 2008 and policies and procedures.
- Assisting with the design, development, and implementation of ORR, DUCO program/management policies, regulations, goals and objectives.
- Managing and monitoring assigned portfolio of applications, grants/cooperative agreements and contracts to include negotiating budgets and monitoring financial management systems.

- Exercising professional judgment and ensuring prudent stewardship of Government funds in accordance with the highest standards of professional and ethical conduct.
- Conducting capacity building and emergency planning initiatives, including performance compliance and other activities.
- Developing funding opportunity announcements (FOAs) that fully and clearly communicate programmatic needs and objectives of DUCO and comply with federal and HHS requirements.
- Analyzing and evaluating on a quantitative/qualitative basis the effectiveness of grantee care providers in UC programs in meeting established ORR/DUCO policies and procedures.
- Providing training, technical assistance, and guidance on child welfare best practices and policies and procedures, to care provider staff, field staff, and other stakeholders.
- Coordinating with Office of Grants Management and Division of Grants Policy, as appropriate, regarding applications and grant awards.
- Gathering and analyzing information concerning UC in order to prepare reports and presentations for information dissemination to other federal agencies or outside stakeholders.

Senior Supervisory Field Program Supervisor

- Provides leadership and coordination in developing, managing, and administering the nationwide field program for the placement and care of UC in custody of ORR. Provides authoritative advice, consultation and technical assistance for the management of the national field program. Provides significant input to the ORR Deputy Director and the Director of Children's Operations on the development and implementation of national care and placement plans that are based on the best interests and special needs of the unaccompanied alien children. Advises senior managers on the impact of events that affect the care and placement of unaccompanied alien children.
- Analyzes issues, concerns, trends, and other information to effectively advise the leadership on policies and procedures as they relate to the care and placement of UC. Develops plans and strategies to safely and promptly discharge unaccompanied alien children from ORR custody and to ensure release decisions comply with the Flores v. Reno Settlement.
- Oversees and directs the work of the Federal Field Specialists and Supervisory Field Specialists, ensuring that complex decisions regarding the care, placement, reunification with family, transfer, release, and quality of shelter care are sound and in the best interest
- Develops and ensures effective implementation of case management criteria for the placement and care of UC. Provides advice and guidance to Federal Field Specialists to effectively monitor and troubleshoot problem cases which include health care issues, compliance with the Flores v. Reno, release criteria, security risk assessments, among others. Oversees coordination with DHS juvenile coordinators and Customs and Border Patrol agents regarding placement, transfers, and repatriation.

Federal Field Program Specialist

- Providing strategic oversight and coaching to improve the quality and efficiency of care and releases at assigned shelter sites for unaccompanied children.
- Resolving regular program issues, including coordinating with the Department of Homeland Security, local officials and other stakeholders to resolve challenges.
- Reviewing and analyzing data (incidents, lengths of care, releases) regarding assigned shelters to identify improvement opportunities for programs, and developing and monitoring corrective action plans.
- Advising care providers on best practices based on experience, expertise and research.
- Developing policies, procedures and training for facilities to fulfill the needs and further the care of unaccompanied children.
- Assisting ORR in Field Operations related to influx operations or other types of emergencies related to the care of UC.

INTERROGATORY NO. 2:

[3] Please identify all child placing agencies in the State of Texas with a grant or sub-grant to directly or indirectly provide foster care or adoption-related services, including placing children with foster or adoptive parents or processing foster or adoptive parent applications.

[4] Include any child placing agency in the State of Texas with a pending grant or sub-grant application. For each of these agencies, please identify:

- a. its name;
- b. its location(s) (*i.e.*, the locality(ies) that it serves);
- c. the Program or Programs in which it participates;
- d. the number of children under each Program that it serves annually;
- e. the number of children under each Program that it serves annually who self-identify as LGB;
- f. the amount of its grant and the appropriation from which Federal Defendants expended or awarded federal funds with respect to the grant;
- g. its religious affiliation, if any; and
- h. [5] whether it discontinued participation in a Program, including the reason(s) therefor and any alternative arrangements that Federal Defendants made with respect to children formerly assigned to it or the foster or adoptive parents processed by it.

OBJECTIONS TO INTERROGATORY NO. 2:

Federal Defendants object to this interrogatory because it has three discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for three separate inquiries by Federal Defendants, asking various questions about current grantees, grant applicants (*i.e.* potential future grantees), and past grantees that have discontinued participation in a Program in Texas (including Federal Defendants’

actions in response to any such past instances, itself likely constituting a further discrete subpart). This interrogatory constitutes three interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1).

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case, and insofar as it concerns USCCB's administration of grants or cooperative agreements under either Program outside of Texas.

Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs during the grant period covering February 2017, which are not relevant to this case. Additionally, Federal Defendants do not issue grants for adoption through these Programs.

Federal Defendants further object to sub-paragraph (h) because it is unclear whether Plaintiffs intend this interrogatory to be limited to questions about current grantees that have previously discontinued participation in a Program at some time in the past, or whether it is intended to encompass entities that are no longer grantees in a Program. Federal Defendants have construed this interrogatory in the latter fashion.

Federal Defendants also object to this interrogatory as ambiguous in its questions about grant applicants to the extent the lettered sub-paragraphs only make sense with regard to current grantees.

Federal Defendants further object to this interrogatory because it seeks discovery irrelevant to the claims or defenses in this lawsuit by asking for information about the "appropriation from which Federal Defendants expended or awarded federal funds with respect to the grant." The

Court has dismissed Plaintiffs' invocation of the taxpayer standing doctrine and, accordingly, there is no basis for Plaintiffs to seek discovery regarding this matter.

Federal Defendants also object to Plaintiffs' request for information about the "number of children . . . who self-identify as LGB." The sexual orientation of children served by these programs is irrelevant to this litigation, which concerns alleged injuries to Plaintiffs in their capacity as prospective foster parents. Providing information about children's sexual orientation is also invasive of the personal privacy of those third parties. For these reasons, this request is also not proportional to the needs of this case.

RESPONSE TO INTERROGATORY NO. 2:

Federal Defendants do not administer grants for the provision of adoption in the UC or URM programs.

URM Program Responses:

Grantee - USCCB

(a) United States Conference of Catholic Bishops

(b) USCCB is headquartered in Washington, D.C. and serves Unaccompanied Refugee

Minor foster children through its subgrantees Catholic Charities of Dallas and Catholic

Charities of Galveston-Houston (located in those cities). The locality that USCCB

serves is dependent upon any applicable Texas law governing the proximity within which

licensed foster parents must be located to child placing agencies in order to receive

placements.

(c) Unaccompanied Refugee Minor Program (UC too, as described below)

(d) The number of URM served is determined by each subgrantee, and is addressed under each response concerning them below.

- (e) Federal Defendants stand on their objections.
- (f) USCCB Texas received the following amount of federal funds in regard to its work as

Replacement Designee in the URM Program for Texas:

- a. FY2017 – \$4,536,017
 - b. FY2018 – \$5,039,565
 - c. FY2019 – \$5,809,762
 - d. FY2020 - \$4,967,375
 - e. FY2021 - \$5,000,000
 - f. FY2022 -\$3,703,443
- (g) The Federal Government does not require that grantees or sub-grantees identify their religious orientation. Under Rule 33(d), please refer to the document produced HHS00155–00175 for USCCB’s description of its religious beliefs.

USCCB Subgrantee: Catholic Charities – Fort Worth

- (a) Catholic Charities – Fort Worth
- (b) CCFW is located in Fort Worth, Texas. The locality that it serves is dependent upon any applicable Texas law governing the proximity within which licensed foster parents must be located to child placing agencies in order to receive placements.
- (c) URM program.
- (d) The children served by the URM program fall into three categories: URM youth under 18 years of age (not including children of URM), URM youth over 18 who are on Extended Care Placements, and URM youth receiving Education and Training voucher or health care only. The number of youth served by USCCB through its sub-grantees is reflected in Form ORR-6 Performance Reports submitted by USCCB. Federal Defendants refer to

those documents under Fed. R. Civ. P. 33(d). *See* HHS00380–00393, HHS00452–00514, HHS00549–00574.

- (e) Federal Defendants stand on their objections.
- (f) ORR does not pay funds directly to subgrantees. Funds are disbursed to subgrantees from grantees. ORR does not track how much money the grantees ultimately pay the subgrantees. However, ORR does receive yearly estimates when grantees apply for funding. The information below are the estimates USCCB provided for how much it would disburse to CCFW. Please note that for FY2019, some of the estimated funds were paid to Catholic Charities of Dallas. ORR does not have the information on how much of the funding USCCB paid to Catholic Charities of Dallas.
 - a. FY2017 - \$810,750.59
 - b. FY2018 - \$2,855,051
 - c. FY2019 - \$2,812,271
 - d. FY2020 - CCFW no longer participated in the URM program and no funds were disbursed to the organization.
- (g) The Federal Government does not request information on the religious affiliation of subgrantees and does not have first-hand knowledge of the religious affiliation of subgrantees.

USCCB Subgrantee – Catholic Charities Dallas

- (a) Catholic Charities Dallas (CCD)
- (b) CCD is located in Dallas, Texas. The locality that it serves is dependent upon any applicable Texas law governing the proximity within which licensed foster parents must be located to sub-grantees in order to receive placements.

- (c) URM program.
- (d) The children served by the URM program fall into three categories: URM youth under 18 years of age (not including children of URM), URM youth over 18 who are on Extended Care Placements, and URM youth receiving Education and Training voucher or health care only. The number of youth served by USCCB through its sub-grantees is reflected in Form ORR-6 Performance Reports submitted by USCCB. Federal Defendants refer to those documents under Fed. R. Civ. P. 33(d). *See* HHS00380–00393, HHS00452–00514, HHS00549–00574.
- (e) Federal Defendants stand on their objections.
- (f) ORR does not keep track of how much grantees provide subgrantees. Grantees provide an annual estimate of service and administrative expenses in advance of the fiscal year, that may include a subgrantee’s URM budget. Expenditure reports include service and administrative totals at the grantee level with no subgrantee details. Because USCCB shifted from sub-granting funds from CCFW to Catholic Charities of Dallas in the middle of FY2019, ORR does not have information on the amount of the grant expended or awarded to Catholic Charities of Dallas. The information below are the estimates USCCB provided for how much it would disburse to Catholic Charities Dallas:
 - FY2020 - \$2,767,580
 - FY2021 - \$2,770,580
 - FY2022 - \$2,320,651
- (g) The Federal Government does not request information on the religious affiliation of subgrantees and does not have first-hand knowledge of the religious affiliation of subgrantees.

USCCB Subgrantee – Catholic Charities of the Archdiocese of Galveston-Houston

- (a) Catholic Charities of the Archdiocese of Galveston-Houston
- (b) It is located in Houston, Texas. The locality that it serves is dependent upon any applicable Texas law governing the proximity within which licensed foster parents must be located to child placing agencies in order to receive placements.
- (c) URM program.
- (d) The children served by the URM program fall into three categories: URM youth under 18 years of age (not including children of URM), URM youth over 18 who are on Extended Care Placements, and URM youth receiving Education and Training voucher or health care only. The number of youth served by USCCB through its sub-grantees is reflected in Form ORR-6 Performance Reports submitted by USCCB. Federal Defendants refer to those documents under Fed. R. Civ. P. 33(d). *See* HHS00380–00393, HHS00452–00514, HHS00549–00574.
- (e) Federal Defendants stand on their objections.
- (f) ORR does not pay funds directly to subgrantees. Funds are disbursed to subgrantees from grantees. ORR does not receive any information on the final amounts that grantees pay subgrantees. However, ORR does receive yearly estimates when grantees apply for funding. The information below are the estimates USCCB provided for how much it would disburse to Catholic Charities Galveston-Houston:

FY2017-\$2,628,756.68

FY2018- \$2,998,703

FY2019 - \$2,250,318

FY2020 - \$2,493,575

FY2021 - \$2,290,419

FY2022 -\$2,521,034

- (g) The Government does not request information on the religious affiliation of subgrantees and does not have first-hand knowledge of the religious affiliation of subgrantees.

Grantee – LIRS

- (a) Lutheran Immigration and Refugee Service
- (b) LIRS is headquartered in Baltimore, MD and was approved as a URM Replacement Designee (URD) for the state of Texas by ORR effective June 1, 2020. It will serve Unaccompanied Refugee Minor foster children through its subgrantee Upbring, out of a branch office serving the Dallas/Fort Worth community. The locality that LIRS serves is dependent upon any applicable Texas law governing the proximity within which licensed foster parents must be located to child placing agencies in order to receive placements.
- (c) Unaccompanied Refugee Minor Program
- (d) LIRS has been supporting its sub-grantee Upbring to develop procedures, hire and train staff, and obtain a child placing license for URM services to be provided through Upbring's branch office in Richardson, Texas. On January 6, 2022, LIRS informed ORR that Texas issued the branch license to Upbring, allowing Upbring to license foster homes. LIRS, as URD for the state of Texas, has not yet served any children in the URM program. As of late March 2022, LIRS, as URD for the state of Texas, has not yet served any children in the URM program.
- (e) Federal Defendants stand on their objections.
- (f) LIRS Texas received the following amount of federal funds in regard to its work as Replacement Designee in the URM Program for Texas:

FY2020 – \$345,000

FY2021 – \$612,169

FY2022 -\$561,357

- (g) The Federal Government does not require that grantees or sub-grantees identify their religious orientation.

LIRS Subgrantee: Upbring

- (a) Upbring
- (b) Upbring's URM operations are located in Richardson, Texas. The locality that it serves is dependent upon any applicable Texas law governing the proximity within which licensed foster parents must be located to child placing agencies in order to receive placements.
- (c) URM program.
- (d) As indicated above, LIRS, as URM Replacement Designee (URD) for the state of Texas, has not yet served any children in the URM program.
- (e) Federal Defendants stand on their objections.
- (f) ORR does not pay funds directly to subgrantees. Funds are disbursed to subgrantees from grantees. ORR does not track how much money the grantees ultimately pay the subgrantees. However, ORR does receive yearly estimates when grantees apply for funding. The information below are the estimates LIRS provided for how much it would disburse to Upbring.

FY2020 - \$330,044

FY2021 - \$593,104

FY2022 - \$610,360

- (g) The Federal Government does not request information on the religious affiliation of subgrantees and does not have first-hand knowledge of the religious affiliation of subgrantees.

Grantee – USCRI

Federal Defendants do not concede that USCRI falls within the scope of Interrogatory No. 2, insofar as USCRI is not a “child placing agenc[y] in the State of Texas.” Nor do Federal Defendants concede that USCRI has “a grant or sub-grant to directly or indirectly provide foster care or adoption-related services.” Nevertheless, out of an abundance of caution, and in a good-faith effort to avoid disputes, Federal Defendants provide the following information:

- (a) United States Committee for Refugees and Immigrants.
- (b) USCRI is headquartered in Arlington, Virginia. As a Medical Replacement Designee (MRD) for the state of Texas since 2017, USCRI has provided ORR-funded medical assistance to URM clients in Dallas/Fort Worth and Houston who are ineligible for Medicaid or CHIP. In response to a request by ORR dated September 28, 2021, USCRI has agreed to also provide an intake and referral function for individuals and couples in the Dallas/Fort Worth area who are interested in fostering URM. Following intake, USCRI will refer such prospective foster parents to either Catholic Charities Dallas or Upbring for training and licensing in accordance with applicable Texas law. This new intake and referral function became operational on March 28, 2022.
- (c) USCRI provides ORR-funded medical assistance for Unaccompanied Refugee Minor clients, as described in Section 3.3.3 of the URM program policy guide. Starting in the second quarter of FY 2022, USCRI will also provide intake and referral of prospective foster parents in the Dallas/Fort Worth area, as indicated above.

- (d) The number of URM served through ORR-funded medical assistance is determined by their ineligibility for Medicaid and CHIP. The number of URM to benefit from intake and referral of prospective foster parents cannot be determined until each such individual or couple is licensed and accepts children into their home.
- (e) Federal Defendants stand on their objections.
- (f) USCRI receives Cash and Medical Assistance (CMA) funding for its role as the Medical Replacement Designee to provide ORR-funded medical assistance (OFMA) in a number of states. Of the CMA funding awarded to USCRI in FY2022 only an estimated \$258,060 would be used for the URM foster parent intake and referral functions in Texas.
- (g) The Federal Government does not require that grantees or sub-grantees identify their religious orientation.

UC Program Responses:

Federal Defendants have compiled information responsive to sub-paragraphs (a)-(d) and (f) in the attached, supplemental spreadsheet identified as Exhibit B.¹ As to sub-paragraph (e), Federal Defendants stand on their objections. As to sub-paragraph (g), Federal Defendants do not request information on the religious affiliation of grantees and do not have first-hand knowledge of the religious affiliation of grantees. Under Rule 33(d), please refer to the document produced HHS00155–00175 for USCCB’s description of its religious beliefs.

Entities that have discontinued participation in a Program:

State of Texas

¹ Although not specified in the version of Exhibit B produced on November 7, 2020, the period covered was February 1, 2019, to January 31, 2020.

Texas withdrew its participation in the Refugee Resettlement Program, including the URM program, as of January 31, 2017. *See* HHS00667. Federal Defendants refer to their response to Interrogatory No. 3(a) with respect to the URM program regarding alternative arrangements made following the State's withdrawal.

Catholic Charities of Fort Worth

Catholic Charities of Fort Worth discontinued participation in the URM and UC programs in Texas. Under Rule 33(d), Federal Defendants refer to HHS00216 for the reasons why this subgrantee discontinued its participation and refer to HHS00394–00395 for the alternative arrangements implemented to fulfill CCFW's role.

Recent Grants

LIRS

Lutheran Immigration and Refugee Service (LIRS) was approved to serve as a replacement designee in the URM program in Texas on May 29, 2020, providing long term foster care through Upbring, an entity based in Fort Worth/Dallas, Texas. *See* Exhibit C (May 29, 2020, Approval Letter). The localities that would be served by LIRS and Upbring are dependent upon any Texas law governing the proximity within which licensed foster parents must be located to child placing agencies in order to receive placements. LIRS anticipated having the capacity to serve 36 URM's by the end of FY2022. Federal Defendants do not request information on the religious affiliation of grantees and do not have first-hand knowledge of the religious affiliation of LIRS or Upbring.

The Texas USCRI Consortium

Federal Defendants' most recent production includes a September 28, 2021, letter from ORR to USCRI recognizing their commitment to implement the "Texas URM consortium" in partnership with USCCB and LIRS. *See* HHS_SUPP_000010.

While USCCB and LIRS serve as URM Replacement Designees (i.e. URDs) to administer the URM program in Texas, USCRI's role in the consortium is to:

- establish a hotline and email address to receive inquiries from individuals or couples interested in fostering minors in the URM program in the Dallas/Fort Worth, Texas area;
- respond to all inquiries from individuals or couples interested in fostering minors in the URM program in the Dallas/Fort Worth, Texas area;
- conduct initial intakes of the individuals or couples, to collect basic demographic and family composition information; and
- refer the individuals or couples to one of the two URM provider agencies, i.e. Catholic Charities Dallas and Upbring, for further vetting, training, and licensing.

(h) USCRI submitted an ORR-1 estimate for FY 2022 activities on November 16, 2021, which includes a budget estimate of \$258,060 for the prospective foster parent intake and referral function. Estimated expenses may change as USCRI gains experience implementing the intake and referral function.

INTERROGATORY NO. 3:

Please describe the policies and protocols under which Federal Defendants administer each Program, including:

- a. [6] the policies or protocols under which Federal Defendants solicit, review, or approve applications for grants or sub-grants, including with respect to foster care or adoption-related services;
- b. [7] the policies or protocols under which grantees or sub-grantees are required, expected, or asked by Federal Defendants to recruit, accept applications from, screen, license, approve, or otherwise process prospective foster or adoptive parents under each Program;
- c. [8] the policies or protocols under which grantees or sub-grantees are required, expected, or asked by Federal Defendants to place children under each Program with foster or adoptive parents;
- d. [9] the policies or protocols under which Federal Defendants seek to ensure that (i) a grantee or sub-grantee, including USCCB or any of its sub-grantees (including CCFW or CCD), will not administer a grant or sub-grant based on the grantee's or sub-grantee's religious beliefs, or (ii) a grant or sub-grant, including any grant or sub-grant administered by USCCB or any of its sub-grantees (including CCFW or CCD), will be administered in compliance with any non-discrimination policy or provision applicable to a Program, including the terms or scope of such non-discrimination policy or provision, and any reporting thereunder;

- e. [10] the policies or protocols under which Federal Defendants accommodate (including by referral) the religious beliefs of a grantee or sub-grantee with respect to its administration of a grant or sub-grant;
 - f. [11] the policies or protocols under which Federal Defendants determine the amount of a grant or sub-grant award, including whether the amount of funding available under a grant is dependent on (a) whether a grantee or sub-grantee processes foster or adoptive parent applications, or how many applications the grantee or sub-grantee processes, or (b) whether a grantee or sub-grantee places children with foster or adoptive parents, or how many children the grantee or sub-grantee places); and
 - g. [12] the role that states play in the process of licensing or approving prospective foster or adoptive parents under each Program or placing children under each Program with adoptive or foster parents.
- [13] To the extent Federal Defendants' policies or protocols differ depending on whether an entity is located in the State of Texas, please identify and describe such differences.

OBJECTIONS TO INTERROGATORY NO. 3:

Federal Defendants object to this interrogatory because it has eight discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for eight separate inquiries by Federal Defendants, separately asking about Federal Defendants' policies in seven different areas, followed by a request for information about any distinct policies in the State of Texas as to any of these areas. Indeed, the only apparent relationship between the subparts of this interrogatory is that they each concern "policies and protocols" in the URM and UC programs. That minimal relationship is insufficient to properly join these questions as one interrogatory. This interrogatory constitutes eight interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1).

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs, which are not relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns religious beliefs other than

those regarding same-sex couples parenting foster children, which is the only religious belief relevant to this case.

RESPONSE TO INTERROGATORY NO. 3:

Subject to their objections, Federal Defendants respond to Interrogatory No. 3 as follows:

URM Program

a. For URM programs run through the states, the states submit a state plan pursuant to 45 C.F.R. § 400.5. For states that withdraw, the Director has the authority to designate a replacement designee under 45 C.F.R. § 400.301. In that situation, ORR invites an entity to submit an application and provides a checklist of information in the application. A copy of such an invitation to apply and checklist is shown at HHS00150–00154. After the invited replacement designee submits an initial proposal, the Director determines whether to approve it. For subsequent years, ORR provides the replacement designee with a checklist to submit a yearly state plan. For FY2018, USCCB used the initial checklist at HHS00152–00154 again. Federal Defendants also refer to checklists for FY2019 (HHS00683–00685) and FY2020 (HHS00376–00379).

ORR does not review or approve applications from sub-grantees. As part of the replacement designee initial and yearly checklist, ORR requests information on the placement options available for URM, including through sub-grantees. The applicant provides this information to ORR.

When Texas announced its intent to withdraw from the refugee resettlement program as of January 31, 2017, ORR formed a “tiger team,” a special team constituted to determine which organizations should be chosen as replacement designees in Texas. It developed a set of considerations for replacement designees in each of four regions in Texas. These considerations

are Bates labeled HHS00396–00400. Following a review of agencies’ past work providing refugees assistance in Texas, ORR invited organizations to apply to serve as replacement designees, including USCCB.

b. Grantees are required to follow the state law of the state in which they are located in regard to licensing and approval of prospective foster parents, under the Refugee Act, 8 U.S.C. § 1522(d)(2)(B)(ii).

Further, in accordance with 45 C.F.R. § 400.117, a replacement designee provides services through a private child welfare agency licensed under state law. These child welfare agencies must follow state law, including on accepting applications from, screening, licensing, or processing prospective foster parents under state law.

ORR also requires that pursuant to the ORR regulations at 45 C.F.R. § 400.118, the grantee must develop an appropriate plan for the care and supervision of each unaccompanied child, including that the child is placed in a foster home or other setting approved by the grantee or sub-grantee. In accordance with 45 C.F.R. § 400.120, the grantee must provide an initial report within 30 days of the date of the minor’s placement in the state. The grantees submit form “ORR 3” within 30 days of a minor entering care or when the URM’s placement changes.

c. The response to this interrogatory is encompassed in the response to 3(b).

d(i). The Federal Government imposes terms and conditions on URM grantees, which govern how a grantee may run its grant program, including limits on allowable costs, eligibility, and reporting requirements. These terms and conditions were produced with Federal Defendants’ initial disclosures. *See* HHS00185–00209. If a grantee follows all the requirements in the terms and conditions, the Federal Government does not prohibit a grantee from providing services in line with its moral or religious convictions.

d(ii). The URM program must comply with the Age Discrimination Act of 1975, the Civil Rights Act of 1964, the Education Amendments of 1972, and the Rehabilitation Act of 1973. It must also comply with the HHS regulations related to non-discrimination. These include the non-discrimination regulations at: 45 C.F.R. Part 80, 45 C.F.R. Part 84, 45 C.F.R. Part 86, 45 C.F.R. Part 87, and 45 C.F.R. Part 91. The policies related to non-discrimination specifically in the URM program are:

- 8 U.S.C. § 1552(a)(5), which states that “assistance and services funded under this section shall be provided to refugees without regard to race, religion, nationality, sex, or political opinion.”
- 45 C.F.R. § 400.5(g), which provides that each state plan must provide an assurance that the replacement designee will provide services to refugees and ORR-served populations without regard to race, religion, nationality, sex, or political opinion.

e. ORR accommodates the religious beliefs of USCCB by permitting USCCB to include religious accommodation language in its state plan. *See* HHS00158, HHS00579, HHS00519

f. As laid out in 45 C.F.R. § 400.11(b)(1), states and replacement designees make yearly estimates of the reimbursable costs of the next fiscal year. Pursuant to 45 C.F.R. § 400.11(b)(3), the state or replacement designee may make adjustments on a quarterly basis to the estimate. As explained in 45 C.F.R. § 400.205, the Federal Government will reimburse grantees for all expenses provided in 45 C.F.R. §§ 400.115–400.120 for URM. Because costs vary depending on the number of children in the program, the amount of the grant will vary based on the number of URM in a grantee program.

g. The response to this interrogatory is encompassed in the response to 3(b).

Question regarding differences in Texas: Licensing requirements for foster placements are dependent on state law. Thus, Texas law will govern the licensing and placement for URM who reside in Texas. Texas law may be different from the laws governing these issues in other states.

UC Program

a. ORR issues Notices of Funding Opportunity (NOFOs) and accepts applications in response to each NOFO from potential grantees. Each NOFO identifies the necessary application and submission information, review criteria and selection process. After the application deadline a review panel is convened and trained on review using a “Panel Review Orientation” before evaluating the applications. ORR follows applicable Federal regulations, including those at 45 CFR §§ 75.203–75.206 and Appendix I which address requirements for NOFOs, applications and the competitive review process. ORR also follows ACF policies related to the grant review process, which can be found in the Grants Policy Administration Manual (GPAM), Part G, Chapter 1 entitled “Pre-Award Activities.” *See* HHS00668–00682. ORR evaluates proposals from applicants for grants, but any sub-grantees are selected by the prime grantee, not ORR.

b. This information would be reflected in each applicable NOFO and cooperative agreement between a grantee and ORR, as well as the *Flores* settlement agreement and UC Policy Guide at Section 3. Under Rule 33(d), Federal Defendants cite the UC Long Term Foster Care FOA under which USCCB was awarded in 2016 (HHS00600–00666), the Cooperative Agreement between ORR and USCCB for LTFC between 2017 and 2020 (HHS00115–00146), the *Flores* settlement agreement (HHS00401–00451), and the UC Policy Guide at Section 3 (HHS00358–00375).

c. The response to this interrogatory is encompassed in the response to 3(b).

d. This information would be reflected in each applicable FOA and cooperative agreement between a grantee and ORR. Under Rule 33(d), Federal Defendants cite the UC Long Term Foster Care FOA under which USCCB was awarded in 2016 (HHS00600–00666) and the Cooperative Agreement between ORR and USCCB for LTFC between 2017 and 2020 (HHS00115–00146). Federal Defendants also refer to applicable regulations at 45 C.F.R. Part 87 and the Public Policy Requirements in Chapter II of the HHS Grants Policy Statement (GPS). *See* <https://www.hhs.gov/sites/default/files/grants/grants/policies-regulations/hhsgps107.pdf>. The award notices in the UC LTFC program also each include a section entitled “Standard Terms and Conditions” that require grantees to comply with both 45 C.F.R. Part 75 and the GPS, and include a link to the HHS website page that includes links to both Part 75 and the GPS. *See* <https://www.hhs.gov/grants/grants/grants-policies-regulations/index.html>. An example of one such UC LTFC award provided to USCCB is shown at HHS00355–00357.

e. This information would be reflected in each applicable FOA and cooperative agreement between a grantee and ORR. Under Rule 33(d), Federal Defendants cite the UC Long Term Foster Care FOA under which USCCB was awarded in 2016 (HHS00600–00666) and the Cooperative Agreement between ORR and USCCB for LTFC between 2017 and 2020 (HHS00115–00146).

f. This information would be reflected in each applicable FOA. Under Rule 33(d), Federal Defendants cite the UC Long Term Foster Care FOA under which USCCB was awarded in 2016 (HHS00600–00666) and the Cooperative Agreement between ORR and USCCB for LTFC between 2017 and 2020 (HHS00115–00146).

g. The response to this interrogatory is encompassed in the response to 3(b).

INTERROGATORY NO. 4:

Please identify:

- a. [14] the number of same-sex couples, whether married or unmarried, or LGB individuals who submitted a foster or adoptive parent application under each Program, or sought to do so, in each grant period;
- b. [15] the number of couples or individuals who were approved to serve as foster or adoptive parents under a Program who submitted a foster or adoptive parent application under each Program, or sought to do so, whose application was not processed or not approved for any reason concerning the religious beliefs of a grantee or sub-grantee in each grant period, including the identity of the grantee or sub-grantee, the time period at issue, and [16] any response, decision, or action by Federal Defendants related thereto;
- c. [17] the number of same-sex couples, whether married or unmarried, or LGB individuals who submitted a foster or adoptive parent application under each Program, or sought to do so, whose application was not processed or not approved for any reason concerning parenting of children by same-sex couples, whether married or unmarried, or LGB individuals; marriage of same-sex couples; other same-sex domestic partnerships; LGB people; homosexuality, bisexuality, or sexual orientation; or religion in each grant period, including the identity of the grantee or sub-grantee at issue, the time period at issue, and [18] any response, decision, or action by Federal Defendants related thereto;
- d. [19] the number of couples or individuals who were approved to serve as foster or adoptive parents under a Program with whom a child was not placed for any reason concerning the religious beliefs of a grantee or sub-grantee in each grant period, including the identity of the grantee or sub-grantee, the time period at issue, and [20] any response, decision, or action by Federal Defendants related thereto;
- e. [21] the number of same-sex couples, whether married or unmarried, or LGB individuals who were approved to serve as foster or adoptive parents under a Program with whom a child was not placed for any reason concerning parenting of children by same-sex couples, whether married or unmarried, or LGB individuals; marriage of same-sex couples; other same-sex domestic partnerships; LGB people; homosexuality, bisexuality, or sexual orientation; or religion in each grant period, including the identity of the grantee or sub-grantee, the time period at issue, and [22] any response, decision, or action by Federal Defendants related thereto.

OBJECTIONS TO INTERROGATORY NO. 4:

Federal Defendants object to this interrogatory because it has nine discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for at least nine separate inquiries by Federal Defendants. First, as to the five lettered sub-paragraphs, Plaintiffs ask Federal Defendants to describe various episodes in the URM and UC programs, with each inquiry only related by the fact that they are

begun by the phrase “Please identify.” That minimal relationship is insufficient to properly join these questions as one interrogatory. Furthermore, each of the sub-paragraphs marked (b) through (e) separately asks Federal Defendants to describe actions they have taken “related” to various incidents. Requests for information about government action responsive or related to an incident is not the same thing as a request for information about the incident itself. *See Willingham v. Ashcroft*, 226 F.R.D. 57, 59–60 (D.D.C. 2005) (interrogatory contained discrete subparts where it asked for “the identity and particulars of the cases of any DOJ employee charged with a criminal offense” and also requested information about “the investigation of those charges by the DOJ, any resulting disciplinary charges, and how those charges were resolved”). This interrogatory constitutes nine interrogatories for purposes of the limit of 25 interrogatories. *See Fed. R. Civ. P.* 33(a)(1).

Federal Defendants object to this interrogatory’s request for information about “any response, decision, or action by Federal Defendants related thereto” because it is likely to solicit privileged information, including, but not limited to (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications or information protected by the deliberative process privilege. This interrogatory appears to specifically target internal deliberations by Federal Defendants and their decision-making process, including communications reflecting advice of counsel. In their responses to Plaintiffs’ interrogatories, Federal Defendants will not include any information subject to privilege.

Federal Defendants further object to sub-paragraph (b) as ambiguous. It is unclear what Plaintiffs mean when they ask for a list of individuals that have been approved as foster parents but thereafter not approved. To the extent this ambiguity is based on a misunderstanding by Plaintiffs, Federal Defendants clarify that licensure of foster parents in the UC and URM programs

occurs through ORR grantees, according to state licensing requirements. ORR plays no role in “approving” such foster parents.

RESPONSE TO INTERROGATORY NO. 4:

Subject to the foregoing objections, Federal Defendants state that they do not issue grants under the URM or UC programs to provide adoption services, and these programs do not contain any federally administered adoption component. Federal Defendants accordingly are not aware of any responsive information with respect to persons seeking to become adoptive parents. They further answer the discrete subparts contained in this interrogatory as follows:

a. In both the URM and UC programs, Federal Defendants do not receive foster parent applications and accordingly do not know the number of same-sex couples, whether married or unmarried, or LGB individuals who submitted a foster parent application under each Program, or sought to do so. Persons seeking to become foster parents under these programs do so by applying for state licensure through ORR’s grantees and sub-grantees.

Notwithstanding the foregoing, Federal Defendants are aware that Plaintiffs sought to become foster parents through sub-grantee CCFW in February 2017 and that CCFW declined to work with them. Federal Defendants have also identified instances in which same-sex couples expressed an interest to ORR in fostering children under the URM and/or UC programs. *See* HHS21099 (Sep. 18, 2018, email inquiry from Danielle Bulaich to the URM program inbox); HHS01572 (Apr. 2, 2019, email inquiry from Mr. Steven Frederick to the URM program inbox); HHS22259 (June 22, 2019 email inquiry from Krista Wurz to the URM program inbox); HHS22260 (Aug. 9, 2019, email inquiry from Viviana Chapa to the URM program inbox). Federal Defendants may further supplement this response under Rule 26(e), including by reference to documents under Rule 33(d) as appropriate.

b. In both the URM and UC programs, Federal Defendants do not receive foster parent applications and accordingly do not know the number of couples or individuals who were approved to become foster parents but whose application to become foster parents was not processed or not approved for any reason concerning the religious beliefs of a grantee or sub-grantee. Persons seeking to become foster parents under these programs do so by applying for state licensure through ORR's grantees and sub-grantees. Federal Defendants are not otherwise aware of any other examples responsive to this request.

Federal Defendants are also not aware of any responsive "response, decision, or action" by them.

c. In both the URM and UC programs, Federal Defendants do not receive foster parent applications and accordingly do not know the number of couples or individuals whose application to become foster parents was not processed or not approved for any reason concerning a grantee or sub-grantee's religious beliefs or views about sexual orientation.² Persons seeking to become foster parents under these programs do so by applying for state licensure through ORR's grantees and sub-grantees.

Notwithstanding the foregoing, Federal Defendants are aware that Plaintiffs sought to become foster parents through sub-grantee CCFW in February 2017 and that CCFW declined to work with them for religious reasons, specifically related to the organization's religiously based opposition to working with same-sex couples as foster parents.

Federal Defendants learned of this episode when Fatma Marouf emailed ORR on February 22, 2017. Thereafter, ORR URM Program Supervisor Anne Mullooly consulted with former ORR

² Even in the specific instance identified above in response to interrogatory 4(a), Federal Defendants do not know the result of those individuals' inquiries after they were referred to grantees.

Policy Director, Anna Marie Bena, who advised that ORR should obtain additional information from USCCB. URM Program Analyst Mimi Veeraraghavan thereafter reached out to USCCB Associate Director Kristyn Peck requesting details about the episode. Ms. Peck then followed up with a written summary of USCCB's understanding of these events on March 2, 2017, which she indicated was based on a conversation between Ms. Peck and CCFW CEO/President Heather Reynolds and CCFW Director of Child Welfare Dana Springer. ORR also emailed Fatma Marouf on April 14, 2017, asking for the name of the individual at CCFW with whom she spoke. After Ms. Marouf provided this information on May 1, 2017, ORR confirmed receipt by email on May 2, 2017.

Federal Defendants are also aware of allegations by an individual named Kelly Easter whereby Ms. Easter claims that she "attempted to apply to be a foster parent for a child or children in a federally funded child-welfare program." *See Easter v. HHS*, Case 1:21-cv-02681 (D.D.C.). Federal Defendants' most recent production includes a letter from USCCB to Bethany Christian Services, dated February 25, 2022, which addressees this issue. *See* HHS_SUPP_000043.

Federal Defendants have made additional inquiries of multiple ORR employees that have been with the agency for a number of years, and whose roles are such that they would have been aware of any complaint to ORR by prospective foster parents that had been unable to foster a URM or UC with a grantee or sub-grantee for reasons related to the grantee's or sub-grantee's religious beliefs. These employees are not aware of any such complaint.³

³ To be clear, Federal Defendants disagree that ORR's awareness of an inquiry to ORR from a prospective foster parent constitutes knowledge that the individual in fact subsequently sought to work with a particular grantee or sub-grantee or that such entity declined to work with the individual thereafter (such as the instances identified in response to interrogatory 4(a)).

Additional information responsive to this interrogatory, to the extent not privileged, may be derived from Federal Defendants' ongoing collection and review of relevant documents in response to Plaintiffs' discovery requests. Federal Defendants may supplement this response under Rule 26(e), including by reference to documents under Rule 33(d) as appropriate.

d. Federal Defendants are not aware of any responsive information concerning the number of couples or individuals who were approved to serve as foster parents under a Program with whom a child was not placed for any reason concerning the religious beliefs of a grantee or sub-grantee. In both the URM and UC programs, it is the responsibility of grantees to make appropriate placements. To the extent this information exists, it would be in the possession of ORR's grantees and sub-grantees. Federal Defendants are not otherwise aware of any other examples responsive to this request.

Federal Defendants are also not aware of any responsive "response, decision, or action" by them.

e. Federal Defendants are not aware of any responsive information concerning the number of couples or individuals who were approved to serve as foster parents under a Program with whom a child was not placed for any reason concerning the religious beliefs or views about sexual orientation of a grantee or sub-grantee. In both the URM and UC programs, it is the responsibility of grantees to make appropriate placements. To the extent this information exists, it would be in the possession of ORR's grantees and sub-grantees. Federal Defendants are not otherwise aware of any other examples responsive to this request.

Federal Defendants are also not aware of any responsive "response, decision, or action" by them.

INTERROGATORY NO. 5:

Please describe all communications and related documents related to:

- a. [23] [24] any statement (including in any grant or sub-grant application) by any grantee or sub-grantee, including USCCB or any of its sub-grantees (including CCFW or CCD), that it intends to administer a grant or sub-grant in a manner consistent with the grantee's or sub-grantee's religious beliefs (including any communications related to what it means to administer a grant in such a manner);
- b. [25] [26] a grantee's or sub-grantee's, including USCCB's or any of its sub-grantee's (including CCFW's or CCD's) willingness or ability to place children with foster or adoptive parents who are same-sex couples, whether married or unmarried, or LGB individuals or to process foster or adoptive parent applications submitted by such couples or individuals; or
- c. [27] [28] a grantee's or sub-grantee's, including USCCB's or any of its sub-grantee's (including CCFW's or CCD's) religious beliefs related to parenting of children by same-sex couples, whether married or unmarried, or LGB individuals; marriage of same-sex couples; other same-sex domestic partnerships; LGB people; or homosexuality, bisexuality, or sexual orientation.

For each such communication or related document, please identify (a) the individuals or entities involved; (b) the date of the communication or document; and (c) [29] a description of any investigation or other follow-up that resulted from such communication or document.

OBJECTIONS TO INTERROGATORY NO. 5:

Federal Defendants object to this interrogatory because it has seven discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for seven separate inquiries by Federal Defendants. First, as to the three lettered sub-paragraphs, Plaintiffs ask Federal Defendants to describe various communications only related by the fact that the questions are begun by the phrase "Please describe." That minimal relationship is insufficient to properly join these questions as one interrogatory. Plaintiffs separately ask Federal Defendants to describe actions they have taken "that resulted from" these communications. Requests for information about government action responsive or related to an incident is not the same thing as a request for information about the incident itself. *See* Objection to Interrogatory No. 4 (citing *Willingham*, 226 F.R.D. at 59–60). Finally, Plaintiffs make three separate requests for documents, which each constitute discrete requests. *Smith*, 256 F.R.D. at 254. This interrogatory constitutes seven interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1). The document component

of sub-paragraph (b), all of sub-paragraph (c), and the request for “a description of any investigation or other follow-up that resulted from such communication or document” are beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1). Therefore, Federal Defendants will not answer.

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs in Texas, which are not relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns religious beliefs other than those regarding same-sex couples parenting foster children, which is the only religious belief relevant to this case.

Federal Defendants also object to this interrogatory’s request for “a description of any investigation or other follow-up” because it is likely to solicit privileged information, including, but not limited to, (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications or information protected by the deliberative process privilege. This interrogatory appears to specifically target internal deliberations by Federal Defendants and their decision-making process, including communications reflecting advice of counsel. In their responses to Plaintiffs’ interrogatories, Federal Defendants will not include any information subject to privilege.

Federal Defendants also object to this interrogatory’s request for “all” communications and documents because it calls for a burdensome search and investigation involving, for example, every employee of ACF or ORR, or it calls for identification of documents and information

regardless of whether it is duplicative or relevant to the claims or defenses in this case. The scope of discovery is limited to that which is proportionate to the needs of this case.

RESPONSE TO INTERROGATORY NO. 5:

Subject to the foregoing objections, Federal Defendants state as follows:

Federal Defendants anticipate that information responsive to sub-paragraphs (a) and (b) of this interrogatory, to the extent that it is not privileged, may be derived from a review of certain documents that will be provided to Plaintiffs in upcoming document productions. Federal Defendants will supplement this interrogatory response, as needed, following such productions.

Federal Defendants will not answer these questions as to any communications or documents beyond the scope of discovery in this case, as described in the foregoing objections (including, without limitation, questions about grantees other than USCCB, services other than long term foster care in Texas, or religious beliefs other than those concerning parenting by same-sex couples).

Federal Defendants further state as follows.

a. USCCB has made statements in its applications for grant funding to ORR that it will “ensure that services provided under this application are not contrary to the authentic teaching of the Catholic Church, its moral convictions, and religious beliefs.” *See* HHS00062 (USCCB application for FY2017 funding to provide UC LTFC); HHS00158 (USCCB application to become Replacement Designee for the URM program in Texas). USCCB also attached as appendix A-8 to its FY2017 application for 2017 UC LTFC funding a sample agreement between sub-recipients and USCCB stating USCCB’s “expect[ation]” that sub-recipients “will provide services under this Agreement within certain parameters” in light of USCCB’s religious beliefs.

Additional information responsive to this interrogatory, to the extent not privileged, may be derived from Federal Defendants' ongoing collection and review of relevant documents in response to Plaintiffs' discovery requests. Federal Defendants may supplement this response under Rule 26(e), including by reference to documents under Rule 33(d) as appropriate.

b. Federal Defendants are only aware of three responsive episodes with respect to grantees or sub-grantees in the URM and UC programs.

First, in response to ORR questions, BCFS Health and Human Services and LIRS have stated to ORR that they have no objection to placing children with same-sex foster parents. These inquiries were made by ORR staff in 2018 and 2019 during their efforts to establish an alternative foster care provider in the Dallas-Fort Worth area of Texas with which Plaintiffs may work. *See, e.g.*, HHS09292 ("LIRS confirms that we do not have a religious objection to facilitating applications of same-sex couples to become foster parents.").

Second, USCCB associate director Kristyn Peck informed ORR employee Mimi Veeraraghavan by email on March 2, 2017, that CCFW told Fatma Marouf that it does not recruit or assist with licensure of same-sex foster parents for religious reasons. USCCB further stated that it "also believes that marriage is between one man and one woman." *See, e.g.*, HHS14399.

Third, ORR has been told by USCRI that it has no objection to working with same-sex couples seeking to foster children through the URM program. Federal Defendants do not concede that communications with USCRI fall within the scope of Interrogatory No. 5, insofar as USCRI does not "place children with foster or adoptive parents." Nevertheless, Federal Defendants are willing to convey this information out of an abundance of caution, and in a good-faith attempt to avoid discovery disputes.

Additional information responsive to this interrogatory, to the extent not privileged, may be derived from Federal Defendants' ongoing collection and review of relevant documents in response to Plaintiffs' discovery requests. Federal Defendants may supplement this response under Rule 26(e), including by reference to documents under Rule 33(d) as appropriate.

c. Federal Defendants stand on their objections as to sub-paragraph c.

Federal Defendants also stand on their objections as to the request to describe "any investigation or other follow-up that resulted from such communication or document."

INTERROGATORY NO. 6:

[30] Please describe all policies, processes, procedures, guidelines, trainings, monitoring, or oversight programs, or investigation or enforcement protocols under each Program, including those related to the receipt and handling of complaints, that Federal Defendants administer or enforce to prevent; safeguard against; prospectively or retrospectively identify or monitor; or take enforcement or other disciplinary action against grantees or sub-grantees that administer grants or sub-grants consistent with their religious beliefs or engage in discrimination on the basis of their religious beliefs or discrimination on the basis of sexual orientation, sex, or marriage to another individual of the same sex in the administration of grants or sub-grants (including with respect to discrimination against prospective or approved foster or adoptive parents).

OBJECTIONS TO INTERROGATORY NO. 6:

Federal Defendants object to this interrogatory because it is misidentified as Plaintiffs' sixth interrogatory. The correct number calculated per Fed. R. Civ. P. 33(a)(1) is identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs in Texas, which are not relevant to

this case. Federal Defendants object to this interrogatory insofar as it concerns religious beliefs other than those regarding same-sex couples parenting foster children, which is the only religious belief relevant to this case.

INTERROGATORY NO. 7:

[31] Please identify all grantees or sub-grantees that have been subject to a formal or informal complaint, investigation, review, sanction, or enforcement or other disciplinary action based on actual or alleged discrimination by the grantee or sub-grantee on the basis of its religious beliefs or on the basis of sexual orientation, sex, or marriage to another individual of the same sex in the administration of a grant or sub-grant; describe the circumstances and disposition of any such complaints, investigations, or reviews; and [32] describe all actions taken by Federal Defendants as a result.

OBJECTIONS TO INTERROGATORY NO. 7:

Federal Defendants object to this interrogatory because it has two discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for two separate inquiries by Federal Defendants. First, Plaintiffs ask Federal Defendants to describe “grantees or sub-grantees that have been subject to a formal or informal complaint, investigation, review, sanction, or enforcement or other disciplinary action based on actual or alleged discrimination.” Plaintiffs then separately ask Federal Defendants to describe actions they have taken “as a result of” these episodes. Requests for information about government action responsive or related to an incident is not the same thing as a request for information about the incident itself. *See* Objection to Interrogatory No. 4 (citing *Willingham*, 226 F.R.D. at 59–60). This interrogatory constitutes two interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1). Because this interrogatory is beyond the limit of 25 permitted by the rules, Federal Defendants will not answer.

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services

other than long-term foster care in the URM and UC programs in Texas, which are not relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns religious beliefs other than those regarding same-sex couples parenting foster children, which is the only religious belief relevant to this case.

Federal Defendants also object to this interrogatory to the extent it is intended to solicit privileged information, including, but not limited to, (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications or information protected by the deliberative process privilege. In their responses to Plaintiffs' interrogatories, Federal Defendants will not include any information subject to privilege.

INTERROGATORY NO. 8:

[33] Please identify and describe all governmental and/or child welfare interests that you may argue in a dispositive motion or at trial in this action are furthered by allowing grantees or sub-grantees, including USCCB or any of its sub-grantees (including CCFW or CCD), not to accept (including by referral) foster or adoptive parent applications from same-sex couples, whether married or unmarried, or LGB individuals, or not to process or approve such applications, or not to place children with such couples or individuals. Please identify and describe any circumstance, reason, or basis (including any purported scientific, policy, or factual basis) upon which you may rely in support of any such argument.

OBJECTIONS TO INTERROGATORY NO. 8:

Federal Defendants object to this interrogatory because it is misidentified as Plaintiffs' eighth interrogatory. The correct number calculated per Fed. R. Civ. P. 33(a)(1) is identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

INTERROGATORY NO. 9:

[34] Please state whether Federal Defendants consider a natural person's sexual orientation or same-sex relationship relevant or permissible as a consideration in determining his or her ability or fitness to be a foster or adoptive parent under a Program or in determining the placement of a foster or adoptive child with him or her. If the answer is "yes" with respect to any the foregoing, please explain why you have answered in the affirmative.

OBJECTIONS TO INTERROGATORY NO. 9:

Federal Defendants object to this interrogatory because it is misidentified as Plaintiffs' ninth interrogatory. The correct number calculated per Fed. R. Civ. P. 33(a)(1) is identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

INTERROGATORY NO. 10:

[35] Please identify and describe all of the ways in which Federal Defendants monitor, oversee, supervise, examine, evaluate, or assess grantees and sub-grantees under each Program with respect to placing children with foster or adoptive parents and processing foster or adoptive parent applications.

OBJECTIONS TO INTERROGATORY NO. 10:

Federal Defendants object to this interrogatory because it is misidentified as Plaintiffs' tenth interrogatory. The correct number calculated per Fed. R. Civ. P. 33(a)(1) is identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs in Texas, which are not relevant to this case.

Federal Defendants also object to this interrogatory to the extent it is intended to solicit privileged information, including, but not limited to, (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications

or information protected by the deliberative process privilege. In their responses to Plaintiffs' interrogatories, Federal Defendants will not include any information subject to privilege

INTERROGATORY NO. 11:

Please identify and describe any communications, documents, investigations, or other actions or activities involving Federal Defendants that are related to a grantee's or sub-grantee's, including USCCB's or any of its sub-grantee's (including CCFW's or CCD's), actual or potential use of the grantee's or the sub-grantee's religious beliefs in the administration of a grant or sub-grant (or as part of any grant or sub-grant application process):

- a. [36] [37] related to or as part of monitoring, overseeing, supervising, examining, evaluating, or assessing a grant or sub-grant;
- b. [38] [39] related to any formal or informal request for a religious accommodation (including by referral) made by or on behalf of the grantee or sub-grantee; or
- c. [40] [41] during the course of investigating or responding to any complaints or other inquiries related to potential, actual, or alleged use of the grantee's or sub-grantee's religious beliefs in the administration of a grant or sub-grant.

OBJECTIONS TO INTERROGATORY NO. 11:

Federal Defendants object to this interrogatory because it has six discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for six separate inquiries, asking Federal Defendants to "identify and describe any communications, . . . investigations, or other actions or activities involving Federal Defendants" on three different subjects, as well as seeking identification of documents with regard to those subjects. *See Smith*, 256 F.R.D. at 254. This interrogatory constitutes six interrogatories for purposes of the limit of 25 interrogatories. *See Fed. R. Civ. P.* 33(a)(1). Because this interrogatory is beyond the limit of 25 permitted by the rules, Federal Defendants will not answer.

Federal Defendants object to this interrogatory insofar as it concerns grantees other than USCCB, or sub-grantees other than CCFW or CCD, which are the only grantee and sub-grantees relevant to this case. Federal Defendants object to this interrogatory insofar as it concerns services other than long-term foster care in the URM and UC programs in Texas, which are not relevant to

this case. Federal Defendants object to this interrogatory insofar as it concerns religious beliefs other than those regarding same-sex couples parenting foster children, which is the only religious belief relevant to this case.

Federal Defendants also object to this interrogatory because it is likely to solicit privileged information, including, but not limited to, (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications or information protected by the deliberative process privilege. This interrogatory appears to specifically target internal deliberations by Federal Defendants and their decision-making process, including communications reflecting advice of counsel. In their responses to Plaintiffs' interrogatories, Federal Defendants will not include any information subject to privilege.

Federal Defendants also object to this interrogatory's request for "any" communications and documents because it calls for a burdensome search and investigation involving, for example, every employee of ACF or ORR, or it calls for identification of documents and information regardless of whether it is duplicative or relevant to the claims or defenses in this case. The scope of discovery is limited to that which is proportionate to the needs of this case.

INTERROGATORY NO. 12:

[42] Please describe any communications, [43] documents, investigations, enforcement, or other disciplinary actions, policy or protocol updates or changes, trainings or re-educations, or other actions or activities involving Federal Defendants in response to the communication by Plaintiff Fatma Marouf to Federal Defendants on or about February 22, 2017, reporting the interaction between Plaintiffs and CCFW (or any communications related thereto).

OBJECTIONS TO INTERROGATORY NO. 12:

Federal Defendants object to this interrogatory because it has two discrete subparts, identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. This interrogatory calls for two separate inquiries by Federal Defendants. First,

Plaintiffs ask Federal Defendants to describe certain events. Second, Plaintiffs ask Federal Defendants to identify documents related to this subject, which requires a separate inquiry. *Smith*, 256 F.R.D. at 254. This interrogatory constitutes two interrogatories for purposes of the limit of 25 interrogatories. *See* Fed. R. Civ. P. 33(a)(1). Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

Federal Defendants also object to this interrogatory because it is likely to solicit privileged information, including, but not limited to, (a) attorney work product; (b) communications or information protected by the attorney-client privilege; or (c) communications or information protected by the deliberative process privilege. This interrogatory appears to specifically target internal deliberations by Federal Defendants and their decision-making process, including communications reflecting advice of counsel. In their responses to Plaintiffs' interrogatories, Federal Defendants will not include any information subject to privilege.

Federal Defendants also object to this interrogatory's request for "any" communications and documents because it calls for a burdensome search and investigation involving, for example, every employee of ACF or ORR, or it calls for identification of documents and information regardless of whether it is duplicative or relevant to the claims or defenses in this case. The scope of discovery is limited to that which is proportionate to the needs of this case.

INTERROGATORY NO. 13:

[44] Please identify and describe any circumstance, reason, or basis (including any purported scientific, policy, or factual basis) on which you may rely in a dispositive motion or at trial in this action to support any argument that it is not practicable or desirable to adopt a policy or protocol under which foster or adoptive parent applications are processed by grantees or sub-grantees that do not object to accepting applications based on their religious beliefs, or under which children are placed with foster or adoptive parents without the active involvement of grantees or sub-grantees that object to doing so based on their religious beliefs.

OBJECTIONS TO INTERROGATORY NO. 13:

Federal Defendants object to this interrogatory because it is misidentified as Plaintiffs' thirteenth interrogatory. The correct number calculated per Fed. R. Civ. P. 33(a)(1) is identified by the bracketed numbering above, which numbering is incorporated in this objection by reference. Because this interrogatory is beyond the limit of 25 permitted by Fed. R. Civ. P. 33(a)(1), Federal Defendants will not answer.

Dated: April 1, 2022

Respectfully,

As to objections:

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

MICHELLE BENNETT
Assistant Branch Director

/s/ Jason C. Lynch
JAMES R. POWERS
JASON C. LYNCH (DC Bar No. 1016319)
Trial Attorneys
Federal Programs Branch
U.S. Department of Justice, Civil Division
1100 L Street, NW
Washington, DC 20005
Telephone: (202) 514-1359
Email: Jason.Lynch@usdoj.gov

Counsel for Federal Defendants

VERIFICATION OF INTERROGATORIES

For the URM Program:

I, Kenneth Tota, Deputy Director of Refugee Programs at ORR, hereby certify under penalty of perjury that the foregoing responses to interrogatories that concern the URM program are true and correct to the best of my information, knowledge, and belief.

Executed on April 1, 2022, in Washington, D.C..

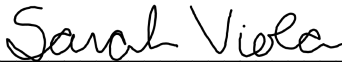


Kenneth Tota

For the UC Program:

I, Sarah Viola, Central Branch Supervisor in the Division of Unaccompanied Children Operations, hereby certify under penalty of perjury that the foregoing responses to interrogatories that concern the UC program are true and correct to the best of my information, knowledge, and belief.

Executed on April 1, 2022, in Washington, D.C.



Sarah Viola

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Objections and Responses to Plaintiffs' First Set of Interrogatories, and the attachments thereto, upon the following counsel of record by email.

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JONES DAY

Counsel for USCCB

/s/ Jason C. Lynch

JASON C. LYNCH

Trial Attorney

Federal Programs Branch

U.S. Department of Justice, Civil Division

1100 L Street, NW

Washington, DC 20005

Telephone: (202) 514-1359

Email: Jason.Lynch@usdoj.gov

Counsel for Federal Defendants

UC - LTFC providers in Texas

Care Provider	Proj. Period	Grant Number	State	*Funding 2020	Location	Capacity
Baptist Child and Family Services d/b/a BCFS (Standard LTFC)	01/01/2021 – 12/31/2023	90ZU0375	TX	Grant for San Antonio and Dallas LTFC programs has a budget total of \$7,333,806	Dallas, TX	24
Baptist Child and Family Services d/b/a BCFS (Extended Care – Group Home)	01/01/2021 – 12/31/2023	90ZU0376	TX	\$4,030,809	San Antonio, TX	24
Baptist Child and Family Services d/b/a BCFS (Standard LTFC)	01/01/2021 – 12/31/2023	90ZU0375	TX	Grant for San Antonio and Dallas LTFC programs has a budget total of \$7,333,806	San Antonio, TX	66
Lutheran Social Services of the South, Inc d/b/a Upbring	01/01/2021 - 12/31/2023	90ZU0374	TX	\$1,473,422	El Paso, TX	20

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Exhibit C



ADMINISTRATION FOR
CHILDREN & FAMILIES

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

May 29, 2020

Kay Bellor
Vice President
Lutheran Immigration and Refugee Service
700 Light Street
Baltimore, MD 21230

Dear Ms. Bellor:

Thank you for your application to be a Replacement Designee for the Unaccompanied Refugee Minors (URM) Program in Texas. Your application included a proposal for services and an ORR-1 Cash and Medical Assistance Program Estimate Form for federal fiscal year (FY) 2020.

As you know, the regulations at 45 C.F.R. § 400.301 allow the Director of the Office of Refugee Resettlement (ORR) to authorize replacement designees (RDs) to administer the provision of assistance and services to refugees when a state withdraws from the refugee resettlement program. I am pleased to inform you that based on our review of your application, the Lutheran Immigration and Refugee Service (LIRS) has been approved as a URM RD for Texas, effective June 1, 2020.

Your FY 2020 proposal for services for the URM Program in Texas is in compliance with the ORR regulations at 45 C.F.R. Part 400 and is therefore approved. Please note that your ORR-1 is an estimate of costs, and adjustments may be necessary during the year.

Please direct any questions about this letter to Anne Mullooly, URM Supervisor, at Anne.Mullooly@acf.hhs.gov or (202) 401-5369.

Thank you for accepting the critical responsibility of administering child welfare benefits and services in Texas through the URM Program. I look forward to our partnership.

Sincerely,

Kenneth Tota
Deputy Director
Office of Refugee Resettlement

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Exhibit C

Sarah Viola
12/03/2020

1

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF COLUMBIA

3 -----X
4 FATMA MAROUF and BRYN ESPLIN,
5 a Married Couple,

6 PLAINTIFFS,

7 -against-

8 Case No.:
9 1:18-cv-378
10 (APM)

11 ALEX AZAR, in his official capacity
12 as Secretary of the UNITED STATES
13 DEPARTMENT OF HEALTH AND HUMAN
14 SERVICES,

15 DEFENDANT.

16 -----X
17 DATE: December 3, 2020

18 TIME: 9:02 A.M

19 REMOTE VIDEOTAPED DEPOSITION of
20 SARAH VIOLA, taken by the Plaintiffs,
21 pursuant to a notice and to the Federal
22 Rules of Civil Procedure, held remotely via
23 Zoom Videoconference, before Suzanne
24 Pastor, a Notary Public of the State of New
25 York.

Sara W. Fila
12/03/2020

2

A P P E A R A N C E S:

(All appearances via Zoom Videoconference)

HOGAN LOVELLS U.S., LLP

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U.S. DEPARTMENT OF JUSTICE - CIVIL DIVISION

Attorneys for the Federal Defendants and
the Witness

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1 APPEARANCES OF COUNSEL (Continued)

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3 Attorneys for the Defendant

4 UNITED STATES CONFERENCE OF CATHOLIC

5 BISHOPS

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7 Pittsburgh, Pennsylvania 15219-2514

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11 AND: JASON E. CELLIER, ESQ. (Columbus Office)

12 614.281.381

13 jcellier@jonesday.com

14 AND: DAVID T. RAIMER, ESQ. (D.C. Office)

15 202.879.3890

16 dtraimer@jonesday.com

17 ALSO PRESENT:

18 LLEWELLYN WOOLFORD, HHS

19 KEVIN LAKE, HHS

20 STEVE DeCANIO, Videographer,
21 US LEGAL SUPPORT

22 * * *

1 THE VIDEOGRAPHER: We're now on
2 the record. This is the remote video
3 recorded deposition of Ms. Sarah
4 Viola. Today is Thursday,
5 December 3rd, 2020. The time is now
6 9:02 a.m. New York time.

7 We are here in the matter of
8 Fatma Marouf versus Alex Azar. My
9 name is Steve DeCanio, remote video
10 technician on behalf of U.S. Legal
11 Support.

12 Before we read on the remote
13 proceedings, Ms. Viola, would you
14 hold up your government issued ID for
15 the camera.

16 (The witness complies.)

17 THE VIDEOGRAPHER: Okay, thank
18 you.

19 At this time, the court
20 reporter, Ms. Suzanne Pastor, on
21 behalf of U.S. Legal Support, will
22 please enter the statement for remote
23 proceedings into the record so we may
24 begin.

25 THE REPORTER: Good morning.

1 The attorneys participating in this
2 deposition acknowledge that I am not
3 physically present in the deposition
4 room and that I will be reporting
5 this deposition remotely, pursuant to
6 Federal Rule of Civil Procedure 29.

7 They further acknowledge that
8 in lieu of an oath administered in
9 person, the witness will verbally
10 declare his testimony in this matter
11 is under penalty of perjury.

12 The parties and their counsel
13 consent to this arrangement and waive
14 any objections to this manner of
15 reporting. Please indicate your
16 agreement by stating your name and
17 your agreement on the record.

18 MR. POWERS: James Powers on
19 behalf of the federal defendants. We
20 agree.

21 MR. GENDALL: Michael Gendall,
22 Hogan Lovells, on behalf of
23 plaintiffs, we agree.

24 MR. SALLMEN: Josh Sallmen on
25 behalf of USCCB. We agree.

1 S A R A H V I O L A, called as a
2 witness, having been first duly sworn by a
3 Notary Public of the State of New York, was
4 examined and testified as follows:

5 EXAMINATION BY

6 MR. GENDALL:

7 Q. Good morning, Ms. Viola.

8 A. Good morning.

9 Q. Am I pronouncing your name
10 correctly? Is it Viola?

11 A. Yes.

12 Q. As I said, my name is Michael
13 Gendall, I'm from Hogan Lovells. I'll be
14 taking your deposition this morning on
15 behalf of the plaintiffs.

16 Have you had your deposition
17 taken before?

18 A. No.

19 Q. Do you understand the oath that
20 you just gave?

21 A. Yes, I do.

22 Q. So let's talk about a few of
23 the basic rules for this conversation,
24 which is obviously a little bit different
25 than other conversations you may have had.

Sara Viola
12/03/2020

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1 taken.)

2 THE VIDEOGRAPHER: The time is

3 4:16 and we're back on the record.

4 EXAMINATION

5 BY MR. SALLMEN:

6 Q. Okay, hello, Ms. Viola. My
7 name is Josh Sallmen, and I'm an attorney
8 for USCCB, United States Conference of
9 Catholic Bishops. Thanks very much for
10 your time and patience today. We
11 appreciate it.

12 I have a couple of questions
13 for you. For starters, in the government's
14 view, what is the purpose of the UAC
15 program?

16 A. The purpose of the UAC program
17 is to provide care and services to
18 unaccompanied alien children who are
19 apprehended by the Department of Homeland
20 Security and then referred as they are
21 following the three stipulations. One,
22 they're under the age of 18, they've
23 arrived without a parent or guardian and
24 they do not have legal status in the United
25 States. They're transferred to the ORR

1 network for care and placement until they
2 can be released to foster care.

3 Q. What group of people is the UAC
4 program geared towards assisting?

5 A. The type of children?

6 Q. What group generally.

7 A. Typically it's children 17 and
8 under, male and female, and the country of
9 origin is pretty much almost anywhere
10 outside of the United States. But the
11 majority of them are Central American,
12 Mexican children.

13 Q. So I'm correct in saying that
14 the children are the focus of the UAC
15 program?

16 A. Yes, they are. Care and
17 custody, best interests of the child.

18 Q. Great. Thank you. And is the
19 government aware of any case in the UAC
20 program where USCCB declined to serve or
21 otherwise discriminate against an LGBTQ
22 child on the basis of their sexual
23 orientation or gender identity?

24 A. Not for the children.

25 Q. That's all I have for you

Sarah Viola
12/03/2020

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D E C L A R A T I O N

I hereby certify that having been
first duly sworn to testify to the truth, I
gave the above testimony.

I FURTHER CERTIFY that the foregoing
transcript is a true and correct transcript
of the testimony given by me at the time
and place specified hereinbefore.


SARAH VIOLA

Subscribed and sworn to before me

this 16 day of January 2021.

NOTARY PUBLIC

Sarah Viola
12/03/2020

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E X H I B I T S

VIOLA EXHIBITS

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1	30(b)(6) Deposition Notice	12
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12/03/2020

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INFORMATION AND/OR DOCUMENTS REQUESTED

(None)

Sarah Viola
12/03/2020

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ALBANY)

I, SUZANNE PASTOR, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this day, December 15, 2020.



SUZANNE PASTOR

Sarah Viola
12/03/2020

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1 Errata Sheet

2

3 NAME OF CASE: FATMA MAROUF and BRYN ESPLIN -against- ALEX AZAR

4 DATE OF DEPOSITION: 12/03/2020

5 NAME OF WITNESS: Sarah Viola

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page 56 Line 12 Reason 311 From USCC to USCCB12 Page 64 Line 24 Reason 313 From USCC to USCCB14 Page 122 Line 4 Reason 315 From USC to UAC16 Page 135 Line 6 Reason 317 From UAC_program@acf.edu.gov to UAC_program@acf.hhs.gov18 Page 200 Line 9 Reason 319 From Use to Youth20 Page 237 Line 1 Reason 321 From foster care to suitable sponsor or long term foster care22 Page 241 Line 6 Reason 323 From FAC to FAR

24 Page 244 Line 14 Reason 3

25 From: Saw to have

Sarah A.
Viola -SDigitally signed by Sarah A. Viola -S
DN: c=US, o=U.S. Government, ou=HHS,
ou=ACF, ou=People, cn=Sarah A. Viola -
S,
0.9.2342.19200300.100.1.1=2000138051
Date: 2021.01.19 11:35:42 -0500

Exhibit D

Kenneth Tota
September 28, 2020

1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Case No. 1:18-cv-378 (APM)

- - - - -X

FATMA MAROUF, et al.,
Plaintiffs

VS

ALEX AZAR, in his official
capacity as Secretary of the
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,
Defendants

- - - - -X

Videotaped deposition of KENNETH TOTA
taken via videoconference before Clifford Edwards,
Certified Shorthand Reporter and Notary Public, on
September 28, 2020, at 9:12 a.m.

1 A P P E A R A N C E S: (all via videoconference)

2 ON BEHALF OF THE PLAINTIFFS:

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1 A P P E A R A N C E S: (all via videoconference)
2 (continued)
3

4 ON BEHALF OF THE DEFENDANT U.S. CATHOLIC CONFERENCE
5 OF BISHOPS:

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21
22
23
24
25

13 ALSO PRESENT: DARRAK LIGHTY, VIDEOGRAPHER
14
15
16
17
18
19
20
21
22
23
24
25

1 the record.

2 BY MR. QUINN:

3 Q Welcome back, Mr. Tota.

4 A Thank you.

5 Q I want to talk now about the -- the
6 Unaccompanied Refugees Minor Program.

7 A Okay.

8 Q So if I say "URM," you'll understand that
9 I mean that program?

10 A Yes.

11 Q Okay. What is the URM Program?

12 A It's -- it's a program ORR administers
13 for -- to provide services through State foster care
14 systems for unaccompanied refugee minors referred by
15 the State Department or for other minors who meet
16 other eligibility categories for referral or
17 placement into the URM Program, into those foster
18 care programs for a host of some basically services
19 that would include certainly education and
20 orientation, with a focus certainly on stability
21 and -- and permanency within those programs.

22 Q Any -- and ORR means the Office of
23 Refugee Resettlement?

24 A Yes. Sorry. Yes.

25 Q So you described two sort of streams.

Kenneth T. Tala
September 28, 2020

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1 There's a State side and then referrals into the
2 program.

3 Could you talk about the State half?

4 A State -- when you say "State half," the
5 State Department half?

6 Q Yes.

7 A I believe that I --

8 Q Yes.

9 A Okay. Sorry.

10 Yes. So for refugee populations, which
11 is really kind of the longstanding cohort of the
12 program. The program started in about 1975.
13 Initially, it was for minors from Southeast Asia,
14 and certainly we've had a number of populations over
15 the years since then.

16 But those were children identified by the
17 High Commissioner for Refugees, UNHCR, as being
18 unaccompanied. They're then referred to the State
19 Department. And then, the State Department works on
20 a referral through two of their primary resettlement
21 agencies that work on URM -- on the URM program.
22 One is USCCB. The other one is LIRS, Lutheran
23 Immigration and Refugee Services.

24 And then that -- that minor is actually
25 referred through their -- their network to a foster

1 it?

2 A Yes.

3 Q Okay. So could you walk me through how
4 unaccompanied refugee minors themselves, the
5 children, arrive to the U.S. and then end up in the
6 care of a State or a replacement designee?

7 A So I -- so that we -- so that there are
8 the two streams. So one stream would be the direct
9 referral from State Department working with the two
10 designated URM national providers, who would make
11 the referral directly to their affiliates, and then
12 work with the providers on the ground to sort of
13 identify the -- the placement or secure -- assure
14 the placement within that URM Program.

15 The other track would be those who are
16 identified as eligible within the U -- sorry, I'm
17 tapping -- within the UAC Program. And usually once
18 they're -- they receive some type of eligibility
19 which would make them eligible for the URM Program,
20 there's a consultation certainly with the -- the
21 shelter that's hosting them and the UAC field
22 specialist to kind of determine what would be the
23 next possible appropriate level for care.

24 If it's decided that the URM Program
25 would be a viable direction based on that

1 eligibility status, then a -- a -- an application is
2 actually filed with our office.

3 It's reviewed by our URM team, which are
4 the staff that work in that program, to -- to verify
5 that eligibility, you know, look at sort of the
6 background of the minor. And if that looks
7 appropriate for placement, it's referred to USCCB or
8 LIRS to look within their network to see about
9 providing the most appropriate level of care within
10 their foster care programs.

11 Q So how does -- and I may not be correct
12 on this.

13 How does -- does ORR determine which
14 State or replacement designee to give the minor to?

15 A No, not necessarily. I mean, just -- for
16 most cases -- well, there's a couple scenarios.

17 For most cases, it's a referral to the
18 two agencies to really see what the most appropriate
19 level of care would be for that minor. Sometimes if
20 there's maybe a family, not a direct family
21 relationship, but some sort of acquaintance or a
22 relationship in that particular State, that minors
23 express interest in kind of maintaining that
24 relationship, there may be a referral directly to
25 that program to see if that could be worked out, or

1 "grant regulations prohibiting discrimination
2 against same-sex couples."

3 This reference to the "Deputy Director of
4 ORR" is you; correct?

5 A Yes.

6 Q So did you anticipate that there was a
7 conflict between the ACF policy on grants to
8 faith-based organizations and HHS's grants
9 regulations prohibiting discrimination to same-sex
10 couples?

11 MR. LYNCH: Object to form.

12 A Did I. Sorry. Did I -- can you rephrase
13 that or --

14 BY MR. QUINN:

15 Q Sure.

16 Did you anticipate it?

17 A Based on that occurrence, yes.

18 Q And so did you elevate this?

19 A Yes.

20 Q It was your choice to elevate it further?

21 A Yes.

22 Q Why was the ACF policy on grants to
23 faith-based organizations not an option here?

24 Well, let me rephrase that, actually.

25 Why was an accommodation under the ACF

1 policy on grants to faith-based organizations not an
2 option here?

3 A Our service provision is always sort of
4 focused on making sure that there's no
5 discrimination based on -- for the clients. There's
6 actually a role in the program, and this was the
7 first time that it was expanded beyond that to
8 possibly be a community member.

9 And we had not had a -- to my knowledge,
10 an occurrence that would have possibly discriminated
11 against someone at that level. So it was really to
12 look at how that would be handled.

13 Q So you -- you said, "Clients," and you
14 said -- you meant it to mean, like, the minors in
15 the program?

16 A Right.

17 Q But I remember earlier today you said
18 that ORR provides funding to replacement designees
19 who then -- or reimburses replacement designees, who
20 reimburse sub-replacement designees, and then those
21 sub-replacement designees pay stipends or something
22 to foster families?

23 A Yes.

24 Q So then isn't a foster family or a
25 potential foster parent a client or encompassed by

1 the -- by these provisions?

2 MR. LYNCH: Object to form.

3 MR. CELLIER: Object to form.

4 A The approach has always been based on the
5 client or the minor referred into the program. So
6 the broader context had not been considered.

7 BY MR. QUINN:

8 Q But that doesn't really answer my
9 question of whether or not the family -- the
10 potential foster family or the foster families in
11 the program are clients of the URM Program.

12 MR. LYNCH: Object to form.

13 MR. CELLIER: Object to form.

14 Object to form.

15 A The focus of the program is it -- of --
16 is the minor itself. I --

17 BY MR. QUINN:

18 Q Isn't placement with a foster family,
19 where appropriate, also an aspect of the URM
20 Program?

21 MR. CELLIER: Object to form.

22 A I would see them as staff to support the
23 minor in that program.

24 BY MR. QUINN:

25 Q Why didn't ORR take responsibility for

1 intends to conduct an examination, I
2 think I'll yield to him first, and then
3 maybe that will make things more
4 efficient overall. So I'll yield to him
5 subject to our doing a redirect, if
6 necessary.

7
8 CROSS-EXAMINATION

9
10 BY MR. CELLIER:

11 Q Mr. Tota, my name is Jason Cellier. I
12 represent USCCB in the litigation.

13 We sent you a -- another binder, a
14 smaller binder with some exhibits over the weekend,
15 and if you wouldn't mind pulling that out.

16 A Sure. Trying to find you, Jason.

17 Here you are. Okay. Yes.

18 Okay.

19 Q All right. So, Mr. Tota, are you
20 familiar with the criteria ORR used to select the
21 URD in Texas following the State of the Texas'
22 decision to withdraw from the refugee program?

23 A Yes.

24 Q And could you describe those criteria?

25 A It was a -- a number of factors:

1 Connections to the community, history with service
2 provision and experience with service provision,
3 background, kind of fiduciary accountability to
4 carry out the -- the function, capacity certainly
5 within the locations that we were considering, kind
6 of general ability to provide oversight 'cause they
7 would have oversight over sub-grantee programs.

8 So there were a kind of host of
9 considerations that we look at when they were making
10 those -- those -- those designations.

11 Q All right. Can you take a look at
12 Exhibit 1 in the binder?

13 A Sure.

14 MR. CELLIER: And I'm going to mark
15 this as USCCB Exhibit 1.

16 (Whereupon, USCCB Exhibit No. 1,
17 E-mail Exchange, was marked for
18 identification.)

19 A Okay.

20 BY MR. CELLIER:

21 Q Do you know what this e-mail is?

22 A It's a -- it's a notification to Kara
23 Crawford, who was kind of the person that the -- who
24 worked within the governor's office, who was kind of
25 designated as our point of contact for the

1 transition from the State to the replacement
2 designees.

3 Q And you drafted this e-mail --
4 correct? -- on November 14, 2016?

5 A Yes.

6 Q About halfway down the page, it states
7 that, "ORR considered the following criteria in
8 identifying agencies to invite to apply as RDs."

9 Could you read the criteria that are
10 below there that are listed?

11 A Sure. "Interest" --

12 MR. QUINN: Standing objection on
13 the grounds that this is outside the
14 scope of rebuttal.

15 BY MR. CELLIER:

16 Q You can go ahead and answer.

17 A I'm sorry?

18 Q Oh, you can answer -- or you can please
19 read the -- read the bullets.

20 A Read the bullets?

21 "Interest in serving as the RD.

22 "Capacity to serve as the RD.

23 "Input from the state of Texas.

24 "Expertise in administering and
25 implementing ORR programs.

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1 "Expertise in applicable subject areas.

2 "Case" -- "Caseload of ORR-eligible
3 populations served in FY16 and projections for 17.

4 "Participation in the Department of
5 Homeland Security Cuban-Haitian Entrant Program.

6 "Ensuring that a variety of national
7 resettlement agencies are represented.

8 "And number of sites in the region."

9 Q And were there any other criteria
10 utilized to identify potential candidates for the
11 URD in Texas?

12 A I mean, it's not specifically stated
13 here, but expertise in administering OR -- ORR and
14 implementing projects. So probably some past
15 practice in our experience possible with the -- with
16 some of the grantees in the past.

17 Q And USCCB was identified using these
18 criteria?

19 A Yes.

20 Q Okay. And once USCCB was identified as a
21 candidate and invited to provide a proposal, were
22 there any other criteria utilized in reviewing the
23 proposal from USCCB?

24 A I remember -- I would say those are the
25 main ones.

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1 Q Okay. Are any of the criteria that are
2 listed in the e-mail or additional ones that you've
3 stated religious in nature?

4 MR. QUINN: Object to form.

5 A No.

6 BY MR. CELLIER:

7 Q Did ORR inquire into the religious
8 beliefs of USCCB during the Texas URD selection
9 process?

10 A It was -- it was -- it was noted in -- in
11 their application.

12 Q Did ORR select USCCB as the URD in Texas
13 with the goal of -- of advancing any religious
14 beliefs?

15 A No.

16 Q Did ORR select USCCB as the URD in Texas
17 for the purpose of discriminating against
18 prospective foster parents who are in a same-sex
19 relationship?

20 A No.

21 Q Did ORR select USCCB as the URD in Texas
22 to discriminate against prospective foster parents
23 who are in same-sex relationships?

24 A No.

25 Q Did ORR encourage USCCB in its role as

1 URD in Texas to discriminate against prospective
2 foster parents who are in same-sex relationships?

3 A No.

4 Q Did ORR select USCCB as the URD in Texas
5 to discriminate on the basis of religion?

6 A No.

7 Q Did ORR encourage USCCB in its role as
8 URD in Texas to discriminate on the basis of
9 religion?

10 A No.

11 Q You discussed earlier a little bit of the
12 process of identifying and selecting USCCB as the
13 URD.

14 Do you have -- can you explain a little
15 bit more into why USCCB was selected?

16 A USCCB has -- has a longstanding
17 relationship with the URM Program, I think really
18 since its inception, and is really kind of one of
19 the premier providers.

20 Over the years, there had been other
21 resettlement agencies that had actually
22 participated, I believe, in the URM Program, but
23 over the years, the -- the two primary that remained
24 were Lutheran Immigration Refugee Services, LIRS,
25 and -- and USCCB.

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1 ORR has had a longstanding and -- and
2 very good working relationship with USCCB. We have
3 a host of programs that are administered through
4 USCCB, our match grant program, our community
5 programs, certainly on the refugee side, a long
6 history also providing long-term foster care on the
7 UAC side and doing home assessments as well.

8 And just a very -- a very integral part,
9 I would say, certainly of ORR's service provision
10 and -- and ability to carry out those services given
11 their extensive network, and I think that's always
12 been certainly one of USCCB's strengths.

13 In this particular instance in Texas,
14 they had two ongoing URM programs. We -- when the
15 State backed out, we wanted to ensure oversight
16 certainly of -- of those programs now that the state
17 was backing out, and since there were multiple
18 programs there, felt that USCCB was best equipped to
19 kind of provide that oversight in a direct
20 relationship with ORR.

21 Q How urgent was the need to replace the
22 State of Texas at the time they decided to withdraw?

23 A It was -- it was quite urgent. I think
24 the governor notified us in September, with the
25 withdrawal at the end of January. So we basically

1 A Other than this specific occurrence,
2 none -- none that I can think of.

3 Q Other than this incident, do you recall
4 any instances of complaints regarding how USCCB
5 administered the URM Program?

6 A No.

7 Q Do you recall any allegations of
8 discrimination by USCCB against children in the URM
9 Program?

10 A I think -- can you repeat that again,
11 Jason?

12 Q Yeah.
13 Do you recall any allegations of
14 discrimination by USCCB against children in the URM
15 Program?

16 A No, not to my knowledge.

17 Q Was USCCB selected as the URD in Texas
18 because its religious beliefs include a religious
19 belief that children should not be placed with
20 foster parents who are same-sex couples?

21 A Can you repeat that again? Sorry.

22 Q No problem.
23 Was USCCB selected as the URD in Texas
24 because its religious beliefs include a religious
25 belief that children should not be placed with

1 foster parents who are same-sex couples?

2 A No. That is not why they were selected.

3 Q Was USCCB selected as the URD in Texas
4 because it would select sub-grantees who would
5 decline to place children with foster parents who
6 are same-sex couples?

7 A No.

8 Q Was USCCB selected as the URD in Texas
9 because it would provide services under the grant in
10 a manner consistent with its religious beliefs?

11 A No.

12 Q Was USCCB selected as the URD in Texas
13 because its sub-grantees would provide services
14 under the grant in a manner consistent with its
15 religious beliefs?

16 A No.

17 Q Earlier there was some discussion
18 relating to conversations ORR had with USCCB
19 regarding the case; correct?

20 A Could you repeat that? Sorry.

21 Q There was some discussion earlier related
22 to conversations that ORR had with USCCB related to
23 this incident; correct?

24 A Yes.

25 I'm sorry.

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1 Yes.

2 Q No problem.

3 Was USCCB responsive to those questions?

4 A Yes, I believe they were.

5 Q Did USCCB ever give you reason to doubt
6 that any of its religious beliefs were sincerely
7 held?

8 A No.

9 Q Do you have any reason to believe that
10 USCCB's religious beliefs regarding the placement of
11 children with same-sex foster parents are not
12 sincerely held?

13 A No, I have no reason to believe it.

14 Q And you're not aware of anything that
15 USCCB did to hide its religious -- or religious
16 beliefs from ORR; correct?

17 A I'm not aware of that, no.

18 Q At the time that the State of Texas
19 withdrew from the refugee programs, were there any
20 other agencies considered to be the Texas URD?

21 A The -- it was -- it was primarily USCCB
22 because of their existing programs there. The other
23 provider that possibly could have been considered
24 was LIRS, but they didn't have any programs there at
25 the time.

September 28, 2020

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C E R T I F I C A T E

I, Clifford Edwards, Certified Shorthand Reporter, do hereby certify that prior to the commencement of the examination, the witness was duly remotely sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony, that said deposition was taken by me stenographically at the time and date hereinbefore set forth, and the foregoing is a true and accurate transcript of the testimony.

I FURTHER CERTIFY that I am neither of counsel nor attorney to any of the parties to said suit, nor am I an employee of any party to said suit, nor of any counsel in said suit, nor am I interested in the outcome of said cause.

Witness my hand and seal as Notary Public
this 30th day of September, 2020.



Clifford Edwards

Notary Public

My commission expires: 9/30/2021

September 28, 2020

275

J U R A T

I have read the foregoing 274 pages and hereby
acknowledge the same to be a true and correct record
of the testimony.

KENNETH TOTA

Subscribed and sworn to

Before me this ____ day of _____,
2020.

Notary Public

My Commission Expires:

Exhibit E

Final Report from the Descriptive Study of the Unaccompanied Refugee Minors Program

**Service Provision, Trends, and Evaluation
Recommendations**

May 2021

OPRE Report 2021-81

Final Report of the Descriptive Study of the Unaccompanied Refugee Minors Program: Service Provision, Trends, and Evaluation Recommendations

OPRE Report 2021-81

May 2021

Kimberly Foley¹, Liza Rodler¹, Sam Elkin¹, and Sarah Catherine Williams²

Author affiliations: ¹MEF Associates, ²Child Trends

Submitted to:

Gabrielle Newell, Project Officer
Office of Planning, Research, and Evaluation
Administration for Children and Families
U.S. Department of Health and Human Services
www.acf.hhs.gov/opre

Contract Number:

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The authors would like to thank our many colleagues from MEF Associates and Child Trends who contributed to this report, including Principal Investigators Mary Farrell and Lauren Supplee, and the other MEF and Child Trends staff, including Maia O'Meara, Addie Currin, Heather Wasik, and Jody Franklin. We also greatly appreciate our expert consultant, Lyn Morland, who provided valuable insight on project activities and deliverables throughout the study.

This report would not have been possible without the support of the URM programs who lent their time and expertise to the study through hosting site visits, completing surveys, and providing input as key stakeholders. The authors appreciate the URM programs' time and assistance with the study. We would also like to thank the group of stakeholders who shared guidance and input at key points in the study.

Finally, we extend our heartfelt appreciation to the URM youth and foster parents who generously volunteered their time to participate in focus groups.

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Overview

Introduction

The Unaccompanied Refugee Minors (URM) Program, funded by the Office of Refugee Resettlement in the Administration for Children and Families (ACF) in the U.S. Department of Health and Human Services, provides child welfare services and benefits to refugee youth and other eligible youth within the United States who do not have a parent or relative available to care for them. URM programs are expected to provide the same range of services to URM youth as are provided to youth in the domestic foster care system in the state in which they operate. URM programs provide out-of-home placements (e.g., foster care, group homes) and other child welfare services to promote youth's well-being. The URM Program also provides services related to integrating the youth into their new communities while preserving the youth's cultural, ethnic, and religious heritage.

The Office of Planning, Research, and Evaluation (OPRE) in ACF contracted with MEF Associates and their subcontractor, Child Trends, to conduct a descriptive study of the URM Program. The project explored the characteristics of youth in the URM Program; the services local URM programs offered and provided to youth; innovative practices, successes, and lessons learned in serving URM youth; and available data on URM youth's experiences and outcomes. This final report summarizes the study's key findings and presents recommendations for the design of a future evaluation of the URM Program.

Primary research questions

- What are the characteristics of populations served by the URM Program and how are services for each target population implemented?
- What do we know about how different URM programs administer benefits and services for refugee youth?
- What data are currently collected for the URM Program and what do they tell us about the extent that URM youth achieve self-sufficiency?
- What would be the best evaluation design strategies for learning more about the effectiveness of the URM Program?

Purpose

The Descriptive Study of the Unaccompanied Refugee Minors Program ("the study") aims to better understand the range of child welfare services and benefits provided through individual URM programs. This study also aims to lay the foundation for future evaluations of the URM Program.

Methods

The study included an analysis of administrative data; surveys of URM program directors (23 respondents, including 20 main offices and 3 sub-offices), State Refugee Coordinators (14 respondents), and child welfare administrators (four survey respondents and four semi-structured interviews); and qualitative data collected through visits to six URM programs, in which we

conducted semi-structured interviews with URM program staff and community partners, as well as focus groups with a total of 45 URM youth and 56 foster parents.

Key findings

Key findings from the study include:

- **The number of youth entering the URM Program declined in recent years and changed in composition.** The number of youth entering the Program declined from fiscal year (FY) 2014 to FY 2018. The percentage of those entering who fall into the legal category of victims of trafficking increased, while the percentage of youth entering as refugees decreased. In FY 2018, roughly one third of youth entering the program were refugees, one third had Special Immigrant Juvenile classification, and one third were victims of trafficking.
- **URM youth enter the URM Program with diverse strengths and needs.** Program staff and foster families describe youth as resilient, goal-oriented, hardworking, and committed to their families, friends, and communities. Key needs upon arrival include education and English Language support, physical and mental health services, and immigration status support. Local URM programs provide services and/or build partnerships with external providers to address these needs and help youth achieve their goals.
- **All local URM programs offer a comprehensive set of services to youth, either internally, through external partners, or both.** These services include out-of-home placements, case management, physical and mental health services, education support, and services to support a successful transition to adulthood. However, there is variation in how programs actually provide services to youth due to differences among programs, in state and local context and policies, and in the characteristics of youth served. The Program's model also tailors services to individual youth, so youth experiences in the Program vary depending on their strengths, needs, and past experiences (including their pathway into the URM Program).
- **The URM Program aims to help youth maintain connections to their cultural, ethnic, and religious heritage, if youth desire, both formally and informally.** Success in maintaining these connections may depend on availability of cultural, ethnic, and religious communities and resources in URM program localities.
- **URM youth describe feeling grateful for the resources and support provided by their URM case managers and foster parents.** Although they described challenges in adjusting to life in the United States, many youth find joy in connecting with foster families, making friends at school and through sports, and pursuing their goals.

Recommendations for future research

This study lays the groundwork for a future evaluation of the URM Program through understanding service delivery approaches, contextual factors, and existing information available on the Program. For future evaluators of the URM Program, we recommend a mixed-methods approach, which includes utilizing quantitative data and collecting new qualitative information on services and youth experiences to explore the implementation of program services. To prepare for future evaluations, we recommend engaging stakeholders in the planning and design of an evaluation, including youth, foster families, and program staff; adapting the conceptual model included in this report or developing a more tailored conceptual model to address the research questions of interest; defining outcomes; increasing capacity for new data collection, data sharing with partners, and identifying

existing data that could be used for an evaluation; and identifying service components for evaluation. We provide four broad research questions to guide decision-making for a future evaluation and relevant design options for each:

- What outcomes do youth in the URM Program experience?
- How do short- and long-term outcomes of URM youth compare to the outcomes of youth who have similar or overlapping experiences but who do not enter the URM Program (e.g., non-URM youth in domestic foster care)?
- How do different URM program models and contexts relate to experiences and outcomes for URM youth? How do different models, services/activities, and contexts contribute to positive youth outcomes?
- What specific services/activities are effective? Do they help youth achieve the intended outputs and short- and long-term outcomes? Why or why not?

Glossary

ACF: Administration for Children and Families, in the U.S. Department of Health and Human Services.

ORR: Office of Refugee Resettlement, within Administration for Children and Families, in the U.S. Department of Health and Human Services.

Refugee: Any person who is outside any country of such person's nationality or habitual residence, and who is unable or unwilling to return to or seek the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

Special Immigrant Juvenile: This classification is available to immigrant children who have been subject to state juvenile court proceedings related to abuse, neglect, abandonment, or a similar basis under state law.

SRC: State Refugee Coordinator—the administrator who oversees the state's refugee resettlement services. This term may refer to the individual SRC within a state, or the state office of the SRC.

Victim of Trafficking: A person who has experienced the “severe forms of trafficking in persons,” as defined by the Trafficking Victims Protection Act of 2000 (TVPA). This includes sex trafficking and labor trafficking.

Note on usage: *This report uses “URM Program” with an uppercase “P” to denote the federally administered program. It uses “URM program” with a lowercase “p” to denote local providers of services to youth in the URM Program.*

Executive Summary

A. Introduction and background

In 2017, the Office of Planning, Research, and Evaluation (OPRE) in the Administration for Children and Families in the U.S. Department of Health and Human Services contracted with MEF Associates and their subcontractor, Child Trends, to conduct the Descriptive Study of the Unaccompanied Refugee Minors (URM) Program.

Funded by the Office of Refugee Resettlement (ORR) in the Administration for Children and Families, the URM Program provides child welfare services and benefits to refugees and other eligible youth within the United States who do not have a parent or relative available to care for them. Each URM program parallels the child welfare system in the state in which it operates. This means that URM programs are required to provide the same range of services to URM youth as are provided to youth in the domestic foster care system in the state. Services provided include coordinating foster care, group homes, independent living arrangements, or reunification with relatives in the United States, as well as other child welfare services to promote youth's well-being. The program also includes services focused on integrating the youth into their new communities while preserving the youth's ethnic and religious heritage.¹

Youth are eligible for the URM Program through six legal categories: refugees, asylees, youth with Special Immigrant Juvenile (SIJ) classification, victims of trafficking, Cuban/Haitian entrants, and U-status recipients (See: Appendix A. Glossary).² For all categories, youth must be under age 18 when they enter the URM Program and not have a parent or relative who is eligible and available to care for them.

The study focused on four research questions:

- What are the characteristics of populations served by the URM Program and how are services for each target population implemented?
- What do we know about how different URM programs administer benefits and services for refugee youth?
- What data are currently collected for the URM Program and what do they tell us about the extent that URM youth achieve self-sufficiency?
- What would be the best evaluation design strategies for learning more about the effectiveness of the URM Program?

The project explored the characteristics of youth in the Program; services offered and provided to youth; innovative practices, successes, and lessons learned in serving URM youth; and available data on URM youth's experiences and outcomes. It also focused on developing the foundation for a future evaluation of the URM Program, including proposing evaluation designs to learn more about how program services relate to youth outcomes.

The project included the following data sources and activities:

- Site visits to six programs, which included interviews with program and partner staff, as well as focus groups with 45 URM youth and 56 foster parents. The programs visited were Catholic Charities Community Services in Phoenix, AZ; Crittenton Services for Families and Children in Fullerton, CA; Lutheran Family Services Rocky Mountains in

¹ For more detail on the URM Program, visit <https://www.acf.hhs.gov/orr/programs/urm>.

² There were no U-status recipients in the URM Program at the time of data collection for this study.

- Denver, CO; Bethany Christian Services in Grand Rapids, MI; Commonwealth Catholic Charities in Richmond, VA; and Lutheran Community Services Northwest in Seattle, WA.
- Web-based surveys of program directors, State Refugee Coordinators, and child welfare agency administrators. We received responses from 23 URM program directors (including 20 main offices and 3 sub-offices), 14 State Refugee Coordinator offices, and four child welfare administrators. We also conducted semi-structured interviews with four additional child welfare agency administrators.
 - An analysis of program data that included characteristics of URM youth who entered the Program from FY 2014 to FY 2018 and information on the services provided to these youth.

B. Key findings in brief

The information sources discussed above provided insight into the characteristics of URM youth, the range of services the URM programs offer and deliver to them, and youth's experiences in the Program. Some main findings follow.

Youth characteristics

We explored the demographics of youth who entered the URM Program from FY 2014 to FY 2018; the strengths and needs of youth as described by URM provider staff, foster parents, and youth; and how these characteristics have changed over time. Findings include:

- **The number of youth entering the URM Program declined from FY 2014 to FY 2018, and the relative proportions of different eligibility statuses changed over this period.** According to our analysis of program data, the number of youth entering the Program peaked in 2015 but then decreased in subsequent years. Refugees made up the largest group of youth entering the Program during this period, followed by youth with SIJ classification. Youth who entered the Program as victims of trafficking increased in both number and percentage of youth entering the Program since 2014 and made up nearly a third of youth entering the Program in 2018.
- **URM youth enter the Program with strengths that help them navigate the United States and build community, as well as needs that URM providers work to address.** Program staff, foster families, and youth themselves described URM youth as resilient, goal-oriented, hardworking, and committed to their families, friends, and communities. Youth also arrive in need of mental health services, education and English Language support, physical health services, and immigration status support. Programs focus on providing these and additional services to youth, based on their individual needs.

Program services

The URM Program offers a comprehensive set of services to youth—including out-of-home placements, case management, physical and mental health services, education support, and services to support a successful transition to adulthood—either internally, through external partners, or both. However, services vary due to factors such as state and local context, characteristics of youth served, and program characteristics. Findings include:

- **URM providers initially place youth primarily in family or therapeutic foster care.** Foster families play a central role in the experiences of youth placed in foster homes; they

can help connect youth with services, provide a supportive environment, teach them about U.S. systems and culture, and support connections to religious, cultural, and ethnic heritage, if the youth desires. Providers make other types of initial placements—including placements in group homes, semi-independent living, and residential treatment facilities—less frequently, when they fit youth’s specific needs.

- **All programs provide services to support URM youth’s successful transition to adulthood, which may include case management, regular workshops, and financial assistance.** These services include teaching youth how to access resources and navigate systems independently. Findings from our site visits show that programs have adopted different programmatic approaches to help youth prepare for living independently, as well as supporting them once they have transitioned to an independent living arrangement. These approaches include dedicated independent living case managers and cash incentive programs to help youth accrue savings.
- **Programs aim to help youth maintain connections to their cultural, ethnic, and religious heritage, if youth desire, both formally and informally.** Success in maintaining these connections may depend on availability of cultural, ethnic, and religious communities and resources in the areas served by the programs.
- **Youth education experiences depend on the schools they attend, and URM programs provide services to help youth pursue their education goals.** Local schools that URM youth attend vary in their capacity to provide linguistically and culturally competent services to URM youth. Where there is flexibility in which school youth can attend, some URM program staff prioritize the quality of English Language Learning services. Many URM programs connect youth with supportive services, such as tutoring.
- **Mental health services are a primary need for URM youth.** While program staff described challenges in providing these services to youth, they have developed different approaches to addressing these needs and work with youth to access therapy or counseling when youth feel ready. For some programs, these approaches include group therapy and holding mock therapy sessions to get youth used to the idea of therapy and reduce the feeling of being singled out for mental health needs.

Youth experiences and perspectives

We learned about youth experiences and perspectives from program and partner staff, foster parents, and youth themselves. Youth who participated in the focus groups generally reported positive experiences in the Program. Findings include:

- **Youth experiences in the Program vary depending on their strengths, needs, and past experiences, because the URM Program model tailors services to individual youth.** For example, a youth’s pathway into the URM Program may influence their experiences and the services they receive. Program staff consistently reported that refugees have different migration experiences, goals, and needs from those who entered as former unaccompanied alien children (UACs).³ For example, staff described ways in which URM youth who are former UACs need more legal assistance than refugees as a result of the immigration status with which they enter the Program.

³ As noted earlier, youth are eligible for the URM Program through a number of different legal categories. Former UACs may have SIJ classification or be victims of trafficking, asylees, Cuban/Haitian entrants, or U-status recipients who were part of the Unaccompanied Alien Children Program before entering the URM program.

- **URM youth have diverse long-term goals.** Youth discussed pursuing varying levels of education, employment opportunities, and connections with their culture or heritage. URM case managers described supporting youth in achieving their goals as a top priority.
- **URM youth describe feeling appreciative of the resources and support provided by their URM case managers and foster parents.** Although they described challenges in adjusting to life in the United States, many youth find joy in connecting with foster families, making friends at school and through sports, and pursuing their goals.

C. Recommendations for future evaluation

This study laid the foundation for a future evaluation of the URM Program through learning about what services the URM Program offers to youth, how local URM programs provide services, understanding the local context in which they operate, and examining what available data could provide insight into URM youth experiences and outcomes. We also learned about what program staff, youth, foster families, and other stakeholders wanted to learn about the program and how they define success for URM youth.

Based on our findings, we developed a conceptual model to guide a future evaluation, including evaluations that focus on youth outcomes, the impact of services on youth outcomes, and/or how URM programs implement services. We offer a variety of possible designs that can support evaluations, based on the conceptual model presented in the report. While we do not believe it is feasible to use a randomized controlled trial to assess the effectiveness of the URM Program in achieving its goals for URM youth, there may be options for quasi-experimental or non-experimental approaches, or experimental approaches that focus on specific services or rapid learning methods.

In recommending approaches for future evaluations of the URM Program or its components, we considered factors such as local context and program structure; existing data, such as program data required by ORR, other program data, state and local data, and national databases that could be linked to URM Program data to learn about youth outcomes; options for new data collection, such as interviews with youth and observations of program services to explore the implementation of program services; and logistics such as cost and timing of an evaluation.

We identified four overarching research questions and recommended multiple methods—including both quantitative and qualitative approaches—to address them:

1. **What short- and long-term outcomes do URM youth experience after leaving the program?** We recommend a mixed-methods outcome evaluation, which focuses on measuring long-term outcomes for youth and incorporating qualitative data collection to learn about program context and youth experiences.
2. **How do short- and long-term outcomes of URM youth compare to the outcomes of youth who have similar or overlapping experiences but who do not enter the URM Program (e.g., non-URM youth who are in domestic foster care)?** We recommend a comparative case studies approach that explores the experiences and outcomes of URM youth who enter the URM program and youth who are in domestic foster care. These youth have experienced separation from their families and may have received similar services. We also note that evaluators could explore the feasibility of a quasi-experimental design.

3. **How do different URM program models and contexts relate to experiences and outcomes for URM youth? How do different models, services/activities, and contexts contribute to positive youth outcomes?** We recommend comparative case studies or an outcomes evaluation, both with a strong emphasis on qualitative data collection.
4. **What specific services/activities are effective? Do they help youth achieve the intended outputs and short- and long-term outcomes? Why or why not?** We recommend rapid learning approaches (also known as rapid cycle evaluation) or tests of individual services, with an emphasis on implementation to understand whether services are delivered as designed and how this relates to whether services achieve their desired goals.

To prepare for a future evaluation, we recommend that ORR engage programs and stakeholders in designing evaluations, including youth, foster parents, staff, and resettlement agencies; define specific questions or outcomes for an evaluation; adapt the conceptual model included in this report or develop a more tailored conceptual model to address the research questions of interest; prepare for data collection and analysis through building program capacity and identifying data sources; and identify specific components for an evaluation.

1. Introduction

In 2017, the Office of Planning, Research, and Evaluation (OPRE) in the Administration for Children and Families in the U.S. Department of Health and Human Services contracted with MEF Associates and their subcontractor, Child Trends, to conduct the Descriptive Study of the Unaccompanied Refugee Minors (URM) Program.

The study focused on four primary research questions:

- What are the characteristics of populations served by the URM Program and how are services for each target population implemented?
- What do we know about how different URM programs administer benefits and services for refugee youth?
- What data are currently collected for the URM Program and what do they tell us about the extent that URM youth achieve self-sufficiency?
- What would be the best evaluation design strategies for learning more about the effectiveness of the URM Program?

In investigating these research questions, the project explored the characteristics of youth in the Program; services offered and provided to youth; innovative practices, successes, and lessons learned in serving URM youth; and available data on URM youth's experiences and outcomes. It also focused on developing the foundation for a future evaluation of the URM Program, including proposing evaluation designs to learn more about how program services relate to youth outcomes. This report summarizes the study's key findings and recommendations. (See the box on page 13 for a discussion of the study's data sources).

The report begins with background on the URM Program, including eligibility requirements, program structure, and funding, to provide context for the rest of the report. We then describe the study in Chapter 2, including the research questions and primary data collection and analysis components that contributed to our findings. In Chapter 3, we provide an overview of the characteristics of youth in the URM Program, which informs the discussion of program services. In Chapter 4, which is focused on services, we discuss initial pre-arrival and arrival activities (4.A), the various services offered by programs (4.B), contextual factors that influence service delivery (4.C), and how programs implement these services and how youth experience them (4.D). We conclude in Chapter 5 with a discussion of options for a future evaluation of the URM Program, including a conceptual model, potential research questions, design options, and recommendations.

2. Background on URM Program

The URM Program operates as a partnership of multiple entities at the federal, state, and local levels and uses complex funding sources. This chapter provides an overview of how the URM Program operates and introduces key organizations involved in the administration of URM programs.

Funded by the Office of Refugee Resettlement (ORR) in the Administration for Children and Families, the URM Program provides child welfare services and benefits to refugees and other eligible youth within the United States who do not have a parent or relative available to care for them. Each URM program parallels the child welfare system in the state in which it operates. This means that ORR regulations require that URM programs provide the same range of services to URM youth as are provided to youth in the domestic foster care system in the state.⁴ Services provided include



We use “**Program**” with an uppercase “P” to denote the federal URM Program, and “**program**” with a lowercase “p” to denote the individual local programs.

coordinating foster care, group homes, and independent living arrangements and providing other child welfare services to promote youth’s well-being. The Program also includes services focused on integrating the youth into their new communities while preserving the youth’s ethnic and religious heritage.⁵

The URM Program has served over 13,000 youth since the federal program was founded in 1980, with an average of 390 youth entering the program each year from federal fiscal years (FY) 2014 to FY 2018.

A. URM Program structure and administration

At the federal level, the URM Program is operated and funded by ORR. At the state level, State Refugee Coordinators (SRCs) oversee the operations of individual URM programs. Local organizations, which are affiliated with national resettlement agencies, operate the URM programs (see textbox). (Style note: We use “Program” with an uppercase “P” to denote the federal URM Program, and “program” with a lowercase “p” to denote the individual local programs.)

As of 2020, there are 22 local URM providers, located in 15 states, as shown in the map in Exhibit 1. Some programs have multiple office locations throughout the state, which allow them to increase their reach and service capacity. Most URM provider agencies operate multiple programs in addition to a URM program, such as domestic foster care, refugee resettlement and other services for adult and family refugee cases, and other community services. Local URM programs range in size, with the smallest serving roughly 20 youth and the largest serving over 300 at any given time. The staffing structure of URM programs tends to mirror domestic foster care programs, comprising a team of

National Resettlement Agencies

Two national resettlement agencies work with the URM provider agencies:

- Lutheran Immigration and Refugee Service (LIRS)
- United States Conference of Catholic Bishops (USCCB)

These agencies partner with ORR to coordinate the placement of URM youth. USCCB and LIRS also hold cooperative agreements with the U.S. Department of State to help refugees settle in the United States. They also provide training to URM program staff.

Of the 22 URM provider agencies, 11 agencies are affiliated with USCCB, 10 are LIRS affiliates, and one is affiliated with both agencies.

⁴ 45 C.F.R. § 400.116.

⁵ For more detail on the URM Program, visit <https://www.acf.hhs.gov/orr/programs/urm>.

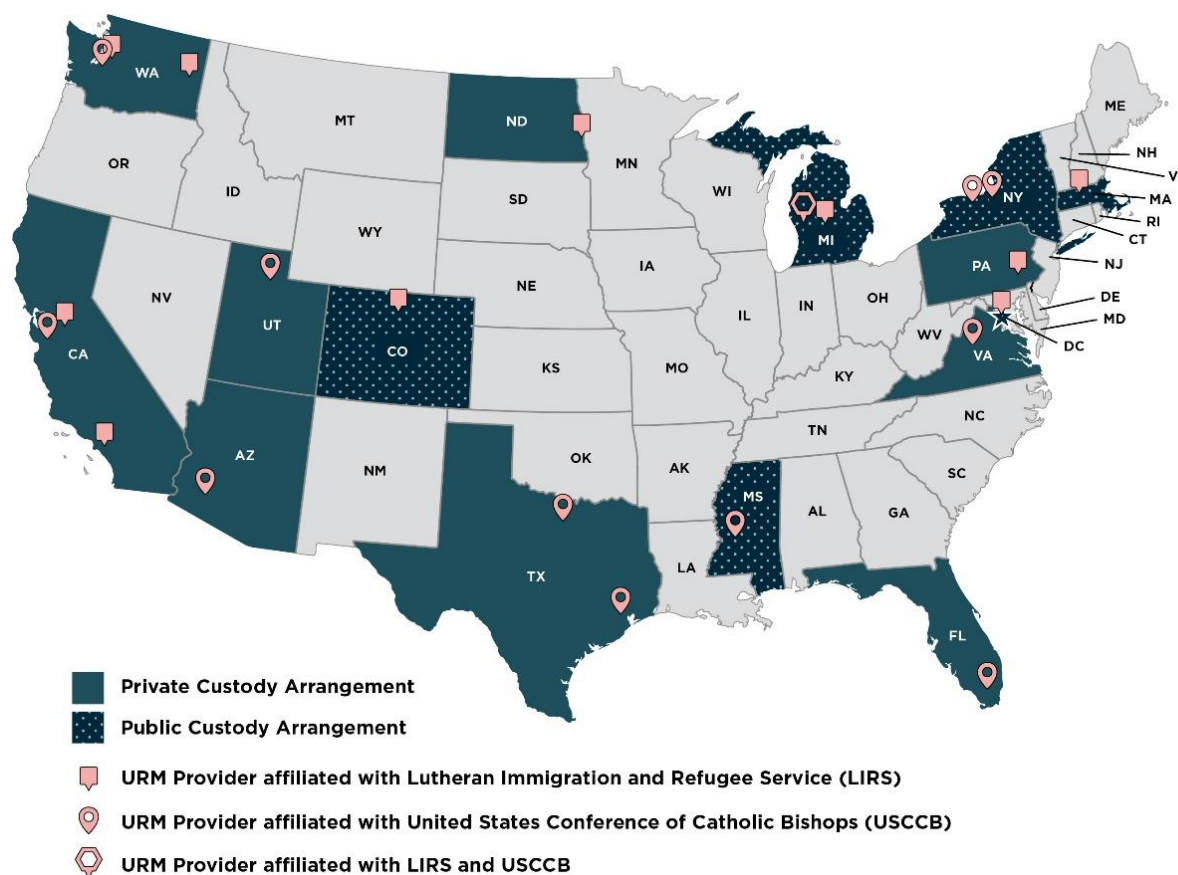
case managers, a foster family recruitment and training specialist, and other support staff. According to the survey, the largest URM program has 77 staff and the smallest has four staff members. Most programs are based in large cities, but they also serve surrounding suburban and sometimes rural areas. The number of local URM programs has changed over time in response to international migration trends and resettlement capacity.

B. Relationship with the child welfare system

The URM Program coordinates with state and/or local child welfare agencies overseeing domestic child welfare services. Programs operate under one of two custody arrangements: public or private. In states with public custody arrangements, the state or county child welfare agency maintains legal custody of URM youth. Most states with public custody arrangements are state-administered, which means the child welfare system operates at the state level, but a few are county-administered, meaning each county operates its own child welfare agency. In states with private custody arrangements, the private agencies that operate URM programs are legal custodians and licensed by the state to be child-placing agencies. Of the 22 local URM program providers, eight operate in states with public custody arrangements (five in state-administered systems and three in county-administered systems) and 14 operate in states with private custody arrangements.

While all URM programs are required to provide the same range of services to URM youth that foster care programs provide to youth in the domestic foster care system, their custody arrangement impacts how those services are provided and funded. This will be described in greater detail throughout the report.

Exhibit 1. Locations of local URM programs



C. Funding

ORR provides grant funding to the state office that administers each state's refugee services, which then disburses funding to local URM program providers. ORR funding covers the provision of services to URM youth, financial reimbursement to foster parents and group homes, and URM program staffing and administration at state and local levels. Most programs described providing the same reimbursement rates for URM youth as in the domestic foster care system, though in some cases URM foster parents may receive higher reimbursement rates when youth needs are more complex.

In states with public custody arrangements, URM youth are eligible for services funded through the John H. Chafee Foster Care Program for Successful Transition to Adulthood (hereafter "Chafee"), which provides funding to states to support youth currently in foster care and those exiting foster care (Congressional Research Service, 2019). The Chafee program is a capped entitlement, meaning there are set funding levels for each state up to which they can claim reimbursement, with those levels dependent on annual federal appropriations. ORR provides funding to cover the same services in states with private custody arrangements, as URM youth in private custody arrangements are not eligible for the state Chafee program.

D. URM youth eligibility and entry into the URM Program

Youth are eligible for the URM Program through six legal categories: refugees, asylees, youth with Special Immigrant Juvenile (SIJ) classification, victims of trafficking, Cuban/Haitian entrants, and U-status recipients (See: Appendix A. Glossary).⁶ For all categories, youth must be under age 18 when they enter the URM Program and not have a parent or relative who is available and willing to care for them.

The process by which youth enter the URM Program varies according to different eligibility categories and has evolved over time. In general, youth enter the Program via one of two broad pathways: a) being identified as eligible while overseas and being enrolled in a local URM program directly when arriving as a refugee, or b) being identified as eligible after entering the United States (See Appendix B for details). In all cases, local URM provider agencies have discretion over whether to accept referrals based on their capacity and ability to meet the needs of specific youth.⁷

Overseas refugees

Historically, the majority of URM youth have been refugees, defined as any persons who are outside the country of their nationality and who are unable or unwilling to return to that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

In most cases, the U.S. State Department (DOS) identifies refugee children overseas who may be eligible for the URM Program through coordinating with the United Nations High Commissioner on Refugees (UNHCR), the international coordinating body of refugees in camps and host communities. UNHCR completes a best interest determination (BID), which includes biographical information about the youth used to coordinate placement in the United States. The Department of Homeland

⁶ There were no U-status recipients in the URM Program at the time of data collection for this study.

⁷ While individual URM provider agencies have discretion to not accept a referral, there are two ways in which youth who are referred to the Program do not enter the Program: (1) Youth turn 18 and age out of eligibility before a provider agency can identify an appropriate placement for them, or (2) for youth who are in the United States when referred to the Program, ORR may determine that a referred youth needs a higher level of care than the community-based care provided through the URM Program and determines the referral is not appropriate. Both scenarios occur infrequently.

Security (DHS) determines the youth eligible for U.S. resettlement, and then DOS and the national resettlement agencies coordinate placement for the youth in a local URM program.

Youth identified in the United States

Some youth are identified as eligible for the URM Program after they arrive in the United States. Many of these youth enter the United States as unaccompanied alien children (UACs), which means they are under age 18, do not have a lawful immigration status, and entered the United States unaccompanied by a parent or legal guardian. UACs are apprehended by DHS after entering the United States and then transferred to ORR custody and referred to ORR care facilities, including shelters and long-term foster care, where they stay while their cases are processed. While many UACs are reunified with relatives or sponsors living in the United States, some do not have any reunification options.

Immigration attorneys work with UAC youth who do not have reunification options to apply for a legal status that would allow them to apply for the URM Program. Eligible groups include:

- **Asylees** are individuals who meet the same criteria as refugees, but are already present in the United States and have a grant of asylum from an immigration judge or from USCIS.
- **SIJ** classification may be granted to youth who have experienced abuse, neglect, or abandonment by at least one parental caregiver. SIJs are eligible for the URM program if a juvenile court declared the youth dependent while in ORR custody.
- **Victims of trafficking** who meet the federal definition of a victim of a severe form of human trafficking, such as forced labor or commercial sex.⁸
- **Cuban and Haitian entrants** are individuals who have a current or expired parole, have a pending application for asylum, or are in pending removal proceedings.
- **U-status** may be granted to victims of crimes who have suffered abuse while in the United States and who are willing to assist in the investigation or prosecution of the criminal activity.⁹

UAC care providers help youth apply for the URM Program after they qualify for one of these statuses and ORR confirms eligibility. The national resettlement agencies then work with local URM providers who try to find a placement for the youth. Some URM provider agencies operate long-term foster care for both UACs and URM programs, which means youth can transfer from one program to the other while maintaining the same living arrangement.

Although youth with SIJ classification and victims of trafficking are eligible for the same URM Program services as refugees, they do not share all of the rights of youth with refugee status. For example, youth with SIJ classification and victims of trafficking often face long delays in obtaining lawful permanent residency and work authorization.

⁸ 22 U.S.C. § 7102

⁹ As noted above, U-status recipients are eligible for the URM Program, but there were no youth with this status participating in the URM Program at the time of the study's data collection.

Study data sources and methods

The study employed several sources of information to answer the research questions, including engagement with stakeholders early during the study on the approach and goals of the study; web-based surveys of URM program directors, State Refugee Coordinators, and child welfare agency administrators; site visits to six local URM programs; and an analysis of URM Program data.

Stakeholder engagement. Throughout the project, we consulted with federal staff, national resettlement agencies, SRCs, URM program staff, and academic experts. These stakeholders provided input about their experiences with the URM program and research questions of importance to them. This engagement informed the approach for other research activities, including the development of surveys and qualitative interview guides, as well as the selection of topics for special reports (education experiences and mental health).

Surveys. We designed web-based surveys to systematically collect information across URM programs from URM program directors, SRCs, and child welfare agency administrators. Topics included the services provided by URM programs, perceptions of URM youth in care, and challenges to providing services. We fielded the surveys between from August to November 2019.

We received responses from 23 of the 24 URM program directors (20 main offices, 3 sub-offices)ⁱ, 14 of the 15 SRC offices, and 4 child welfare administrators from states with private custody arrangements. Due to the variety of relationships between URM programs and child welfare agencies in public custody arrangements, the team conducted semi-structured interviews with four child welfare administrators from states with public custody arrangements instead of surveys.

Site visits. We conducted site visits to six URM programs from November 2019 to January 2020. In collaboration with OPRE and ORR, we selected sites that capture a variety of program characteristics, administrative structures, and promising practices. These programs included:

- Catholic Charities Community Services in Phoenix, AZ;
- Crittenton Services for Families and Children in Fullerton, CA;
- Lutheran Family Services Rocky Mountains in Denver, CO;
- Bethany Christian Services in Grand Rapids, MI;
- Commonwealth Catholic Charities in Richmond, VA; and
- Lutheran Community Services Northwest in Seattle, WA.

During the visits, we conducted semi-structured interviews with URM program leadership, case managers and other staff, as well as partner organizations and education providers. We also facilitated focus groups with URM youth and foster parents.

URM Program data. We analyzed program data for URM youth who entered the URM Program from federal fiscal year (FY) 2014 to FY 2018. The data includes information from two reports: the ORR-3, which programs complete at initial placement and for any change of status or information for youth (e.g., placement, immigration status, etc.), and the ORR-4, which is completed for youth at specific timepoints (e.g., at program entry, on the anniversary of their initial placement). Our data analysis focused on understanding what kind of information researchers can learn from the URM Program data, as well as on the characteristics of youth and services provided.

Appendix C provides more detail about data sources, study design, and methods.

ⁱ While there are only 22 URM programs across the country, two of these programs operate in two different locations in their state. Based on guidance from ORR, for the purposes of the survey of URM program directors, these two programs were given the opportunity for each location to separately respond to the survey. In total, the study team sought 24 survey responses from URM programs; one did not respond, resulting in a final sample of 23. More detail is available in Appendix C.

3. Characteristics of URM youth

URM youth are a diverse group. Understanding the characteristics of youth, including demographics, strengths, and needs, is important for understanding the services that programs provide and youth experiences in the program. In this chapter, we discuss the demographics of youth who entered the program between FY 2014 and FY 2018, based on our analysis of the URM Program data and how they have changed over time, as well as strengths and needs of youth that we learned about through the site visits and survey.

A. URM Program context over time

Since URM provider agencies began serving unaccompanied youth arriving from Southeast Asia in the late 1970s (which predated the federal program's founding in 1980), characteristics of youth entering the Program have changed. ORR, program staff, and stakeholders noted that constantly changing geopolitical circumstances around the world lead to these changes. Some more recent examples include an increase in Haitian youth arriving after the earthquake in Haiti in 2010, the increase in UACs crossing the United States-Mexico border in 2014, forced conscription and other factors in Eritrea leading to a large group of Eritrean youth arriving in 2015. These trends reflect refugee populations worldwide, with unaccompanied youth often identified as the most vulnerable among them.

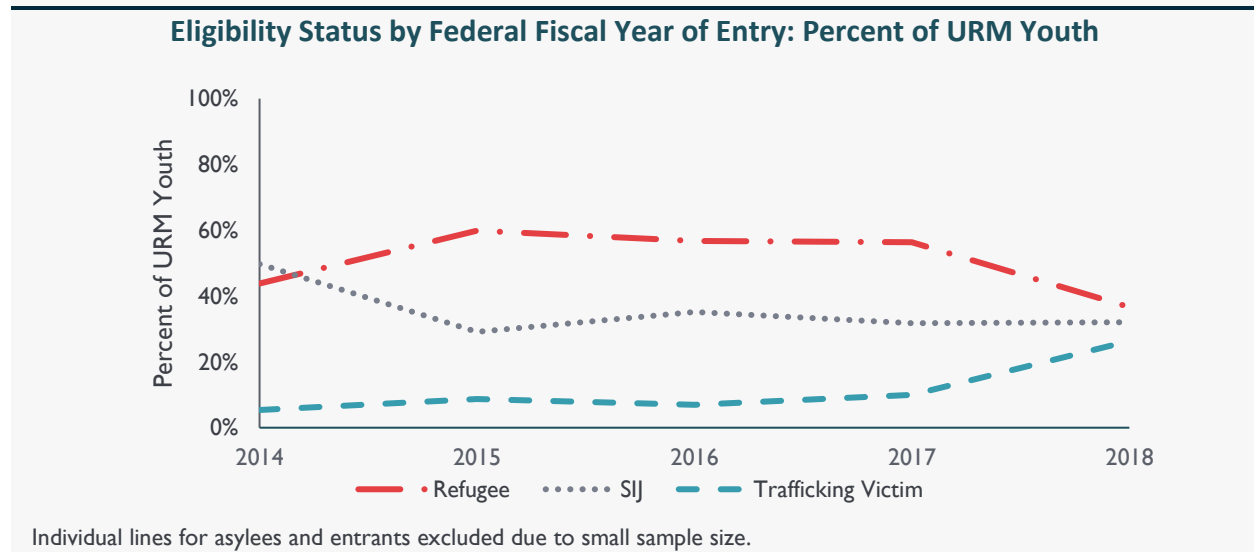
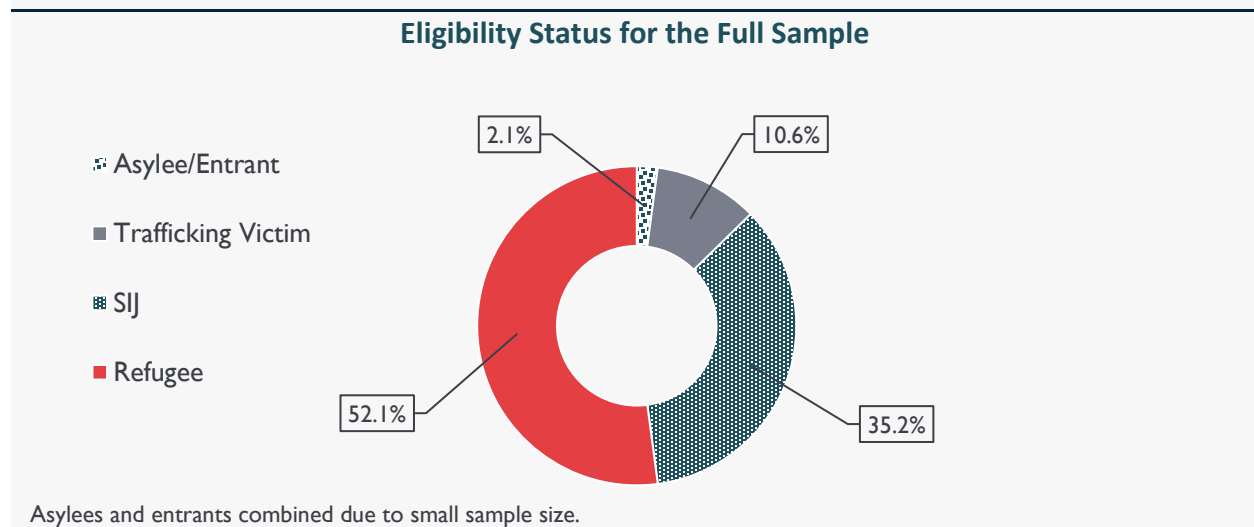
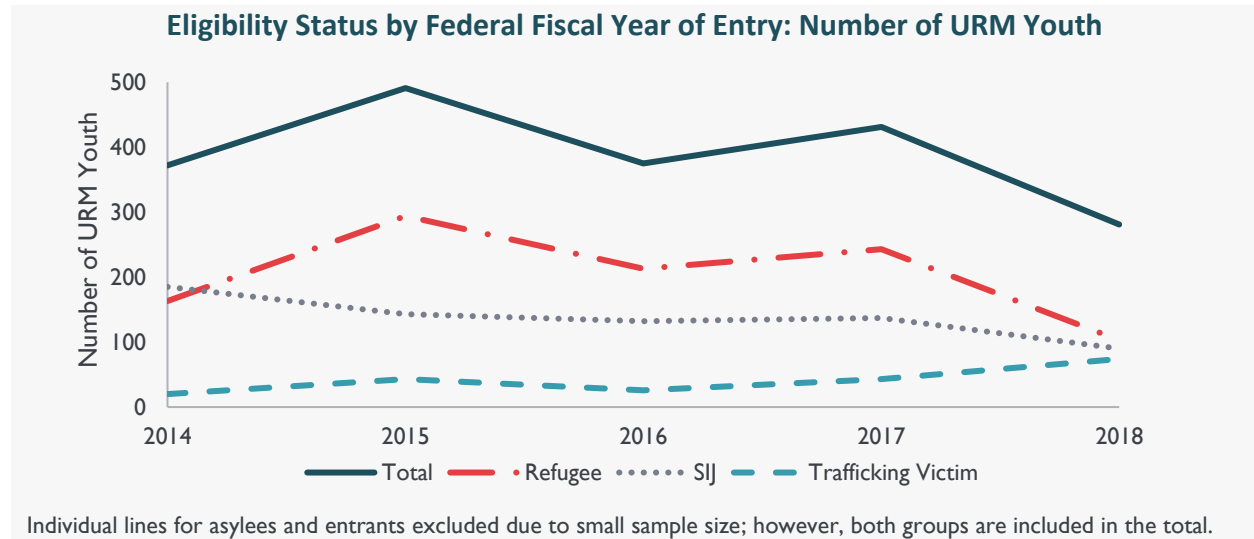
In addition, reductions in the number of refugees entering the United States in recent years and restrictions on immigration from certain countries affected the number of youth coming into the Program from the overseas pathway. Because program capacity is limited, the changes in youth entering the Program through one pathway or eligibility type are often complemented by corresponding changes in the opposite direction in youth entering from other eligibility pathways. For example, the increase in refugees entering the program in 2015 was accompanied by a decrease in the number of SIJs, as programs could not accommodate large numbers of both groups.

Eligibility for the URM Program has also changed over time, in particular through bipartisan legislation to extend services to new groups of youth. In 2000, the Trafficking Victims Protection Act (TVPA) gave child victims of human trafficking eligibility for services and benefits to the same extent as refugees, which includes the URM Program. In 2002, with the passage of the Homeland Security Act, ORR became responsible for the care and custody of UACs (Congressional Research Services, 2019a). This laid the foundation for the expansion of URM eligibility in the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008, which allowed youth from the UAC pathway with SIJ classification to enter the URM Program. The URM Program has adapted over time as a consequence of these changes.

B. Demographics

URM youth who entered the program from FY 2014 to FY 2018 came from over 50 countries of origin, represented over 100 ethnicities, and spoke over 80 primary languages. While the demographics for this group do not reflect the full history of youth in the URM Program, they show the makeup of youth who entered the program over the last several years and how it has changed over time. We combined country of origin and ethnicity into larger groups; details are available in Appendix C.

Youth entering the Program: From FY 2014 to FY 2018, 1,950 youth entered the Program, peaking in 2015 and generally decreasing over time, as shown in Exhibit 2.

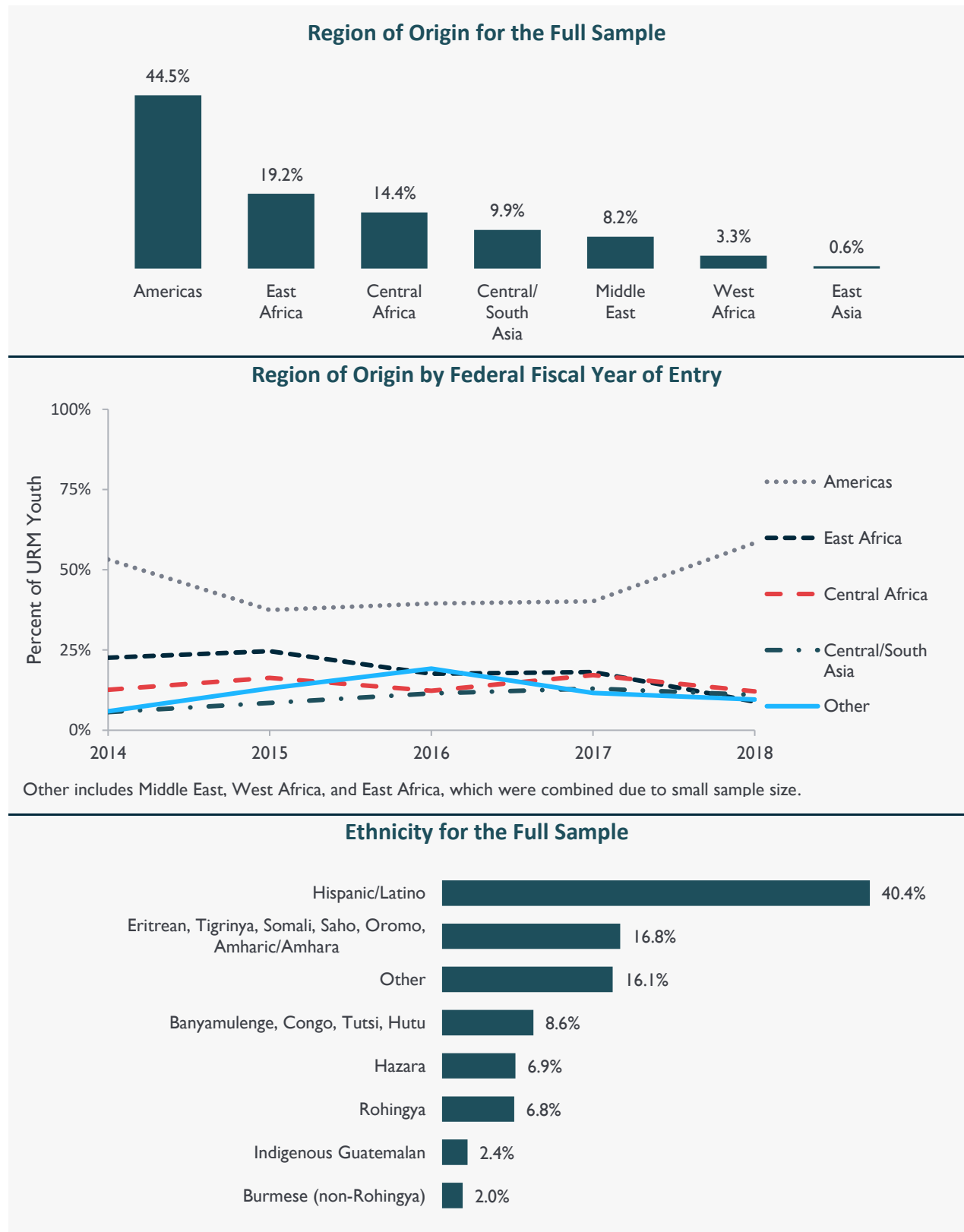
Exhibit 2. Eligibility status for entire sample and by Federal Fiscal Year of entry.

Note: This data is from original analysis of data from ORR's Refugee Arrivals Data Systems (RADS). N = 1,950. To protect the identity of program participants, categories with fewer than 10 youth were combined with other categories or excluded where noted. SIJ stands for Special Immigration Juvenile.

Eligibility status: Over half of the FY 2014 to FY 2018 sample were refugees, as shown in Exhibit 2. While refugees made up the largest proportion of youth, the percentage of SIJs and trafficking victims increased during this time period. In 2018, SIJs, refugees, and victims of trafficking each made up to close to a third of youth entering the program (see Exhibit 2).

Region of origin: The largest proportion of youth for the full group and every year of entry during our timeframe came from the Americas (North, Central, and South America), at 44.5 percent for the whole period (Exhibit 3). Because many SIJs and victims of trafficking came from this region, the change in arrivals over time for this group is similar to that of SIJs and victims of trafficking. This is most visible between 2014 and 2015 when there was a decrease in SIJs entering the program, and between 2017 and 2018 when there was an increase in youth who were victims of trafficking entering the program. Youth from East Africa were the second largest group (19.2 percent), followed by youth from Central Africa.

Ethnicity: As with trends in representation of URM youth by region of origin, where large proportions of youth came from the Americas, trends in representation of URM youth by ethnicity groupings were largely driven by Hispanic/Latino URM youth who come from this region and who make up over 40 percent of the sample, shown in Exhibit 3. However, it is important to recognize that indigenous youth, many from Guatemala, also come from this region and may have very different experiences and needs from Hispanic/Latino youth. They make up 2.4 percent of this group. Eritrean, Tigrinya, Somali, Saho, Oromo, and Amharic/Amhara youth made up the second largest group, followed by youth in the “Other” category.

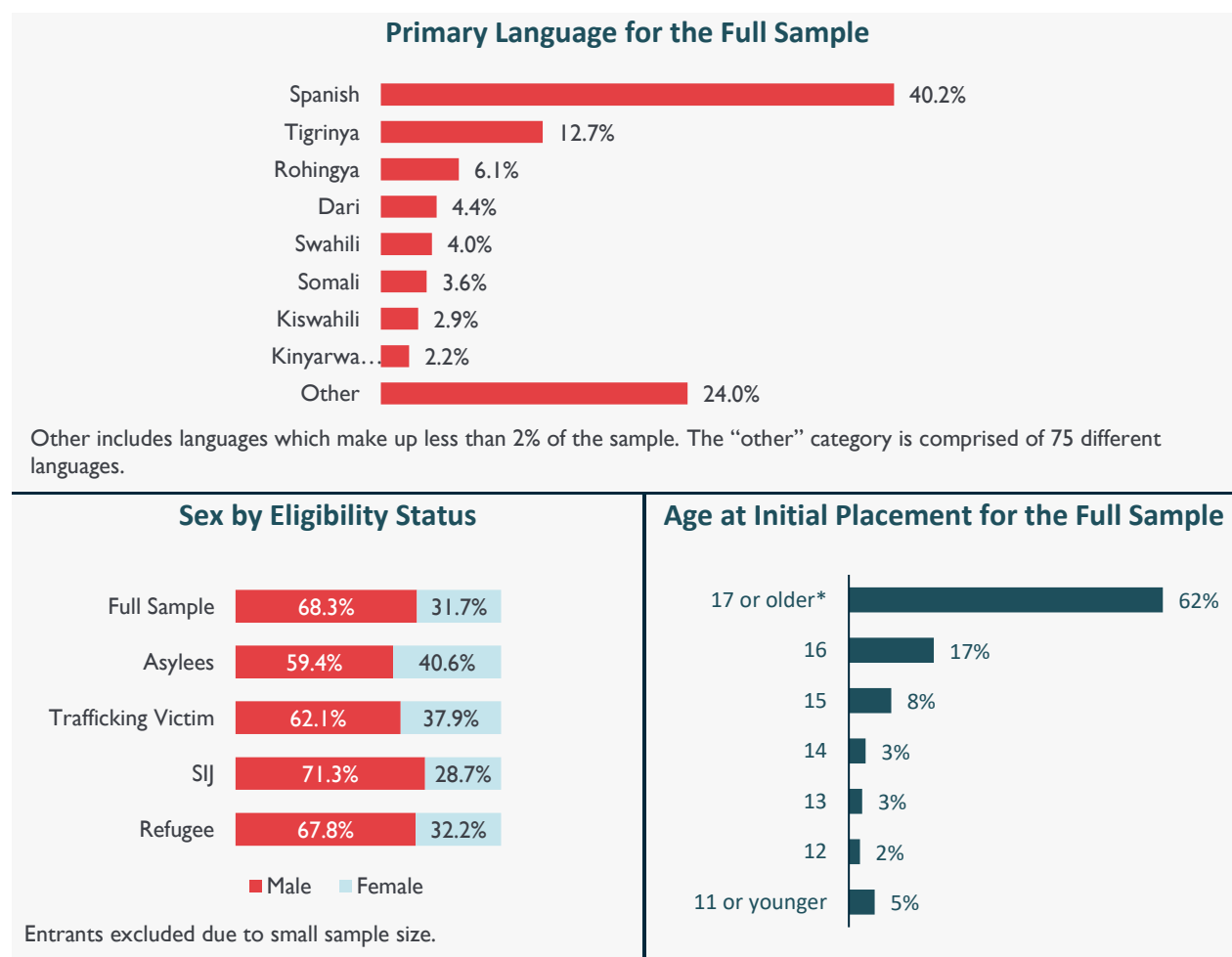
Exhibit 3. Region of origin and ethnicity for the full sample and by Federal Fiscal Year of entry.

Note: This data is from an original analysis of data from ORR's Refugee Arrivals Data Systems (RADS). N = 1,950. To protect the identity of program participants, categories with fewer than 10 youth were combined with other categories or excluded where noted. Therefore, we collapsed countries of origin into global regions, based on guidance from ORR (see Appendix C). No youth came from Europe or Australia.

Language: Spanish was the most common primary language in our sample (see Exhibit 4). The changing percentage of URM youth with Spanish as their primary language follows similar trends of the proportion of youth entering the program who are Hispanic/Latino or from regions of origin where Spanish is spoken (not shown). Some youth from the Americas speak indigenous languages, which are included in the “Other” group.

Sex: As seen in Exhibit 4, the majority of URM youth who entered in FY 2014 to FY 2018 were male (68.3 percent). Compared with refugees and SIJs (32.2 and 28.7 percent, respectively), larger percentages of victims of trafficking and asylees were female (37.9 and 40.6 percent, respectively).

Exhibit 4. Primary language, sex, and age at initial placement for the full sample.



Note: This data is from an original analysis of data from ORR's Refugee Arrivals Data Systems (RADS). N = 1,950. To protect the identity of program participants, categories with fewer than 10 youth were combined with other categories or excluded where noted. SIJ stands for Special Immigration Juvenile.

*On rare occasions, there is an age redetermination done after a youth enters the program that determines that they were 18 or older at entry (this does not change their program eligibility).

Age at initial placement: The average age of youth at initial placement in our sample was 16 years old, though over 60 percent of youth entering the program were 17 (shown in Exhibit 4). Even though most youth (over 85 percent) were over the age of 15 upon arrival, some youth were as young as two years old. On average, refugees were 15.3 years old, while SIJs, victims of trafficking, and asylees were 16.7 years old. There were very few young children in the sample; fewer than 10 children in our sample were under the age of six when they entered the Program.

C. Youth strengths and needs

In addition to being demographically diverse, URM youth arrive in the United States with a variety of strengths and needs, as we learned through our interviews, focus groups, and surveys. Although site visit interviews and surveys confirmed the wide spectrum of youth experiences, consistent themes emerged. Program staff and foster parents said that youth bring strength and resilience, developed before, during, and after their journey to the United States. At the same time, URM youth present a unique combination of needs, with both similarities and differences to other vulnerable populations, such as youth in domestic foster care, recent immigrants, and refugee youth who resettle to the United States with families.

3.C.1. Strengths

Program and partner staff described youth as resilient, goal-oriented, and hardworking. They also noted that youth are committed to their families, friends, and communities. On our survey, in open-ended responses, program directors similarly described URM youth as resilient, hardworking, family/community-minded, quick and dedicated learners, and goal-oriented.

Program staff, foster parents, and youth themselves consistently described URM youth as focused on achieving their goals, especially those related to education and employment. While most youth mentioned employment as a long-term goal in focus groups, several youth expressed an interest in postsecondary education. Youth reported wanting to become nurses and doctors, chefs, professional soccer players, lawyers, public speakers, published authors, tech developers, flight attendants, and more. Some program staff reported during site visits that refugees are more likely to be interested in pursuing higher education, while youth from the former UAC pathway are more often interested in prioritizing employment over education. Some program staff and youth reported that, in some cases, this desire to work stems from motivation to provide financial resources to families in their home countries.



URM youth reported wanting to become nurses and doctors, chefs, professional soccer players, lawyers, public speakers, published authors, tech developers, flight attendants, and more.

Some youth can draw on their relatives for a range of support. On site visits, some program staff reported that, while most youth do not have family in the United States, many stay connected to relatives via WhatsApp and social media. They noted that these relationships can be a source of strength and cultural connection for youth. In addition, staff at sites visited reported that URM youth are dedicated to their communities and develop networks of support for themselves and others.

3.C.2. Needs

While URM youth arrive with strengths that help them succeed, they also arrive with diverse needs, especially given the traumatic experiences they may have experienced before entering the URM Program.

Mental health. Many program staff, partner staff, and foster parents identified culturally responsive, high-quality mental health care as an acute need for URM youth across all types of eligibility categories. In open-ended responses on the survey, several program directors mentioned mental health services as a key need. Some staff from programs visited said that URM youth are diagnosed with mental health conditions at high rates, with posttraumatic stress disorder, adjustment disorder, and depression among the most common. Youth may have experienced traumatic events before,

during, and after their migration to the United States, including torture, rape, harassment, or witnessing violence against family and community members. While the cause and effects of trauma may vary, staff reported that all URM youth experience disruptions in and separation from families, friends, and communities, as well as from their native languages and cultures. URM program staff reported that youth's traumatic experiences and how recently they occurred vary based on youth characteristics, such as eligibility status or country of origin. For example, a program staff member reported that youth who entered the program with refugee status had primarily experienced traumatic events several years prior to arrival in the United States (prior to arrival at a refugee camp), while youth who originally entered the United States as UACs may have experienced traumatic events immediately prior to entering the URM Program. However, staff also described that experiences of traumatic events can vary widely among youth based on their unique circumstances. ORR, as well as interviewees at multiple sites we visited, reported anecdotally that there are more youth arriving with more complex mental health needs than in the past. More information about youth mental health is included in the Special Topic Report: *Youth Mental Health in the Unaccompanied Refugee Minors Program*.

Education and English language support. URM program staff across all sites visited said that most URM youth have experienced interruptions in formal education or stopped attending school at young ages. URM youth arrive in the United States with a variety of literacy, numeracy, and language skills. Some youth are not literate in their native language(s), and a few speak languages that do not have written forms. Others arrive already speaking English.

URM program staff, partner staff, foster parents, and youth themselves identified English language acquisition as a key need and challenge for URM youth. Staff said that learning English has implications not only for how youth perform in school and progress to graduation, but also for how well they connect with foster families, make friends, understand rules, participate in activities, and gain employment.

As a result of interrupted formal education and limited English skills upon arrival, program staff said that many URM youth need additional supports to be successful in school and learn English. Aside from support in learning English, staff also reported youth may need support with curriculum content and understanding the structure and progression of the U.S. education system.

Physical health. URM youth often enter the Program in need of routine or preventative medical or dental care. Staff from most programs visited reported that youth rarely arrive to the URM Program with acute physical health issues such as physical disabilities or chronic conditions requiring intensive medical care. While some programs may have limited capacity to serve youth with acute needs (and therefore do not accept such referrals), others can accept these referrals to the extent they have placements available that can support youth with severe medical needs. Some program staff interviewed also mentioned that some youth enter the program pregnant or with HIV. All URM provider agencies partner with local health providers to meet the health needs of youth as they arise. URM program staff in a few sites said URM youth may not be accustomed to preventative or routine medical care or dental care.

Immigration status support. As described above, not all URM youth have the same legal status or chance to pursue legal permanent residency. In open-ended responses question on the survey, some program directors mentioned legal assistance, particularly related to immigration status, as the most common need for URM youth. Program staff at sites visited said that some youth need additional support to apply for legal status and to cope with stress and uncertainty as they wait for approval.

Some former UACs are admitted into the URM Program while they wait for their SIJ visa applications to be processed. During this waiting period, these URM youth receive all URM Program services but do not have authorization to work. This can be especially challenging for these youth

because some program staff described former UACs as more driven to work and send money to families in their home countries. As some program directors reported on the survey, in some states, youth who are former UACs may also be ineligible for some public benefits, such as Medicaid.

Some URM program staff said that this stress of “living in limbo” until gaining work authorization means that some former UAC youth do not have the same level of security as overseas refugees, which contributes to a sense of impermanence, fears of deportation, and general anxiety. Some program directors reported on the survey that the lack of employment authorization can cause anxiety as the youth cannot make long-term plans or build self-sufficiency.

4. URM Program services and benefits

URM youth receive program services as soon as they arrive in the United States (or enter the URM Program if they are already in the United States). URM programs recruit, train, and license foster families and maintain relationships with placement providers, like group homes, on an ongoing basis. After youth enter the Program, services are provided until they exit the Program, which often occurs at their state’s age of emancipation. In this chapter, we describe the activities that occur before and immediately after a youth’s arrival in the program, the services URM programs offer to youth after they have entered the program, contextual factors that influence service implementation and access to services, and how programs implement services and arrange for placements, including successes, challenges, and youth and foster parent experiences.

A. Pre-arrival and arrival activities

The pre-arrival and arrival activities that URM programs and youth engage in provide an important backdrop for the services youth receive once they enter the program. This section discusses foster parent recruitment, training, and licensing; the process by which youth are placed in a local URM program; and the services provided shortly after arrival.

4.A.1. Foster parent recruitment and training

URM programs recruit, train, and license foster parents to serve as caregivers for URM youth. Foster parent recruitment is an important component of the program as the majority of URM youth are initially placed in a family-based foster home upon their arrival in the URM program. This section provides an overview of the recruitment and training procedures, while the Placements section (Section 4.D.2) discusses the implementation, challenges, and innovative practices.

Recruitment of foster families

URM programs described using recruitment methods similar to those used in domestic foster care, including word of mouth referrals, online ads (e.g., Facebook), and community outreach through churches or other community partners. On the survey, URM programs identified referrals through other families (74 percent of programs), recruitment events (70 percent), and partnerships with religious organizations (57 percent) as the most successful recruitment strategies. The vast majority of URM program directors (91 percent) reported that they had at least one program staff member dedicated to recruiting, licensing, and/or supporting foster families. This role includes conducting outreach to identify potential foster parents, holding information sessions and trainings, and working with families to complete licensing requirements.

Many program staff said they try to recruit families who share the same culture, religion, and/or language as URM youth, as they feel this helps youth maintain connections with their heritage, which is a URM Program goal. However, staff at multiple URM programs visited described challenges in doing so. Some program staff said that their agencies are increasing outreach to certain communities and/or partnering with local culturally- or faith-based community organizations or groups to increase the diversity of their foster parent pool.

In focus groups, foster parents expressed a variety of motivations for becoming URM foster parents, including religious reasons, experience as a refugee and desire to “give back,” responding to a need in and a commitment to serving their community, and looking to expand or build a family of their own. Some had already been foster parents in the domestic system. In some cases, URM youth have a relative in the United States who may become a licensed foster parent to care for their URM youth family member.

For four of the programs we visited that also have UAC and/or domestic foster care programs, staff reported recruiting, training, and/or licensing families for multiple programs to create efficiencies in training, so they can be flexible in responding to youth’s needs across programs.

Training and approval

URM foster families must meet the same training, licensing, and monitoring requirements that parents in the domestic foster care system must meet. To become licensed as a foster home, caregivers must complete required trainings, at least one home study, an interview, paperwork, and a background check. For the six sites visited, program staff reported that it takes families as little as one month and as long as one year to complete the licensing process, though most are licensed within three to six months. Differences depend on state requirements and families’ speed of completing approval steps.

URM program staff and families said that while the state-required training is helpful, much of it is not

Practice Highlight: UAC to URM continuation



Two of the URM programs visited operate both UAC programs and URM programs. In these arrangements, UAC youth are often placed in long-term family-based foster care while their legal case is pending. Both URM programs described this arrangement as allowing for continuity of care, as youth can stay with the same foster family even as they technically transition from the UAC program to the URM Program.

Practice Highlight: Foster Parent Advisory Group



At Bethany Christian Services, based in Grand Rapids MI, a foster parent advisory group helps the URM program recruit new foster parents. The advisory group makes recommendations for recruitment events and outreach materials, while also supporting foster parent training and retention. For example, as a recruitment event the group has plans to facilitate cooking classes focused on food from youth’s home countries and asks foster parent attendees to bring a friend. The group also recommended incorporating foster parents’ biological children into trainings to improve families’ preparedness.

directly relevant to URM youth. On the survey, nearly all programs surveyed (21 out of 23) reported that they require foster families to participate in additional training beyond state requirements, including cultural sensitivity training, specialized sessions on fostering refugee youth, or trauma-informed care training. To address this need, some of the six programs visited by the research team develop their own training materials and invite speakers and community members to participate in training. Some foster parents in the focus groups reported that they conducted research on their own to learn about URM

youth's cultures. Some also said that they learned from their own experiences that it is very challenging to truly to prepare for the URM youth's potential needs.

Program staff reported that families must undergo formal monitoring and complete additional training on a regular basis, most often annually, based on state requirements. The programs we visited provide opportunities for families to fulfill training hours through program activities.

4.A.2. Referral and placement processes

The process for referring and accepting youth into the URM Program varies by eligibility category (see Appendix B). DOS and the Bureau of Population, Refugees and Migration provide initial referral information to the resettlement agencies (LIRS or USCCB), which then facilitate placement with local URM providers in their networks. For youth who are identified while they are living in another country, the referral information includes a brief description of the youth's family and migration history, education background, and health. For youth identified in the United States while in ORR custody, resettlement agencies may receive more detailed information gathered by UAC care providers.

In deciding whether to accept a referral, URM program staff in all sites visited said they consider available placement openings and the physical and mental health needs of the youth. Before accepting a referral while youth are still overseas or in ORR custody, program staff must identify a placement and confirm that the caregiver is willing and able to provide a placement. During the site visits, URM program staff said that the referral information they receive about youth is often limited and occasionally incorrect, so they prepare foster parents for the possibility of URM youth arriving with unanticipated needs.

The referral process can pose challenges for programs and potential foster families. Multiple URM programs may work simultaneously to find placements for the same URM youth. In these cases, one program may decide to accept a referral, only to have another program confirm the placement first. In addition, URM programs visited reported wide variation in the amount of time between identifying a potential URM youth for placement and the youth arriving; for UAC youth transferring locally, it can be very quick. However, it can be up to one year for youth arriving from other countries due to delays in approval processes. Staff at the programs visited said that this variation makes it challenging for URM programs to prepare foster families for placements and to keep them engaged during a long waiting period.

Arrival and initial services

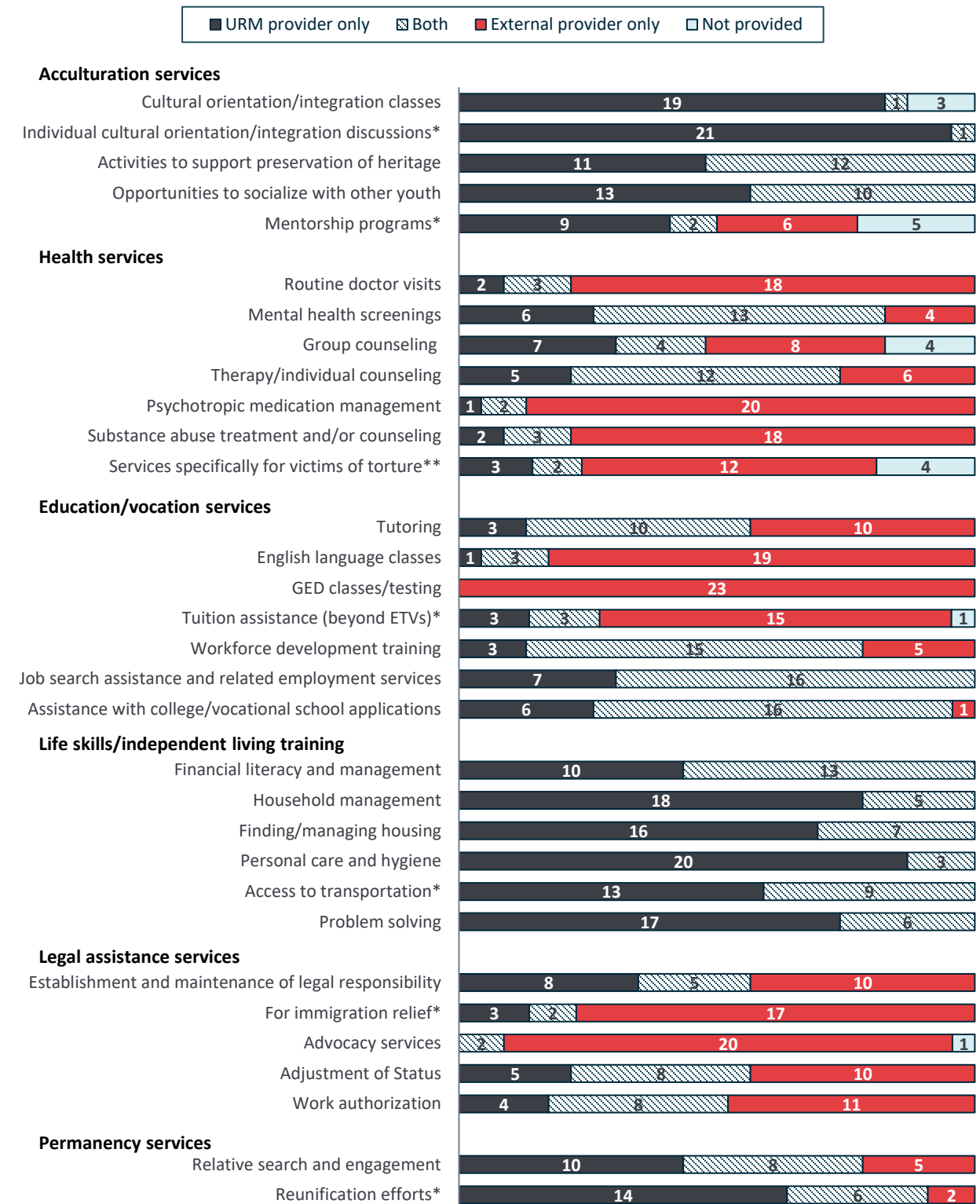
URM program case managers reported that they begin serving URM youth as soon as they arrive. For those arriving from overseas or a different city, the URM case managers meet the youth at the airport and take them to their placement. Sometimes URM foster parents and/or public child welfare agency case managers join URM staff at the airport. When former UACs transfer within the same city or same provider agency, they often stay with the same foster family.

In the youth's first days in the program, case managers make sure youth go through the required initial processes within timelines required by state child welfare systems, including school enrollment, medical and dental screening and services, immunizations, applying for identification, and initial needs assessments. While all URM youth receive the same initial services, the funding for those services may differ among youth of different eligibility categories. For example, refugee youth arriving from overseas receive reception and placement funding from DOS, which case managers may use to help the youth shop for clothes, food, and school supplies.

Shortly after arrival, case managers also ensure legal custody is established for the youth. Depending on the state's custody arrangement, program staff may need to petition for guardianship and file for dependency or coordinate with the state's public child welfare agency to handle the dependency. Dependency must be established before the youth turns 18, and therefore needs to happen quickly in many cases. Some programs have taken steps to expedite this process. For example, the Seattle URM program has developed an efficient process to establish dependency for URM youth, which the program staff described as being based on strong relationships with the court and attorneys, advocacy by program staff, and willingness among placement providers to accept referrals for URM youth with little advance notice. As a result, the program can accept referrals for youth who are quickly approaching their 18th birthday and who otherwise may not be able to enter the URM Program due to their age.

B. Services and living arrangements offered by the URM Program

The program director survey asked about the types of services that programs provide. Because URM programs must offer the same range of services as the domestic child welfare system, we found relatively little variation in the types of services and living arrangement types offered. Exhibit 5 and Exhibit 6 show the services and living arrangements, respectively, that URM program directors reported providing on the survey. These exhibits also break down whether each service or living arrangement is provided by programs internally, externally, or both.

Exhibit 5. URM Program service offerings

Source: Program Director Survey. *1 response missing; **2 responses missing. Program directors reported whether their services were offered internally, through an external provider, or whether the service was not available at their program. ETV stands for Education and Training Vouchers.

Overview of living arrangement types

Family-based foster care: Family-based settings with foster parents who have been licensed by the state.

Kinship/relative foster care: Family-based settings with relatives or other kin (e.g., close family friend). The licensure of relative caregivers depends on the state of residence.

Group homes: Licensed care facilities that provide 24-hour care for small groups of youth (e.g., youth ages 7 to 12).

Therapeutic foster care: Family-based settings in which foster parents have received special training on how to care for youth with more serious mental or behavioral health needs.

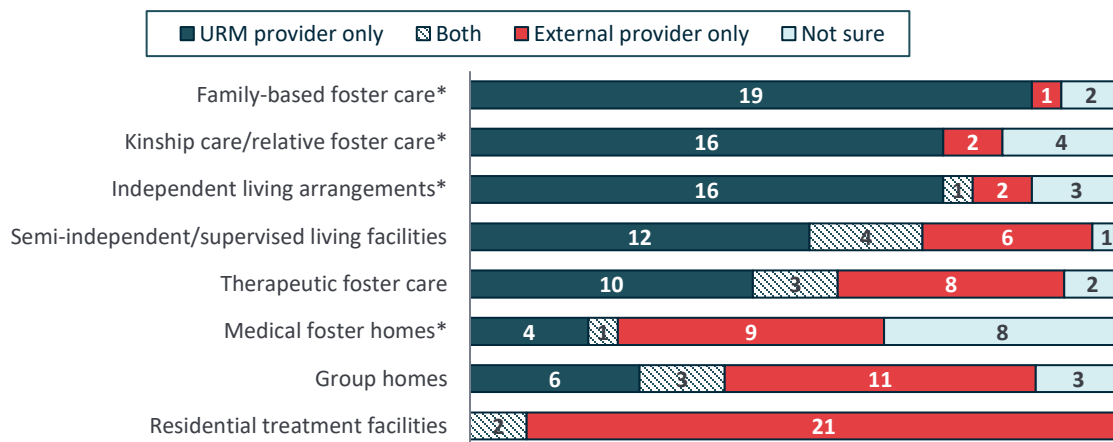
Semi-independent living arrangement: Arrangements that provide the opportunity for increased responsibility for self-care. Youth are still under the supervision and care of the agency, with reduced adult supervision (i.e., less than 24-hour supervision). For example, youth may reside in a small apartment complex run by the agency where youth live in their own apartments but have a curfew or other requirements for living there (e.g., attending group meetings or trainings).

Independent living arrangement: Youth are still under the supervision and care of the agency but live independently without adult supervision. In such arrangements, youth are responsible for making sure all their bills and expenses are paid, even if it is through stipends from the agency.

Medical foster homes: Family-based settings in which foster parents have received special training on how to care for youth with more serious medical needs.

Residential treatment facilities: Care facilities that provide 24-hour care and treatment for youth with more serious medical or mental health needs that cannot be met in family-based settings.

Exhibit 6. URM Program living arrangement offerings.



Source: Program Director Survey. *I response missing. Program directors reported whether living arrangements were available internally through the URM provider, through an external provider, or whether they were not sure if the living arrangement was offered at their program.

Programs offer a wide range of services to URM youth. Nearly every URM program director surveyed reported providing services related to acculturation, health, education/vocation, life skills and independent living training, legal assistance, and permanency. Within these categories of services, some were less frequently provided than others, though most types of services were still offered by most programs, either internally or externally. For example, all programs reported offering some type of acculturation services, but only 17 program directors surveyed reported offering mentoring services (which is considered a type of acculturation service).

URM programs also offer many types of living arrangements, which mirror those offered in the domestic foster care system. See the “Overview of Living Arrangements” text box for definitions of these different living arrangement types. Nearly all URM programs reported offering family-based foster care, therapeutic foster care, relative foster care/kinship care, semi-independent living, residential treatment facilities, group homes, and independent living arrangements. Only two-thirds of programs reported that medical foster homes were available either internally or through an external provider. The remaining one-third of programs reported that they were not sure.

URM programs provide services and living arrangements directly, using in-house resources, or externally through partner organizations. In-house services were provided not only by the URM program, but also by other programs within the same umbrella provider agencies that operate URM programs. In general, programs partnered with external providers to offer services that require specific expertise or facilities, such as doctor visits, medication management, GED classes/testing, or legal assistance.

Most programs that reported offering family-based foster care, relative foster care, and independent living arrangements offered these internally, while almost all programs who offered placements in residential treatment facilities reported working with an external provider for these placements. This is to be expected, as residential treatment facilities require special licensing and permits to operate. While nearly all programs reported being able to offer a variety of living arrangements, there was variation in how often programs utilize these different settings and the ease with which they can access them. This will be described further in Section 4.D.2 (Placements).

C. URM Program service context

The different local and state environments in which URM programs operate affect how programs deliver services. Building off the discussion of the services and living arrangements URM programs offer, this section discusses important contextual factors that influence how URM programs deliver the services and offer living arrangements, as well as how youth experience services. This section provides key context for the discussion of service implementation in Section 4.D. We also discuss these factors as they relate to each service.

4.C.1. Child welfare custody arrangements

Surveys and site visits revealed that one of the main distinctions among URM programs in different states is the custody arrangement between child welfare agencies and URM provider agencies. As noted earlier in the report, federal regulations require URM programs to provide the same range of services provided by the state’s domestic child welfare program regardless of whether they have private or public custody arrangements. As a result, there are not any overall differences in the type or intensity of services between programs in the two types of custody arrangements. However, custody arrangements affect how URM programs provide those services and how some services are funded.

Relationship with child welfare agency. According to survey respondents, URM programs with public custody arrangements interact more frequently with the child welfare agency than programs with private custody arrangements. This likely reflects that in states with public custody



Private custody arrangement:

Youth are in the custody of the URM provider agency.

Public custody arrangement:

Youth are in the custody of the state or county in which the program is located, like youth in the domestic foster care system.

arrangements, the child welfare agency maintains custody and legal responsibility for youth and therefore plays a more prominent role in providing services and monitoring youth. Interviews with program staff supported this finding.

The role of child welfare agencies in states with private custody arrangements is more administrative; agencies license the URM provider agencies as child-placing agencies and/or directly license foster homes (which agencies also do in states with public custody arrangements). In open-ended responses, survey respondents from states with private custody arrangements reported that child welfare agencies may also provide technical assistance or guidance to the URM program or refugee services offices on child welfare policy.

In contrast, surveys and site visits suggest child welfare agencies in states with public custody arrangements monitor youth well-being and provide case management to URM youth more frequently than in states with private custody arrangements. Child welfare agency administrators interviewed reported that their staff is involved in providing approvals or accessing services (e.g., access to federal funds to support school stability), since the child welfare agency has legal custody of the youth. The site visits and child welfare administrator interviews revealed a range of roles played by child welfare agency staff, from assigning case managers to youth in some states to more monitoring-focused activities (e.g., re-licensing foster families) in others.

Funding sources. The funding sources for URM services also differ by custody arrangement, particularly for services and benefits to support a successful transition to adulthood (“transition services”) and Education and Training Vouchers (ETVs). In the domestic foster care system, these services are commonly funded through the Chafee program (See Section 2.C. Funding). In states with private custody arrangements, URM youth are not eligible to receive transition services or ETVs through Chafee because they are not in the custody of the public child welfare agency. In those cases, to ensure the same range of services provided in the domestic child welfare system, URM provider agencies use ORR funding or other funding sources (e.g., state-funded programs) to provide transition services and ETVs. Our survey confirmed that these services are more likely to be solely funded by ORR in states with private custody arrangements, and solely funded by Chafee funds in states with public custody arrangements. However, there are instances in which funds from ORR and other sources help cover these costs in states with public custody arrangements. For example, since Chafee is a capped entitlement, states may run out of funding for ETVs before all eligible youth, including URM youth, can access them. To ensure the same range of services provided in the domestic foster care system, programs provide URM youth with ETVs through other funding sources.

4.C.2. Other state and local policies

State and local policies affect the way URM programs operate and impact the services that URM youth can receive. Two examples are court procedures and eligibility for Medicaid.

- **Court.** Court procedures, which vary across states and counties, impact the process by which URM programs gain custody of URM youth, and can consequently also affect where URM

youth are placed. For example, the local court in Kent County, MI—the county that includes Grand Rapids—does not accept youth within three months of turning 18. The URM program in Grand Rapids places former UAC youth entering the program who are in this age range in a different county in Michigan.

- **Eligibility for Medicaid.** State policies outline eligibility rules for Medicaid, which can impact the health services youth receive in their communities. Regarding health services, several survey respondents noted gaps in the types of services covered or in whether Medicaid services were available to former UAC youth (Medicaid policies regarding immigrants differ by state). Because youth's eligibility for health coverage impacts the doctors they can visit and the services they can receive, URM case managers must keep track of local providers accepting different types of coverage (e.g., Medicaid) when helping youth access health services.

In addition, and as noted throughout this report, each URM program is supposed to offer the same range of services as its state's domestic child welfare system. One example is that states have different policies outlining options for youth in foster care to continue living in an out-of-home care placement past the age of 18. As a result, some URM youth have the option to continue living in their foster home or other placement until they reach their state's maximum age to receive services from a child welfare provider agency. While the maximum age is 21 in most states, some states extend services for youth in foster care to older ages.

4.C.3. Local context

Our site visits provided insight into the ways local context affects URM programs. Each program we visited is in an area with large and diverse refugee and/or immigrant populations, though the make-up of these groups varies within and across the regions they serve. All six URM programs found their surrounding communities generally supportive of refugees and immigrants. (The survey showed this held true more broadly; of the 21 program directors who responded to a question asking if community sentiment toward refugees and immigrants was a challenge, only four reported that it was.)

Each site also described local refugee and immigrant populations that overlapped with the cultural backgrounds of the youth in their program, though not every culture is represented in each site. The cultural groups present in each area can provide resources for URM programs to help foster connections between youth and their religious and cultural heritage. However, some groups of URM youth live in communities that do not have populations or community groups that match their cultural background.

Another way in which local context can affect how URM programs serve youth are local economic factors. Program staff did not report many economically driven challenges, such as finding jobs for older youth. This may have occurred in part because the site visits occurred during a strong economy. However, some programs reported high rents and costs of living. For example, as rents have risen in Seattle, fewer foster families live in the city than before. Staff noted that as people move further out, youth may become more isolated from each other and their communities.

D. How programs provide services and URM youth access services

While the array of services and living arrangements that URM programs offer does not vary widely, we found that programs implement these services and living arrangements in different ways. This section describes findings from the site visits and survey about different approaches to service

provision, innovative practices, challenges, and youth experiences in the program. We start with case management, then discuss placements and living arrangements, independent living skills, connections to cultural heritage and religion, education, mental health, legal services, health services, and other services. We conclude with a brief description of what we learned about youth experiences after leaving the program.

4.D.1. Case management

Case managers have primary responsibility for ensuring youth's well-being and that youth receive services. URM case managers share many of the same responsibilities as case managers in the domestic foster care system, but they are also responsible for helping URM youth maintain connections with their culture and heritage. Similar to domestic foster care case managers, they also provide crisis support, which means they are available at all hours to address emergencies. Both foster parents and youth discussed appreciating case managers for their responsiveness and availability.

Case managers serve as liaisons to youth's schools, lawyers, and other services. In states with public custody arrangements, URM youth are also assigned to a case manager from the public child welfare agency. In these cases, URM case managers work in partnership with the public agency case managers to ensure each youth's well-being.

Staffing

Caseloads vary by URM program but are generally low compared to domestic child welfare systems. Caseloads among sites visited ranged from about 10 to 14, compared to previous national estimates of 24 to 31 in the domestic system (Whitaker et al., 2004). In some URM provider agencies, the URM program is under the same umbrella as their UAC or domestic foster care programs. In some instances, case managers have mixed caseloads of UACs and URM youth or URM and youth in domestic foster care. Caseloads may be lower for case managers with youth in therapeutic foster care on their caseloads.

Social work credentials, trainings, and requirements for being a case manager vary by URM provider agency. One program visited requires case managers to be licensed social workers, which enables them to provide clinical case management, while another requires that all case managers are Masters' level social workers. While most case managers in programs visited did not have cultural backgrounds that matched the youth they serve, one program discussed efforts to recruit staff who share common languages or immigration experiences with URM youth.

Several URM programs have case managers or other staff providing case management services specifically for group homes or for youth in independent living arrangements. For example, one site has two case managers and one supervisor specifically dedicated to providing independent living services. In another program, case managers who work with the youth in transitional independent living situations are not required to be licensed clinical social workers, as the services they provide are expected to be less intensive than services provided to youth who do not yet live independently.

Ongoing support and monitoring

Case managers have regular contact with youth, both as part of standard case management and to adhere to state regulations. This includes home visits, phone calls and texts, in-person meetings with URM youth at program offices, and responding to needs and challenges that arise. Staff at one site described their approach as "youth-driven" and aimed at helping youth make decisions and supporting them as they execute those decisions. A URM youth described their experience in



Caseloads among sites visited ranged from 10 to 14 youth per case manager.

working with staff: “[Program staff] respect your decision. They never force you to do something you don’t want to do.” Case managers across multiple sites also described providing ad hoc support in the form of transportation to cultural resources, events, or grocery stores that sell food from the youth’s home country.

Case managers support youth through ad hoc outreach as well as regular check-in meetings, sometimes called “treatment team meetings,” in which case managers meet with URM youth, foster parents, and other staff or service providers as necessary, such as case managers from the public child welfare agency. These team meetings also allow case managers to check in with URM youth on goals and challenges and mediate any issues between youth and foster families, such as disagreements about house rules.

Youth applying for SIJ classification, trafficking visas, work authorization, or other statuses require legal support to process their cases. URM case managers work with legal partners and local courts, coordinating logistics and providing information to lawyers, and provide emotional support to youth. For example, case managers said that many URM youth experience anxiety and stress about their pending legal cases, especially regarding delays to work authorization approval. Case managers help youth manage the emotional burden of this uncertainty and inability to earn income, and in some cases, may help them find educational or volunteer activities to participate in while they await work authorization.

Case managers and program staff also work with youth to establish and work towards permanency goals and long-term living plans that may include emancipation, adoption, or family tracing and reunification, if possible. As with the domestic child welfare system, federal regulations require that URM program staff try to identify family members in the United States and pursue reunification if they find a family member. Program staff reported that it was rare for them to identify a family member in the United States with whom a youth could be placed, but some youth have family members in the United States with whom they stay in contact. One program said it is more common for former UACs to have family in the United States than it is for refugees, but these family members are often distant relatives.



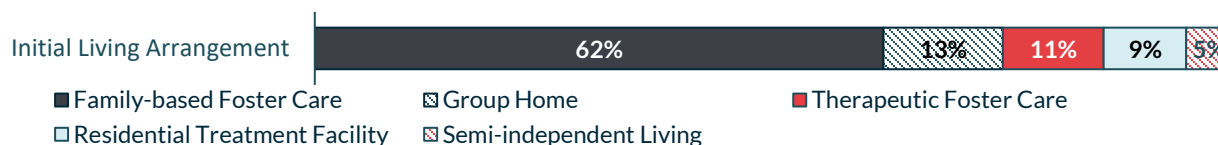
“[Program staff] respect your decision. They never force you to do something you don’t want to do.”

– URM youth

4.D.2. Placements

Out-of-home care placements are central to the URM Program; URM programs place all youth in a placement that aligns with their specific needs. Providers must coordinate individual youth’s needs and goals with available placements when youth enter the program and as needed throughout their stay in the program. In this section, we discuss how programs identify placements for youth, the different types of living arrangements that programs utilize, and youth and foster parent experiences. To provide context for the discussion to follow, Exhibit 7 shows the distribution of initial living arrangements for youth in our sample. The most common living arrangement upon arrival is family-based foster care (over 60 percent of youth), followed by group homes, and therapeutic foster care.

Exhibit 7. Initial living arrangements for URM youth who entered in FY 2014-FY 2018



Note: The source is an original analysis of data from ORR’s Refugee Arrivals Data Systems (RADS). N = 1,950. To protect the identity of program participants, categories with fewer than 10 youth were combined with other categories or excluded where noted. Note that some states define living arrangement types in different ways, which can lead to variation in how programs report living arrangement types.

Identifying and changing placements

While the types of living arrangement *available* to youth do not vary widely among programs (see Section 4.B), during our site visits we learned that programs vary in how they *utilize* living arrangements; provider agencies typically use only a subset of the types of placements they may have access to. Similar to the domestic foster care system, URM programs try to place youth in the least restrictive setting possible (i.e., the most family-like setting). As a result, they use restrictive living arrangements like residential treatment less frequently than others, and they move youth out of these placements into less restrictive settings, such as family-based foster care, as soon as they can. In this section, we discuss how URM program staff identify placements for URM youth, as well as how staff, youth, and foster parents determine when a placement change is needed.

Identifying placements

When identifying an appropriate placement, program staff reported that they consider the needs of the youth and the characteristics of available placements, including level of care, schools, and the placements' requirements. As noted in Section 4.A.2, programs must identify an available placement for youth before accepting a referral. The programs we visited involved multiple staff members in these decisions, such as the case manager, the staff member that works with and licenses foster parents, program supervisors, and the program director.

Program staff and youth also noted that staff incorporate youth preferences in selecting a placement when they can, though doing so is less feasible for youth entering the program from overseas, as there is less opportunity to engage these youth about their preferences than there is for youth entering the program from within the United States. Multiple focus group participants reported having a say in their placement decisions, such as staying in a group home versus living with a foster family. One foster parent described their experience with how URM program staff match youth and families: "Our son who came from the group home wanted a different educational path and wanted to be part of a family. They try to think of a family that will fit that kid, whatever they are looking for."



"Our son who came from the group home wanted a different educational path and wanted to be part of a family. They try to think of a family that will fit that kid, whatever they are looking for."

— URM foster parent

Changing placements

On our site visits, program staff said that they strive to help youth stay in the same placement, with the exception of transitioning to semi- or independent living or moving to a less restrictive setting. Youth and their team (e.g., case managers, licensing specialist, foster parents) work together to determine whether a placement change is needed. Youth may change placements for a variety of reasons:

- **Transition to foster home after initial placement:** Some programs initially place youth in group homes to secure their place in the program before transitioning them to a foster home later.
- **Transition to independent living:** In a similar vein, youth can transition to living on their own after turning 18.
- **Placement disruptions or challenges:** Some placements are not a good fit, resulting in challenges or placement disruptions. However, some programs we visited reported that such placement changes are rare. Youth may present new needs after they arrive, necessitating a

move to a placement that is a better fit (such as a foster family with different characteristics) or higher level of care (such as residential treatment).

Foster homes

Across programs, family-based foster care is the most common living arrangement for newly arriving URM youth. As shown in Section 4.B, nearly all programs (19 out of 22) surveyed reported that they offer family-based foster care internally, as opposed to through an external provider; over half (13 out of 22) reported they offered therapeutic foster care internally. In this section, we describe how URM program staff match foster families with youth, how URM programs support youth in foster homes and their foster families, and youth and foster family experiences.

Foster families provide care and support to youth in their homes. They work with case managers to connect youth with services, including medical, dental, and mental health care. They often engage with teachers or counselors at youth's schools to ensure youth are receiving the support they need. In addition to these concrete activities, they help youth adjust to living in the United States, support youth in reaching their goals, and generally aim to improve youth well-being.

Matching youth and foster homes

When placing youth with foster families, program staff interviewed said they consider the characteristics and needs of both youth and families. Foster families provide their preferences for the characteristics of youth they feel equipped to serve, such as age, sex and gender, religion, language, and country of origin. Program staff also consider family members in the home, such as biological children or other youth in foster care, physical space in the home, and the family's connections to the youth's culture or heritage. In addition, program staff consider whether foster families have developed familiarity with backgrounds or languages other than their own through fostering URM youth. Staff may consider them as good fits for youth from that background in the future. Foster families have the discretion to choose not to be a placement for youth.

When possible, program staff at sites visited said they attempt to match URM youth with foster families from similar cultural, linguistic, or religious backgrounds. However, multiple programs reported challenges in recruiting foster parents with similar backgrounds as URM youth. On the survey, 15 out of 23 program directors reported this as a serious challenge, making it the most frequently cited serious challenge. To address this issue, staff at the programs visited planned to increase outreach specifically to immigrant and refugee communities. Of the programs we visited, the Fullerton program was especially successful at identifying Spanish-speaking foster families for youth. This is likely due in part to the large Spanish-speaking community in the Fullerton area.

Support for foster parents

Program staff and foster families said that URM case managers often serve as the primary point of contact for foster parents to ensure the placement is successful. Staff in multiple sites visited also described managing the expectations of foster parents and dynamics between foster families and URM youth. Case managers said they consider it their responsibility to help foster parents understand the psychological factors driving youth's behavior, and to help them with strategies to address those behaviors. For example, some URM foster parents said URM youth are not always as grateful as initially expected, and case managers help foster parents understand past experiences of URM youth that could contribute to these reactions. Similarly, URM case managers across multiple sites discussed helping address conflict between youth and foster parents who had different expectations for youth who are used to supporting themselves. Different expectations include house rules, such as curfews,

and long-term goals, such as whether youth would go to college, attend a vocational program, or begin working after completing school.

Foster parents also support each other. Focus group participants mentioned other families as a main source of support. For example, the Seattle program holds monthly meetings for youth and parents, which provide foster parents with the opportunity to seek support from others who understand the unique experience of fostering a URM youth. In one focus group, parents reported calling each other for support when they were matched with a youth for the first time. In addition, one program also has mentor foster families; the program connects a newly licensed foster family with a more experienced foster family who can provide support. Other sources of support include churches, other organized groups for foster parents, and online resources.

Experiences and perspectives on foster homes

Overall, youth in the focus groups mostly reported positive experiences with foster families. One URM youth said of his foster mother: “Our foster mom is just too great...she could be a case worker, but she is a foster mom. She connects with the case workers and she does everything that the case workers ask.” Foster families were also positive in the focus groups about the program and their experiences, though both youth and foster families described some challenges. In this section, we describe youth and foster parent perspectives and experiences.



“Our foster mom is just too great...she could be a case worker, but she is a foster mom. She connects with the case workers, and she does everything that the case workers ask.”

– URM youth

Adjustment to U.S. culture and foster homes. Youth and families both reported that the initial adjustment to the United States could be difficult, especially as youth learn about U.S. systems and culture, adjust to living with strangers, and acclimate to rules in the house. Families and youth reported that when youth arrived, they were often unfamiliar with aspects of living in the United States that foster families often take for granted. For example, foster parents described showing youth how showers work, introducing them to recreational experiences, and helping them access community services. One URM foster parent remembered introducing a URM youth to public libraries: “The next day [after he arrived] he woke up and said, ‘I hear there is a place here where you can find books and borrow them for free.’ We were like, ‘That’s a library, let’s go.’” Another described the reaction of a URM youth to camping: “After taking one of our kids camping, he said ‘You Americans are nuts, you have *houses!*’”



“After taking one of our kids camping, he said ‘You Americans are nuts, you have *houses!*’”

– URM foster parent

Youth backgrounds and knowledge of U.S. culture and systems varied. Programs and families reported that some youth arrive already knowing some English, which they may have learned in refugee camps or through media, such as movies or TV shows. For example, multiple youth in a foster home bonded when they first arrived over having seen *Titanic*.

Beyond knowledge of U.S. practices and popular culture, many respondents said that URM youth placed in foster homes had difficulties adjusting to living with an unfamiliar family, especially considering past traumatic events and experiences. One youth described the challenges that come

from living with an unfamiliar family while also learning a new culture, noting that it can be confusing and that misunderstandings can affect a youth's emotions.

URM program staff and foster families described many URM youth as "wise beyond their years," after a journey from their home country that may have involved long stretches of living on their own. At the same time, youth are trying to learn a new culture and language through interactions with people who are, initially, strangers. As a result, URM youth may be more mature than other youth their age in some regards, while also requiring support

and explanations that may be more typically provided to younger youth. This can be challenging for youth and families alike. One foster parent expressed this tension: "They're three, they're 30, and they're 80 at the same time. It's a full-time job to figure out whether I'm talking to my three-year-old or my 30-year-old today."

Another key factor in youth and families' experiences with foster homes is language. While some programs are able to recruit families that speak the same language as youth, others are not, which can be challenging as youth learn to speak English. Foster parents reported using Google Translate, language lines, and other makeshift methods to communicate with youth and learn about what youth



"They're three, they're 30, and they're 80 at the same time. It's a full-time job to figure out whether I'm talking to my three-year-old or my 30-year-old today."

– URM foster parent

needed to feel comfortable in the beginning. Staff and foster families reported that some youth pick up conversational English very quickly. While program staff generally felt that having foster families with similar languages and backgrounds to youth was positive, especially for maintaining connections to their culture and supporting their transition to the United States, some foster parents felt that having foster families that speak the same language as youth impeded youth's ability to learn English quickly.

Program staff and foster families described challenges in meeting the youth's needs and providing necessary support. As described above, many URM youth have experienced

traumatic events before, during, and after their migration to the United States and may have complex mental health needs, which some families may not feel prepared to support. In addition, foster families and staff reported that youth experience feelings such as guilt, isolation, and homesickness from missing their families, home countries, and friends. These feelings may impact youth's ability or willingness to adjust to living with a foster family. Youth may not view the foster family as an extension of their own family, as foster parents might expect or hope, especially if the youth are still in touch with their biological family. Some youth in the focus groups said that they had found it difficult to trust others when they first arrived.

Navigating rules and expectations. Multiple URM youth reported that their foster families are generally supportive, help them adjust to life in the United States, teach them how to navigate U.S. systems and culture, and answer their questions. Some youth expressed appreciation for their foster parents who always make sure to support them, even when they are extremely busy.



"The next day [after he arrived] he woke up and said, 'I hear there is a place here where you can find books and borrow them for free.' We were like, 'That's a library, let's go.'"

– URM foster parent

In multiple focus groups, URM youth described struggling initially with rules and curfews in their foster homes. For example, youth said they wanted to be able to spend time with friends and use the internet as they pleased, and it took time to adjust to having house rules. One URM youth reported that the rules at the house could feel limiting: “It’s quite challenging. Especially the rules at the house. They tell you to come at a certain time, and they don’t understand that you have friends outside and you want to have fun with them. They assume you are doing bad things. Sometimes they ground you, and I never experienced that before.”



“It’s quite challenging. Especially the rules at the house. They tell you to come at a certain time, and they don’t understand that you have friends outside and you want to have fun with them. They assume you are doing bad things. Sometimes they ground you, and I never experienced that before.”

– URM youth

In one program, to help manage expectations, case managers tell foster parents that the youth are teenagers who have been in survival mode, taking care of themselves for long periods of time, and they may resist following rules or doing things like chores. Some foster families felt that youth connections with peers, classmates, and friends helped with these adjustments, as youth saw that others also have rules, such as curfews. As one URM youth said, “I used to live by myself, like three years ago. I was responsible for myself... I eat what I eat when I eat, I sleep when I sleep. It’s different to come here and have these rules. It’s not difficult, but sometimes you struggle.”



“I used to live by myself, like three years ago. I was responsible for myself... I eat what I eat when I eat, I sleep when I sleep. It’s different to come here and have these rules. It’s not difficult, but sometimes you struggle.”

– URM youth

On the other hand, some youth noted that families do not always support their choices or goals and moved placements as a result. Some points of tension included a foster family that did not support a youth attending a church of their choice and mismatches in long-term goals, such as attending vocational training instead of college. In addition to expectations that families have of youth, families and program staff also said that youth expectations of what they would receive or how quickly they would adjust after arrival were not met; for example, some youth reported thinking they would receive cell phones, cars, and money from their foster parents.

Therapeutic foster homes

As noted above, nearly all programs reported on the survey that they offer therapeutic foster care placements, either internally or through a partner. Programs reported that, in addition to the more intensive training and higher reimbursement rate provided to foster families for therapeutic foster homes, youth and families in therapeutic placements receive more support from case managers, as well as regular contact from additional staff (such as a behavioral aide). Half of the sites visited licensed all their family-based foster homes as therapeutic foster homes, while the other half did not recruit, train, or license therapeutic foster homes at all. These programs rely on external providers for therapeutic placements when needed. (The six sites visited are not a representative sample, so other programs may do a hybrid approach, where they license some families as therapeutic placements, but such approaches were not captured in our visits.)

The three sites that license all their homes as therapeutic report that this approach offers placement stability or continuity for youth. For example, if youth enter a foster home as a non-therapeutic placement but later need a higher level of care, they can stay in the same foster home, which helps promote youth well-being.

At two programs that did not license therapeutic foster homes, program staff cited difficulty recruiting foster parents for a higher level of care as a barrier. Staff reported that when they need a therapeutic placement, they partner with other agencies to provide it. However, one program reported that because there are often no therapeutic placements available through other agencies due to general shortages of placements, they do not accept referrals for youth whom they know need this level of care. One program reported that they provide training related to therapeutic care to families as needed, especially if a youth is found to need a higher level of care after arriving at the program.

Kinship care/relative foster care

On site visits, programs reported that some instances of kinship or relative foster care placements occur, but they are not common. While URM youth may have family in the United States, these family members are not always able to foster the youth. For those that can be a kinship placement, the service provider develops a formal placement arrangement with the family, which normally follows the same licensing requirements as regular foster homes.

Group homes

A vast majority of program directors (20 out of 23) reported on the survey that they offer group home placements. Among the sites visited, URM programs varied in how they utilize group homes for youth. Three programs we visited regularly place youth in group homes, although the number of youth actually placed into these group homes can be quite small. URM programs use group homes if it is the youth's preference not to live in a foster home, if the group home is a better fit for the youth's needs, or to prepare youth to live independently. Two programs only use group homes if there is disruption in a foster home placement or a youth is continuing to experience behaviors that do not allow them to remain in a family-based setting. They provide these placements through external partnerships. One program we visited does not offer group homes as a placement for youth.

Some programs regularly use group homes as an initial placement for youth. This is advantageous to programs as it allows them to secure a spot in the program for the youth as they work to find an appropriate family-based setting. Additionally, some youth have unique needs that may be burdensome for a family to handle upon the youth's arrival. For example, the Fullerton URM program places youth arriving from overseas into group homes called "Welcome Centers." The two group homes we visited in Seattle and Grand Rapids were similar in structure, in that youth live in a facility that is staffed around the clock and learn independent living skills such as conflict resolution, grocery shopping and cooking meals, and navigating U.S. systems such as traffic and driving laws. The programs also provide case management, onsite mental health support, recreation, education support, and other independent living skills development. These programs are specifically for teenage males. Youth often spend 6-12 months in these homes, though youth may stay for shorter periods if they are placed there as an initial transition placement before moving to a foster home. We highlight these homes in the text boxes.



Group Home Highlight: Transitional Living Center (Grand Rapids, MI)

Bethany Christian Services operates the Transitional Living Center (TLC), a group home for male URM youth under age 18. Most youth stay at the home for six to nine months, and then transition to a supervised independent living or independent living setting. However, some choose to move to foster homes instead. Onsite staff includes case managers, clinicians, youth specialists, a nurse, and a recreational therapist. Youth receive therapy onsite every week, as well as tutoring support and recreational activities. The TLC represents its services for each youth with a pie chart; youth receive a slice when they have completed a class or demonstrated an accomplishment related to adjusting to the United States, including topics such as English, responsibility, depositing checks, housing and rent, sexual harassment and assault laws, nutrition, cooking, and shopping. Classes focus on a different pie section each month and are taught by various staff at the home. There are also activities associated with pie slices, such as trips to the grocery store or Social Security office to learn how to navigate to those locations. The treatment team considers progress in the PIE system when deciding if a youth is ready to transition to another living arrangement.



Group Home Highlight: Friends of Youth (Seattle, WA)

Lutheran Community Services Northwest places male URM youth in a group home through a subcontract with Friends of Youth (FOY). FOY operates several group homes in the greater Seattle area, including one in Kirkland, WA. Staff at the group home described the services as preparation for independent living. At the group home, youth live in units designed to imitate a family-based setting, where each unit has a kitchen, common living area, garage, and individual bedrooms for each youth. While in the group home, youth receive support from their URM case manager, the FOY primary counselor, program supervisor, the therapist, and an education specialist from a partner organization. Having a therapist on site and involved in the youth's support team helps convey youth's mental health needs to staff, though youth are not required to attend therapy. FOY also has cultural liaisons in each house who are responsible for learning about youth's cultures and sharing that information with staff teams. The goal is that youth will be ready to live on their own when they leave, though youth may choose to transition to family foster homes when they leave, rather than into independent living.

Youth experiences in group homes

Program staff interviewed said that group homes can be a good fit for youth who lived independently prior to joining the program or whose needs may not align with the support a foster family can provide. In addition, youth may prefer to live in a group home with peers, rather than with a family. On site visits, program staff reported that living with other youth can be a source of support in the group home, as they participate in recreation, team-building, and daily activities, such as cooking and sharing meals, together. On the other hand, some staff also said that youth may find life in group homes isolating; this may be especially true if others in the home do not share the youth's ethnic, cultural, linguistic, or religious backgrounds and if the home is not near any communities or organizations that share these backgrounds. In addition, as with group homes in the domestic child welfare system, staff noted that URM youth sometimes find the rules of group homes disempowering, such as lack of access to basics that could be used for self-harm, such as razors.

Program and partner staff at sites visited felt that the strong support system in group homes is an asset, especially those that have a therapist on staff. As discussed further in the Mental Health section (4.D.6.) below, youth with mental health needs may be reluctant to seek services and having these services onsite for youth can help overcome that barrier. Group home staff also coordinate closely

with URM program staff and other partners as needed to ensure that youth have a strong support network to help them succeed in the group home. A few program staff also said that youth in group homes often form friendships and support each other, though they may occasionally bicker.

Semi-independent living

Programs described both formal and informal approaches to semi-independent living. Youth often live in semi-independent living arrangements as a bridge between a foster or group home and living independently. These can be specific semi-independent living facilities or less formal arrangements, where youth live with members of the local community.

The semi-independent living programs described below evolved as responses to challenges that youth face when transitioning to living independently. Some program staff said that while many URM youth have lived on their own before coming to the United States, supporting oneself financially in a new country is a challenge for many youth—especially if they are still in school or unable to work due to delayed work authorization—and youth face additional challenges related to unfamiliarity with U.S. systems (such as banking or driving). Semi-independent living is an important step along this pathway.

Notable examples of supervised facilities from the sites visited include:

- ***Transitional Housing Placement Program (THPP+)***: Crittenton Family Services, the URM provider in Fullerton, California, operates THPP+ as a bridge to their independent living program. In this arrangement, youth ages 18-21 live in a furnished apartment paid for by the URM program and receive weekly case management from an onsite case manager. Youth receive a stipend, clothing allowance, and money for savings while they work, attend school, or participate in community service. At age 21, youth can transition to the Transitional Housing Program (THP), the provider's independent living program.
- ***Independent Living Plus (ILP)***: In Grand Rapids, MI, Bethany Christian Services ("Bethany") operates ILP, in which youth live in homes owned by Bethany that are staffed 16 hours per day. Youth pay rent to Bethany, purchase their own groceries, and can come and go on their own schedule. Bethany mainly places older youth (ages 17-19) who are transitioning from a group or foster home in ILP before living entirely independently. Youth stay in ILP for about a year. Bethany provides services such as independent living skills training, mentoring, and tutoring.

In other, less formal arrangements, youth over the age of 18 live with families or individuals who are not licensed foster parents but rent out a room and provide some support to youth. The level of support varies depending on the family and youth. Examples include:

- ***Community Member Placements***: At Catholic Charities Community Services (CCCS) in Phoenix, Arizona, on rare occasions youth may be placed in a "Community Member Placement" if they are over 18 and still awaiting their employment authorization. In this arrangement, a community member allows URM youth to live in their home and pay part of their independent living stipend to the community member as "rent," which helps them adapt to paying rent and bills. CCCS has only recently started using this arrangement, but staff said it is a promising strategy for matching youth with members of the same cultural group and fostering a sense of independence. These community members must undergo background checks and CCCS's standard volunteer onboarding process but are not licensed by the state.
- ***"Host Homes"***: Lutheran Community Services Northwest, Seattle's URM provider agency, implemented a living arrangement for youth over age 18 called "host homes." The hosts are individuals who do not want to be formal foster parents or who are former foster parents

who no longer foster. The hosts provide a room in their home for youth and some support. Rents in Seattle are typically high, and these arrangements are offered below market rent.

Program staff have also identified other creative options for URM youth in their communities, such as a former parsonage, in which the attached church rents to URM youth below market rate.

Independent living arrangements

After youth turn 18, many choose to live independently. In these situations, program staff interviewed on site visits said that youth live in a unit which they identify themselves and which they pay for (often out of their independent living stipend; see Independent Living Services, Section 4.D.3). While youth are not living in placements provided by the URM provider, URM program staff may help them search for apartments, identify roommates, and plan for living on their own, such as managing finances to pay for utilities. Youth in independent living arrangements still receive support from the URM provider, including ongoing case management and services to support a successful transition to adulthood. Case managers conduct home visits to ensure the youth's continued safety. One site described how case managers visit housing that youth identify to make sure they are safe. However, they noted that it is harder to monitor the safety of a placement when youth are living independently than when youth are in foster or group homes. (We discuss supports provided to youth in independent living situations more in Section 4.D.3.)

Other placements

Other living arrangements include residential treatment facilities, inpatient psychiatric facilities, and medical foster homes. Programs reported that these living arrangement types are used as-needed for youth with complex needs, and programs strive to transition youth into a less restrictive placement such as a foster home, semi-independent living arrangement, or group home, as soon as they are able.

The availability of these living arrangements for youth with more complex needs varies among URM programs, as shown in Section 4.B. As described in the Arrivals section (4.A), the resettlement agencies most often refer youth with complex needs to programs that have established placements available to serve them, but resettlement agencies and programs may not have full information on youth needs before they arrive.

4.D.3. Independent living services

Supporting a successful transition to adulthood and living independently is central to the URM Program's goals. Survey responses indicated that all URM programs provide services and activities to help prepare youth to live on their own and support youth in independent living arrangements (Section 4.B) for as long as they are in the program. URM programs deliver these services in various ways, including regular group meetings and workshops, one-on-one support provided by case managers, financial support, and other activities. All URM youth have access to independent living services, but the funding sources for these services vary based on the child welfare custody arrangement in each state.

Preparation for living independently

Case managers at sites visited noted that as they prepare youth for living independently, they focus on teaching youth how to access resources on their own without additional support. However, case managers also aim to provide information and teach skills to prepare youth for this transition. The

survey confirmed that all URM programs offer these services directly, though some also partner with external providers to supplement them.

Group meetings and workshops

All sites visited offered weekly or monthly independent living or life skills workshops. In general, URM programs design these workshops for older youth and invite all youth above a certain age (e.g., 14 or 16). In most of the sites visited, the classes were URM-specific, but one site conducted hybrid sessions with UACs or youth in domestic foster care (as they were financed by county Chafee funds to serve all youth in the agency's custody).

Participation in the groups was not always required, but in some sites, staff reported high participation, in part because the groups were also opportunities to socialize with other youth in the program. One site said some youth already living independently continue to come to the groups for a hot meal. Another program encourages attendance with points toward a reward or other incentive.

Issues covered in the groups varied across sites and from year to year. Topics have included budgeting and money management; employment readiness; public transportation; U.S. laws; cybersecurity; hygiene, housekeeping, and cooking; and healthy relationships and prevention of sexually transmitted infections. Several programs bring in outside speakers, including members of the police department, lawyers, self-defense trainers, employers, and representatives of various careers. Other programs offer additional special classes beyond their typical workshops. For example, one program does a one- to two-week all-day training during the summer that involves trips out to the community. These trips included visiting a car dealership to help youth learn about the cost of cars and insurance; a mechanic to learn about car maintenance; and an apartment complex to learn about its rules and rent.



Topics covered in independent living skills workshops include:

- Budgeting and money management
- Employment readiness
- Public transportation
- U.S. laws
- Cybersecurity
- Hygiene, housekeeping, and cooking
- Healthy relationships and prevention of sexually transmitted infections

One-on-one support

In addition to the workshops, case managers provide one-on-one support to youth to prepare them for living independently. In Seattle, there are case managers dedicated specifically to preparing youth for independent living and supporting them when they move out on their own. They coordinate with the youth's other case managers. In Denver, which is county-administered and has a public custody arrangement, a case manager from the county human services department funded by the Chafee program works one-on-one with youth on independent living skills and on finding appropriate housing.

Program staff described case managers working with youth to develop transition plans for preparing for independent living. These plans are also required for youth in domestic foster care and are developed with input from the youth and the foster parents. Sites reported that the plans included topics such as youth's goals related to education, finances, and housing; identifying potential sources of support, including family inside and outside the United States; identifying medical and dental providers; financial management and planning; and rules and expectations for living in an apartment.

Savings and incentives

Staff at several programs visited mentioned the importance of youth having savings set aside before they live on their own. One program requires youth to save at least \$800 before living independently and encourages them to have twice that saved. Some independent living stipends include amounts that are supposed to go into savings.

Some program staff also described using cash or incentives to encourage youth to meet goals and milestones in preparing for independent living. For example, youth in one program receive \$30 when they get a job and \$100 if they sign a lease on an apartment. Another offers points, paid out when they successfully exit the program, for completing tasks such as making doctors' appointments and attending workshops. Staff reported that youth can leave the program with up to \$5,000 in savings, which helps them transition to living independently.

Supports during independent living

As described in Section 4.D.2., youth who enter independent living situations continue to receive support from the URM program for as long as they are in the program. That includes both program services and financial support and related assistance.

Case management

Youth continue to receive case management when living independently, though it may be less intensive and focused on different needs, such as preparing youth for life after the URM program. For example, case managers said they may begin to focus more on long-term education and employment goals, as well as connecting youth with supports in the community that will not end once they leave the URM program.

Financial support

URM programs provide a stipend to youth who move to independent living when they turn 18. These stipends help cover the costs of room, board, and utilities, and in some instances a set amount goes into savings. The stipend amount differs across programs and may vary within a program. For example, one program calculates the stipend amount based on factors such as whether youth are employed or in school, their total living expenses, and receipt of financial aid. Another provides smaller stipends to youth for whom the program pays rent directly to a landlord (as they are not responsible for paying rent), and larger stipends to youth who pay their rent themselves. One



"Everybody here is trying to help and be supportive of family back in their countries. Going to school, coming back, and going to work, plus all of the expenses that you have—car insurance, food, rent, and everything—is tough, and besides that you have to support your family back there."

— URM youth

program also offers emergency assistance when youth find themselves with unexpected financial challenges, which youth are responsible for paying back. Several youth in focus groups expressed that they did not find these amounts sufficient to cover both their living expenses and their desire to send remittances to support their families in their home country. As one youth said, "Everybody here is trying to help and be supportive of family back in their countries. Going to school, coming back, and going to work, plus all of the expenses that you have—car insurance, food, rent, and everything—is tough, and besides that you have to support your family back there."

These stipends are funded in a variety of ways. Chafee funds or the corresponding funding streams

in states with private custody arrangements can be used to cover room and board and other approved expenses that support independent living. One program gave examples of such supports, which include clothes, driving classes, a guitar for a youth for therapeutic purposes, and soccer cleats. Other programs mentioned providing transportation assistance (e.g., bus passes). In states with public custody arrangements, such requests must be approved by the child welfare agency.

In addition to independent living stipends, youth receive support in other ways. For example, one program visited has a partnership with an organization that helps refugees furnish their homes via material donations from the community (e.g., linens, furniture, lamps, kitchen supplies). URM youth may also be eligible for vouchers from the United States Department of Housing and Urban Development Foster Youth to Independence program which provides housing vouchers to youth formerly in foster care at risk of homelessness (United States Department of Housing and Urban Development, 2019). Child welfare agencies that participate in this program are required to offer supportive services to youth who receive these vouchers, such as basic life skills counseling, job preparation and attainment counseling, and education and career advancement counseling.

4.D.4. Connections to cultural heritage and religion

One of the key tenets of the URM Program is to foster connections to youth's heritage, culture, and religion, while helping youth adjust to life in the United States. Activities with these aims are more central to the URM Program than to the domestic child welfare system. URM program staff discussed efforts to foster these connections through leveraging local resources, educating foster parents on the needs of each URM youth, and hiring diverse staff who share youth's cultures and backgrounds.

URM program activities

All URM program directors reported on our survey that they offer activities directly aimed at preserving youth's ethnic and religious heritage. Further, about half of URM programs (12 out of 23) also provide these services by partnering with external organizations. To help youth find connections with their culture, heritage, or religion, URM providers may connect youth to local culturally based community organizations, faith-based groups or places of worship, or neighborhoods with grocery stores and restaurants that match youth's needs and preferences.



"In this program, you never feel lonely because you see people like you, so you never feel lonely."

– URM youth

Case managers also discussed encouraging connections among URM youth within the program. Staff at one program described introducing new arrivals to youth from the same country who have been in the United States for a longer period of time. This helps connect newer youth to mentors and helps them feel more comfortable integrating into their communities. In the words of youth, "In this program, you never feel lonely because you see people like you, so you never feel lonely." Some URM programs also host social events for youth that are partially aimed at

helping them stay connected to their own cultures. For example, one has an annual Christmas party with dancers from different cultures.

URM program staffing

Most URM programs make efforts to ensure their staff can work with URM youth from a variety of backgrounds. On the survey, all program directors reported attempting to hire bilingual staff or those with prior experience working with immigrant or refugee populations. Approximately 90 percent of

URM program directors surveyed reported hiring staff who share cultural or ethnic backgrounds with URM youth, hiring staff who are themselves immigrants or refugees, providing special training, and encouraging staff to participate in culturally specific community events. For example, staff at one program visited described bringing in speakers to educate staff on the cultural practices of youth they serve. URM provider agencies that also run adult and family refugee resettlement programs may combine efforts and support connections between URM youth and other refugee populations.

Community engagement

The cultural diversity of communities in which URM programs operates varies across the country, which can impact a URM program's ability to leverage existing community resources and foster connections for URM youth. All sites we visited discussed the diversity of surrounding communities, but local ethnic, cultural, or religious communities are not necessarily available for URM youth of all backgrounds.

Staff and foster parents also described how faith-based communities provide broad cultural connections for URM youth. In one site, a foster parent said that taking a youth to services at a mosque presented an opportunity for the youth to connect with their religion and socialize with friends of the same religious and cultural background. In multiple sites, local mosques have helped to educate the URM programs about the religious observations of Muslim youth and partnered with the URM programs in organizing events for Muslim holidays.

Role of foster parents in supporting cultural connections

Foster parents play an important role in helping youth connect with cultural resources in the community. On site visits, URM programs reported preparing foster parents to help youth maintain connections to their culture of origin, including providing training on specific cultures. Staff in one URM program visited said foster parents can apply hours spent attending approved cultural events in the community to their annual training requirements. For foster parents caring for youth from multiple cultures and practicing different religions, this could mean coordinating multiple connections to different cultural or religious communities. In focus groups, foster parents reiterated the importance of faith communities for some of their URM youth, and described providing transportation and encouragement to attend, even if youth wish to worship differently than foster families. One foster parent described driving youth multiple hours every other weekend to attend the youth's church, while another discussed attending holiday events in an effort to support the youth placed in her home and learn about his culture and religion. As one URM foster parent put it, "You drive [your foster children] all over the place... Lots of just showing up. Fostering relationships at schools and introducing yourself to their friends and parents."



"You drive [your foster children] all over the place... Lots of just showing up. Fostering relationships at schools and introducing yourself to their friends and parents."

– URM foster parent

Challenges to supporting cultural connections

Interviewees also noted several challenges to supporting cultural connections for youth. Foster parents described lack of diversity in schools and communities as a common challenge, especially for those who live further outside of metropolitan areas. For example, one foster parent living in a rural town said that even though the community was friendly to URM youth, there were few opportunities for engagement with their cultures and the youth faced differential treatment, albeit friendly. The parent said: "It's a tiny town, tiny school. When the boys arrived, they were like celebrities because

they spoke another language. They broke out a map, etc. I had to tell the teacher that they had to stop bringing the kids up to the front of the line because this taught the kids that they get to do that.”

However, even if a URM program is based in a diverse metropolitan area, the geographic spread of where youth are placed makes it difficult for some to access culturally relevant resources. Staff from programs visited said that even in diverse areas, it is unlikely that all cultures will be represented to the same degree and there is diversity within ethnic communities. For example, even among URM youth from the same country, youth may speak different languages, identify as different ethnicities, practice different religions, or have different political affiliations than others in the local community. A youth in one focus group noted also that the local cultural community in the area included mostly U.S.-born members, and there were not many community activities.

Many places of worship near the URM programs serve specific communities based on ethnicity and culture in addition to religion, which can make it both more challenging and more important to find places of worship that meet the needs of URM youth. For example, while there may be many types of churches in a given city, there may only be one that serves the local Ethiopian community.

4.D.5. Education services

URM program staff, partner staff, and foster parents described education support as a primary need for URM youth, as many have experienced interruptions in formal education. Navigating the U.S. education system can be a challenge, especially for youth who lack English proficiency. This section describes how the URM program connects youth with education services and the types of schools they typically attend. The information highlights findings from site visits and program director surveys. More information on educational services and youth experiences in schools is available in the Special Topics Report.



Our brief, *Educational Supports and Experiences in the Unaccompanied Refugee Minors Program*, available on the OPRE website, provides more information on educational services and youth experiences in schools.

Selecting schools and enrollment

URM youth are enrolled in school very soon after entering their local URM program. URM program staff work with foster parents and local education providers to assess URM youth’s education needs and provide supportive services. Youth are often enrolled in their neighborhood school based on their foster family or group home’s zip code. However, many URM program staff said that in



“The schools that serve our kids or those more similar to our kids have extra homework help and teachers that gear their curriculum to fit the child without an ILP [Individualized Learning Plan] or 504 plan. With other schools, it’s pulling teeth.”

— URM case manager

districts with flexible enrollment or school choice policies, they prioritize the quality of English Language Learning (ELL) services and diversity of a school’s student body over other factors, such as the proximity of a school to a youth’s foster home. One case manager said it is easier to work with schools serving more ELL youth because they have more of the important services and infrastructure in place for ELL students. “The schools that serve our kids, or those more similar to our kids, have extra homework help and teachers that gear their curriculum to fit the child without an ILP [Individualized Learning Plan] or 504 plan. With other schools, it’s pulling teeth,” they said.

Because most URM youth arrive in the United States at age 16 or 17, most youth are first placed in public high

school. URM staff across programs said they hope for youth to at least complete high school. Some youth pursue postsecondary education, but others opt for immediate employment. Few URM youth attend elementary school, middle school, or school in private settings, and we did not gather substantial information on these settings during site visits.

High school communities

Across sites visited, URM program staff, foster parents, and youth described school communities as welcoming and open to URM youth and refugee populations more broadly. While the characteristics of school communities varied drastically between public schools and non-traditional schools in different communities throughout the country, URM youth generally described school staff and their peers as kind and helpful.

ELL Programs. Under Title VI of the Civil Rights Act of 1964, all public schools are required to provide accommodations for students who are not proficient in English so that they gain English skills, have support to enroll in mainstream classes, and work toward their education goals. That said, URM program and school staff reported during site visits that the quality and size of programs for ELLs vary substantially throughout metropolitan areas and school districts, based on factors including the number of students in need, the availability of staff who can provide such services, and district resources. Staff said that communities with higher populations of non-English speakers tend to have more robust programs for youth with limited English proficiency, such as more ELL class options and programs to support ELL students in enrolling in more advanced mainstream classes.

Newcomer Programs. Beyond ELL services, some public schools operate programs specifically for recent immigrants and refugees, or “newcomers.”¹⁰ In interviews with education partners, staff said these programs provide additional support to students who may have experienced disruptions in their education, have limited or no formal education experience, and have limited or no literacy. Newcomer programs are often small and aim to introduce students to the structure of formal education and equip them with core academic skills. Staff said that over time, newcomer students transition into classes with other ELL students and the general student population. URM program

Practice Spotlight: Charter school for refugees and UACs (Grand Rapids, MI)



Lighthouse Academy is a charter high school district with nine programs on six campuses. The North Anchor Program is designed for refugee students and was created in 2014 in partnership with the local URM program. Of the school’s 70 students in 2020, around half were URM youth, while the rest were UAC youth or refugee youth resettled with families. While grade level is based on credits, class placement is based on each students’ needs, so classes often have students from several grades. In addition to core subjects and language development, the school focuses on providing behavioral and emotional support, with a philosophy that students who do not feel safe or who are dealing with significant issues in their lives will have trouble learning.

The North Anchor Program has five teachers, one student advocate who focuses on student credits and transitions after high school, and one responsible thinking advisor who helps students with decision making and behavior management. All staff are trained in trauma-informed practices to prepare them to work specifically with refugee students, many of whom have faced trauma prior to and/or after arriving in the United States. Interviewees said that helping youth who are separated from their families starts with awareness of the staff about the refugee experience.

¹⁰ For more information on Newcomer Programs, visit: <https://www.cal.org/resource-center/publications-products/helping-newcomer-students>.

staff said that few schools have the resources available to create and operate newcomer programs, but those who do often provide more support for URM youth.

Alternative high schools. Most public school districts have specific schools or programs to serve students who are not on track to graduate high school in four years. These schools and programs, sometimes referred to as “continuation” or “alternative” high schools, often use accelerated curricula, extended or flexible school days, and smaller class sizes to help students obtain high school diplomas before reaching the maximum age allowed by the state. One URM program visited partnered with a local school district to create a school specifically for refugee and UAC youth (see Practice Spotlight above).

Postsecondary education

When youth age out of the URM program (at age 21 or their state’s age of emancipation), many have not completed postsecondary education, and some may still be pursuing a high school diploma or GED. However, many program staff interviewed said that many youth aspire to higher education, and enroll in vocational programs, community colleges, and four-year colleges while still in the URM program. URM program staff said they encourage URM youth to pursue postsecondary education and access support services for as long as possible.

URM programs reported that youth have access to financial support to attend postsecondary education, both while in and after exiting the URM program. URM youth are eligible to receive support equivalent to what is offered to youth in domestic foster care, including ETVs provided through the Chafee program. URM youth may apply for funding from the Chafee program, which can cover up to \$5,000 per year of postsecondary education tuition, housing, transportation, books and materials for up to five years. URM program staff may help youth apply for funding or seek other external funding, such as general scholarships for youth in domestic foster care, to support their educational goals.

URM program staff reported that it can be challenging for URM youth to transition to postsecondary education settings that lack the same level of support as high school. These transitions may also coincide with URM youth exiting the URM program, which means they are also adjusting to life without case management and independent living supports. Staff said that to prepare youth for this transition, they aim to teach URM youth how to ask for help from teachers and establish strong time management practices while they are in high school and living in more supportive settings (e.g., foster homes).

Education partners

URM programs surveyed reported using external education partners to provide tutoring (20 out of 23 programs), college preparation (21 out of 23), and other educational supports. The relationships between URM programs and partners vary, with some education partners viewing the URM program as just a referral source and others relying on frequent communication with case managers to tailor services to specific youth.

Many students also find academic support directly through their schools, which may provide professional or peer-based tutoring. URM staff said that when youth or foster parents point out academic challenges that are not being met by schools, case managers find tutors within the URM program or through local partner organizations. One program had the capacity to hire in-house tutors for URM youth and provide tutors at group homes, but most other programs rely on community-based organizations. Topics of tutoring typically include English, academic material, or general study practices.

Challenges in education

Most challenges raised by URM staff, foster parents, and URM youth pertained to academic rather than social or community aspects of school. URM staff across sites identified graduating high school on time as a pressing challenge for many URM youth. Because so many URM youth enter the program as teenagers, there are limits on how long they can stay in high school before aging out of eligibility for both the URM program and traditional public high schools. Additionally, URM youth often load schedules with ELL classes, which may not count toward graduation credits. This is especially challenging for youth who are eager to finish secondary education and pursue full-time employment.

URM programs also described some challenges to finding services that are tailored to the unique needs of URM youth, including services that are culturally and linguistically responsive. In open-ended responses on the survey, some URM program directors described a lack of GED programs or vocational training, a need for more English language trainings, and expanded tutoring services.

4.D.6. Mental health services

As described in Section 3.C.2., mental health is a common need and challenge among URM youth. According to our survey, URM programs offer a wide range of mental health services to address these needs, with some delivered by the URM programs themselves and others provided primarily by external providers. A majority of programs provide screenings, group counseling, and therapy or individual

counseling directly, using in-house staff. At the same time, most programs rely on external partners for services requiring greater specialization, such as psychotropic medication management and substance abuse treatment or counseling. Further information on URM youth's mental health and the services they receive in the program is available in the Special Topics Report.

Mental health is intertwined with all the services and experiences that youth have in the URM Program, including in their placements, relationships with peers and adults, legal status changes, educational experiences, and connections to culture, heritage, and religion, among many others. We discuss these throughout the report; in this section, we focus on services and experiences related to mental health services such as therapy and counseling.

All programs are required to provide mental health screenings shortly after youth's arrival and provide or make referrals for therapy or individual counseling. Some programs have the capacity to offer these services in-house. For example, Bethany Christian Services in Grand Rapids has therapists and behavioral specialists on staff, including one located in a group home. Catholic Charities Community Services in Phoenix has a counselor on staff who works with URM youth and other refugees. For programs whose URM case managers are licensed clinical social workers, these youth have access to staff with experience facilitating therapy. As described in Section 4.D.2., mental health needs are a central component of placement identification for youth.



Our brief, *Youth Mental Health in the Unaccompanied Refugee Minors Program*, available on the OPRE website, provides more information on URM youth's mental health and the services they receive in the Program.

Accessing mental health services

On the survey, several respondents noted a lack of culturally appropriate or trauma-informed service providers, particularly mental health care providers. Some programs noted challenges finding appropriate psychiatric care and others felt that wraparound or specialized services for refugees and survivors of torture were lacking in their community. During site visits, two programs similarly

described a lack of therapists with the desired level of cultural competency, and even fewer when limiting options to those accepting Medicaid. In cases when youth do not speak the same language as a therapist, the URM program may provide interpreters to accompany youth to their appointments.

Not all URM programs were able to estimate the utilization of mental health services, but all discussed the high prevalence of need for services. While URM case managers may recommend that youth participate in therapy, they cannot require youth to do so. Many foster parents also described efforts to encourage youth to attend therapy but said it can be difficult because the services are not required.

Addressing stigma related to mental health

During site visits, URM staff and foster parents also frequently identified stigma or misunderstanding of mental health conditions or therapy as a challenge to youth participation in services. URM staff



“Sometimes we’re planting the seeds as soon as they get here and four years later, they are like, ‘I think it’d be a good idea to go to therapy.’”

– URM program staff

and foster parents said that for some youth, therapy may be a completely new concept, or they believe that therapy is for “crazy people” or that a mental health diagnosis means there is something wrong with them.

URM staff described multiple strategies to address stigma, including describing therapy in terms that made more sense to URM youth and utilizing group therapy to normalize the concept. One program said it is helpful for youth to hear others express similar experiences and sentiments and that group therapy reduces instances of youth feeling singled out for

mental health needs. Case managers in another URM program described introducing the concept of therapy through mock sessions or by describing sessions as similar to case managers’ recurring meetings with the youth. Other program staff said that it takes time for youth to become comfortable with therapy and highlighted the importance of therapists building trust with youth. As one program staff member said, “Sometimes we’re planting the seeds as soon as they get here and four years later, they are like, ‘I think it’d be a good idea to go to therapy.’”

4.D.7. Legal services

Many URM youth—particularly former UACs—need legal assistance to obtain legal status to stay in the United States after exiting the URM program. URM staff consistently described gaining legal work authorization as the most pressing legal challenge for some URM youth, as this process is increasingly delayed and affects youth’s ability to gain employment. To process these cases, some URM programs described utilizing both legal advisors at their organizations and community-based legal aid organizations. On the survey, program directors and State Refugee Coordinators identified access to pro bono or in-house

Legal Services Partner Highlight: Kids in Need of Defense (KIND)



KIND is a national legal assistance organization with 10 field offices across the United States. In Seattle, KIND provides pro-bono legal services to UACs in ORR custody and partners with Lutheran Community Services Northwest to provide services to former UACs in need of legal assistance. Though they do not have a formal contract, KIND attorneys and LCSNW social workers have monthly calls to discuss cases. KIND’s administrative staff are knowledgeable of the UAC-to-URM population and able to manage logistics and timelines for the URM cases. Beyond the direct services provided to the youth, KIND also does annual trainings with URM foster parents.

immigration services as an issue, especially in areas that do not have a large immigrant population. At the same time, even in areas where pro bono services are available, respondents reported that the pro bono caseloads fill up quickly.

As a result, many URM programs rely on a combination of in-house and external services. Half of the programs visited (3 sites) reported having in-house attorneys but relied on a community-based partner as well, especially for more complicated immigration cases (e.g., former UACs with trafficking claims) that go beyond the scope of what their in-house immigration attorneys could handle.

In-house capacity to handle complex legal cases can affect where youth are initially placed. Lutheran Community Services Northwest (LCSNW), the URM program based in Seattle, has a track record of accepting youth into the program and filing for dependency quickly before youth turn 18. This allows them to accept youth that otherwise would not have been eligible. Staff and partners attributed this to “building trust” between the courts, case managers, and attorneys, through a long history of working together and LCSNW case managers building a strong reputation with the judges. The program director also advocates for youth through coordinating with ORR, identifying foster families who are willing to accept very short-notice placements, and working with legal partners.

4.D.8. Health services

URM youth have a variety of health needs but varying levels of access to health providers who can provide linguistically and culturally competent health care. On the survey, some URM program directors identified gaps in medical and dental services in open-ended responses. Similar to the gaps

identified for mental health services, many reported that these gaps were due at least in part to state Medicaid policies, which limited access to certain providers.

Health Partner Highlight: Refugee Women’s Health Clinic



URM youth sometimes have a difficult time understanding the health care system in the United States. CCCS, Phoenix’s URM program, has a partnership with the Refugee Women’s Health Clinic, a multi-site health organization designed specifically for refugee women. The clinic matches “navigators” to all their clients to advocate for the clients’ needs and act as “cultural health brokers.” Navigators are refugees themselves and are paired with clients from the same country or region of the world, with the goal of navigators sharing similar values and traditions with their clients. Navigators help clients navigate the U.S. health care system in a way that is responsive to clients’ experiences and preferences. At the time of the site visit, a small number of URM youth had used this service. The clinic also has plans to expand services to male clients in the future.

On site visits, program staff reported addressing these challenges by relying on longstanding relationships with local health providers, in-house medical departments, and case managers’ willingness to search for culturally competent providers in the community. One URM program partners with a local organization that helps refugees navigate the U.S. health system (see textbox). Another has in-house medical services, which allows youth to work with nurses and doctors who understand the URM program and have a better sense of youth’s prior experiences.

4.D.9. Other services

In addition to the services and placements discussed above, URM programs provide a wide array of services to meet youth’s individual needs. Programs may utilize services available through their wider organization, as each URM provider agency visited operates several programs beyond the URM program, such as domestic foster care, family refugee resettlement programs, and domestic violence

shelters. For example, agencies may provide mentoring services to youth across their programs (see Mentoring Services Highlight).

In addition, URM programs offer many services to URM youth through partnerships or referrals to other organizations. These services include driver's education, pregnancy and parenting services, child care, substance abuse treatment, assistance with furniture and equipment, mobile food pantries, and homelessness prevention.

Mentoring Services Highlight: Bethany Christian Services Mentoring



Many youth at Bethany are referred to mentoring services to have additional opportunities to practice their English or engage in activities from their own culture. Mentors are adult volunteers from the community. Bethany provides quarterly events for mentor/mentee pairs, YMCA passes, and service projects, such as Habitat for Humanity workdays. About 60 youth participate each year, and many remain engaged with their mentor beyond the formal one-year commitment. Mentors provide one-on-one support and connect youth with local activities. Bethany surveys mentors and youth on activities, skills and interests, and general life goals to help make a good match. Mentors are asked to meet with youth for four hours each month and submit monthly reports to the coordinator. The activities can be any recreational activity, and the coordinator maintains a calendar of free or low-cost events as suggested activities.

4.D.10. Services and experiences after leaving the URM Program

Understanding the outcomes and experiences after youth leave the program is a high priority for ORR, URM programs, and other stakeholders. Although systematic information on youth outcomes and experiences after program exit was not available for this study, we gathered some anecdotal information about youth experiences after leaving the program. Youth emancipate from the URM Program at age 21, or at their state's age of emancipation from the child welfare system, but they may continue to access some services.

On site visits, URM service providers reported a variety of supports and policies for serving youth after they leave the URM Program. Some programs can provide limited services, such as tutoring, but they do not provide case management or funding. One site visited offers six months of "after care" services, in which case managers continue to call and check-in with youth.

Some youth exit the Program before age 21. Staff said the most common reasons for early Program exit are to pursue employment on their own or freedom from the rules of the URM Program, such as the requirement to be working or in school. However, one site mentioned having flexible re-entry policies that enable youth to return to the URM Program. Staff said that they offer second, third—even fourth—chances to youth and aim to make it clear to youth that if they choose to exit the URM Program, they can return and receive support.

Foster parents as a lasting resource

In some cases, foster parents also continue to be a resource for URM youth after they leave the Program. However, as in the domestic foster care system, this is not a requirement. Some foster parents discussed efforts to provide support and maintain relationships with youth after they leave the URM Program. For example, a few parents in different sites mentioned inviting youth to holidays, having them over for meals, or letting them stay for longer periods of time if they need. Those who had been fostering for many years (in some cases, decades) said that they do not maintain relationships with all youth but tell them that they can keep in touch if they want.

One URM youth explained that his foster parent agreed to let the youth stay in the foster home after aging out of the URM Program and pay a reduced “rent” as a way of contributing to household expenses and preparing for independent living. The youth expressed appreciation for this support: “It makes me feel like ‘Wow, I’m going to be out [of the program], how is it going to look like?’ To me, it looks like getting your own apartment—it’s hard, it’s expensive... I also have a mom who said I



“It makes me feel like ‘Wow, I’m going to be out [of the program], how is it going to look like?’ To me, it looks like getting your own apartment—it’s hard, it’s expensive... I also have a mom who said I can stay—not all foster youth have the same situation as me, they are having a hard time... Since my mom told me this, I have not worried any more. I wasn’t stressed.”

– URM youth

can stay—not all youth in foster care have the same situation as me, they are having a hard time... Since my mom told me this, I have not worried any more. I wasn’t stressed.”

Foster parents also provided positive anecdotes of youth’s outcomes after leaving the program, saying many go on to complete college, buy houses, and start families. In a few focus groups, foster parents said that youth’s ability to live independently after leaving the program goes to show how determined and resilient many URM youth are, as well as how well URM program staff are able to support youth when they first arrive.

In the next section, we discuss the information on youth outcomes that URM programs collect, as well as options for learning more about youth experiences and outcomes after youth leave the URM Program.

5. Evaluation

The descriptive components of this study provided insight into how local URM programs provide services and how URM youth experience these services, as described in the previous chapters. Another major component of this study was to understand the URM Program's structure, context, services, and youth served in order to provide recommendations on the design of a future evaluation that can address this question. In addition, we aimed to document existing data sources that could contribute to a deeper understanding of URM youth's experiences and outcomes.

To lay the groundwork for the recommended design options and next steps at the end of this chapter, we build on the study findings to discuss the goals of a future evaluation and provide a conceptual model that could guide an evaluation. We present evaluation design options and discuss factors to consider in designing an evaluation, such as the role of program structure and characteristics, existing data sources, new data collection opportunities, and logistics such as cost and timing. While this chapter is not a comprehensive review of evaluation designs, we discuss some specific designs for future consideration and how they might apply specifically to the URM Program. Finally, we present suggested research questions for a future evaluation and provide our recommendations for the design options for each research question, as well as recommended next steps for preparing for an evaluation.

A. Goals of future evaluations

Ideally, an evaluation can provide information on how a program's design and services affect the short- and long-term outcomes of the population it serves, as well as an understanding of contextual factors that affect both service delivery and outcomes. In practice, it can be difficult to design an evaluation that will fully achieve those goals. However, if evaluation designs that show how services impact youth outcomes are not feasible, there are approaches that can still provide useful information about a program and the experiences of its participants.

An evaluation of the URM Program might aim to provide insight into the relationship between program services and youth outcomes, or, short of that, to just provide information on the short- and long-term outcomes that URM youth experience.

An evaluation of the URM Program could include other aims such as understanding how URM youth outcomes relate to those of other youth who receive similar services or who have similar characteristics. It could also explore how different programmatic approaches and contexts relate to youth experiences and outcomes. Furthermore, an evaluation might focus specifically on understanding which services achieve the intended program outcomes. In doing so, it could document promising practices for programs to learn from or replicate; identify additional areas for future research or investment; and highlight findings that may be relevant in other contexts, such as the domestic child welfare system, refugee services more broadly, or programs in other countries.

This section focuses on these goals starting with a conceptual model that provides a framework for understanding the focuses of different evaluation options. We also discuss the outcomes that youth, program staff, partner staff, and foster families felt were important for URM youth and which relate to outcomes in the conceptual model. We then present potential research questions that will provide the foundation of the discussion of evaluation designs and recommendations.

Throughout this chapter, we consider three different types of evaluations, each of which may help answer research questions related to the URM Program:

- **Implementation studies** focus on *how programs provide and deliver services*, whether they deliver services according to the intended model, and promising practices and challenges in service delivery.
- **Outcomes studies** focus on measuring *what outcomes of program participants experience*.
- **Impact studies** go beyond outcomes studies to understand *how services or programs affect outcomes*.

5.A.1. Conceptual model for an evaluation of the URM Program

To guide a discussion of potential evaluation options for the URM Program and inform research questions and priorities, we developed a conceptual model for an evaluation of the URM Program, shown in Exhibit 8.¹¹ As we discuss evaluation designs and recommended research questions later in this section, we tie these different approaches back to the elements of the conceptual model.

The conceptual model incorporates standard elements of logic models:

- **Inputs:** Inputs include resources that youth, programs, and other stakeholders bring to the URM Program. These may vary by program, youth, or state.
- **Activities:** This includes all the activities that the URM Program conducts with youth in order to achieve the desired outcomes.
- **Outputs:** Outputs are short-term measurable indicators of progress. Outputs should align with the outcomes, with the idea that if programs achieve their goals for outputs, it should contribute to the achievement of long-term outcomes.
- **Short-term outcomes:** These are outcomes that can be measured at program exit or in other near-term intervals.
- **Long-term outcomes:** Long-term outcomes are the ultimate goals of the Program, which would be measured at least several years after youth exit the program.
- **State/local/program context:** As described in Section 4.C., the context in which each program operates is unique. This section captures factors outside of URM Program activities that may influence whether and how URM youth achieve desired outcomes.
- **National context.** National context includes factors outside of the URM Program that affect URM Program services and models.

Including these factors in a single diagram can inform an evaluation design by displaying the relationship between different elements and identifying potentially measurable factors important to understanding a program's implementation and effectiveness.

The conceptual model incorporates the main features of the URM Program in the inputs and activities section. To inform the appropriate short- and long-term outcomes for inclusion in the conceptual model, we relied on information collected during the site visits on how youth, foster parents, and program and partner staff define success for URM youth, as well as similar information provided by program directors on the survey. The definitions of success largely fell into three categories:

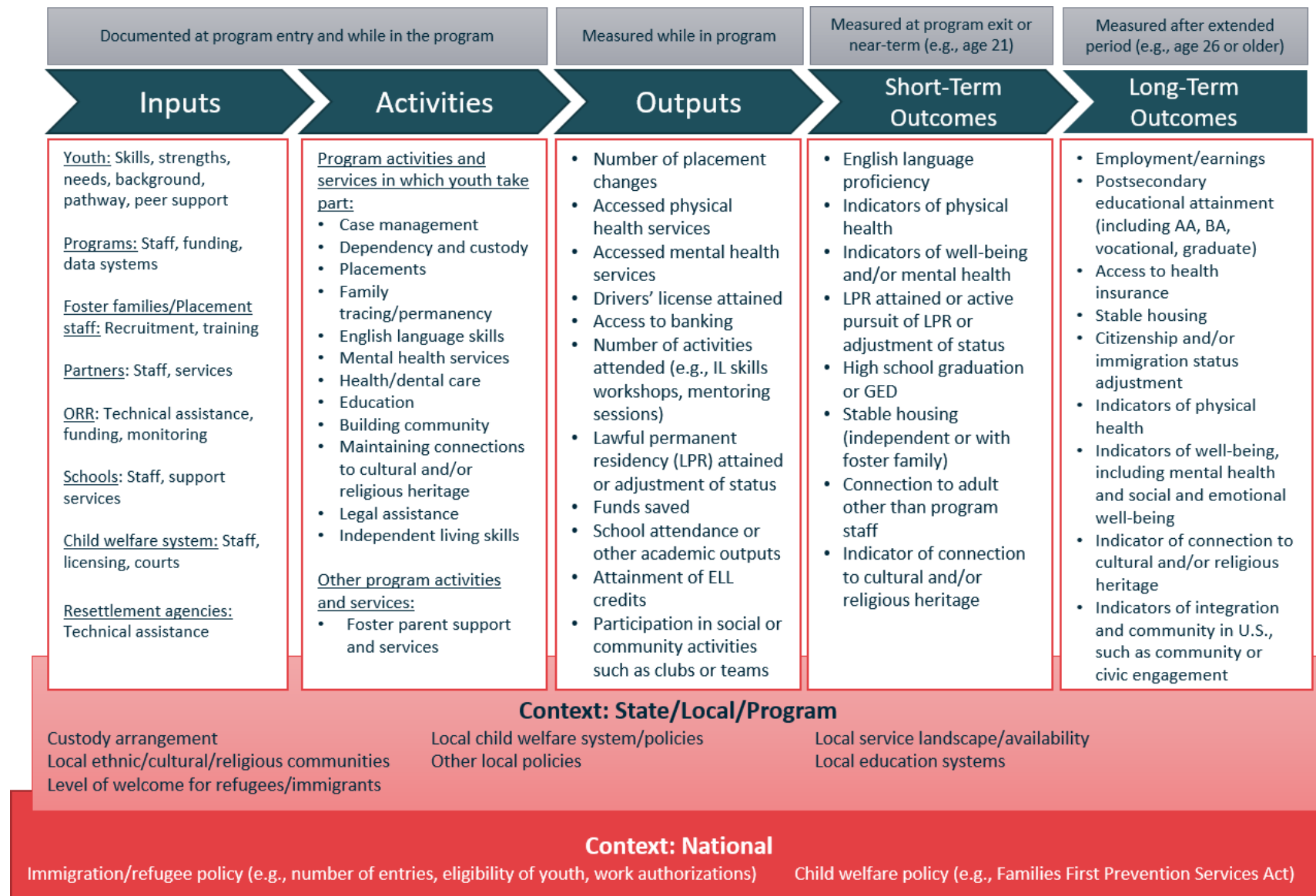
- **Ability to live independently.** Respondents described goals related to living independently, including achieving educational goals and/or attending college; employment, including both having and being able to find/apply for jobs; having health insurance; affordable and stable

¹¹ ORR provided a theory of change, logic model, and list of indicators designed for program monitoring, which we used for reference in developing this conceptual model.

housing; ability to navigate U.S. systems and connections to resources; and financial security, including savings and the ability to purchase special items, such as cars.

- **Social and emotional well-being.** A second category was emotional well-being, or “being happy.” This included having healthy relationships, building community and connections in the United States, staying in touch with family from their home country (if desired), and leaving the program with connections to an adult outside the program who can provide support to youth if needed.
- **Other.** Other priorities included immigration status, such as legal permanent residency (LPR), and English proficiency.

The outcomes included in the conceptual model reflect these definitions, as well as priorities identified by ORR and other stakeholders.

Exhibit 8. Conceptual model.

B. Evaluation designs

In recommending potential evaluations of the URM Program, we consider a variety of types of evaluation designs. We discuss those types in this section. While we discuss them individually, the options could be combined into a mixed methods approach, which could focus on outcomes, impacts, and/or implementation. In each option, we include examples of research questions (RQs) that each design could answer, to illustrate each option's relevance to the URM Program. In considering a specific evaluation approach, the conceptual model presented above may be tailored or updated to be relevant to specific research questions.

5.B.1. Randomized controlled trials

A randomized controlled trial (RCT)—also known as an experimental evaluation—is the gold standard for evaluating the impacts of an intervention (i.e., a service or package of services) on the intervention's desired outcomes. In an RCT, individuals from an eligible group are selected at random to either receive or not receive a service or intervention, creating two groups for comparison that can be used to understand the impact of the service (White, Sabarwal, & de Hoop, 2014). If conducted properly, randomly assigning individuals to receive an intervention ensures that the characteristics of the individuals who received the intervention are the same, on average, as those who did not receive the intervention. As a result, researchers can attribute differences in outcomes between the two groups to the intervention, rather than to other differences between the two groups. However, a full experimental evaluation of the URM Program at the point of entry is extremely challenging and likely not feasible, for the reasons listed below.

- **Ethical considerations:** Youth who are eligible for the URM Program are often in unstable or dangerous situations prior to entry. There is a well-developed, complex process for determining which youth can enter the program and an individualized and tailored process for determining placements that takes into account the characteristics and needs of the youth. These processes are not random, and introducing random assignment into them for the purposes of conducting an evaluation would not be ethical.
- **Flow of youth into the program:** Because there are a series of steps and actors in the United States and abroad that lead to youth being referred and placed in the URM Program, which vary by eligibility pathway, it may not be logistically feasible to randomize this process.
- **Comparison group:** Because many URM youth only come to the United States once they enter the URM Program, a comparison group not entering the Program would remain overseas. It may not be feasible to collect data on their experiences and outcomes.

Therefore, we propose smaller scale experimental tests to learn more about what types of *services* are effective. These methods would still use a rigorous experimental design but would focus on more specific services and groups of youth. They would avoid the ethical issues by focusing only on services that it could be ethical to test, either due to limited capacity to offer a given service to all youth (in which case the program would need a method for allocating the limited number of slots for the service, which an experimental design could provide) or by providing the same service in a different way, therefore avoiding denying services. We discuss additional options, including some approaches using experimental designs, in Section 5.B.4 (Designs for evaluating specific services).

5.B.2. Quasi-experimental designs

Researchers often use quasi-experimental designs (QEDs) to examine impacts when randomization is not feasible. Such designs use a comparison group to create a counterfactual that approximates an experimental design (White & Sabarwal, 2014). QEDs have some advantages over experimental or non-experimental designs. Because they can be done using existing data and without randomization, they are often lower cost than experimental designs. They can also be launched more quickly, as they may not require time for sample build up. Even in cases where QEDs may not be rigorous enough to establish impacts due to methodological limitations (e.g., if the groups being compared differ on characteristics that cannot be controlled for), some quasi-experimental tools may nonetheless provide insight into similarities and differences in how services and contexts affect different groups of youth, especially when controlling for differences between groups.

On the other hand, there are drawbacks to consider as well. From a methodological perspective, QEDs do not account for unobserved characteristics. In other words, if the two groups experience different outcomes, the differences may be due to characteristics that are not captured in the data and therefore are not solely attributable to the intervention or program. They also require considerable amounts of data and some approaches may require a large sample. Finally, some QEDs may require specific assumptions to consider, based on the structure and data available on the URM Program. We will discuss these considerations further below.

Comparison groups

A key question for any QED is what can serve as a meaningful comparison group. There is no single group of youth in the United States that have the same background, experiences, and trajectories who do not gain access to the URM Program. Below, we discuss some groups that have some similar characteristics to URM youth that might lead a researcher to consider them for a comparison group and consider what comparisons to these groups might illustrate. Researchers could also explore comparisons between URM youth and these groups in non-experimental designs, which we discuss in the next section (Section 5.B.3).

We consider and discuss three groups as possibilities: youth in the domestic foster care system, UACs, and refugee youth resettled with families. Comparisons to these groups would answer different questions and provide different types of information on the URM Program. In section 5.B.4, we also discuss how QEDs could examine differences between groups of URM youth who did and did not receive a specific service.

Youth in the domestic foster care system: Because programs are required to offer the same range of services to URM youth as youth in domestic foster care, comparing outcomes and program experiences among these two groups could address research questions related to whether similar services are more or less appropriate or effective for one group or another. In addition, some program structures that serve both URM youth and youth in domestic foster care would lend themselves to this comparison. Finally, state and county systems have data on youth in domestic foster care that may be accessible for an evaluation. Youth in domestic foster care make up a much larger group than either URM youth or UACs.¹² On the other hand, URM youth and youth in domestic foster care have systematically different characteristics, so interpreting findings might be challenging, depending on the design. In addition, certain outcomes, such as immigration status changes, are not a relevant comparison for youth in domestic foster care. However, components of

¹² According to the Adoption and Foster Care Analysis and Reporting System, 262,956 youth entered the domestic foster care system in FY 2018 (US. Department of Health and Human Services, 2019).

the required reporting for URM programs are modeled on the National Youth in Transition Database, which can facilitate comparing outcomes between URM youth and youth in domestic foster care.

Unaccompanied alien children: As described in Chapter 2, UACs who meet specific eligibility requirements can enter the URM Program. UACs who do not enter the URM Program are in the United States and may have similar experiences to UACs who become URM youth. A comparison could answer research questions about how URM Program services impact youth experiences or outcomes by comparing URM youth to UACs with similar experiences or characteristics who do not gain access, which is a much larger group.¹³ Some programs serve both UACs and URM youth, including mixed caseloads, so these program models may be a good fit for this comparison. However, there are likely to be systematic differences between the UAC youth who qualify to enter the URM Program and those who do not.

Refugee minors resettled with families: While these accompanied refugee minors have not experienced familial separation to the same degree as URM youth, they have similar pre-migration experiences, which may include trauma, interrupted formal education, and separation from some family members. They also may have limited English proficiency when they arrive. On the other hand, there may be limited data available on these youth and they may not need the same services (e.g., out-of-home care placements). Comparisons to refugee youth who are resettled with their families may be informative for answering research questions related to how outcomes may differ between youth with similar service needs, such as English language acquisition or education support, but who receive different types of services or participate in different programs.

Design options for quasi-experimental designs

In this section, we provide high-level descriptions of select QED methods to develop a comparison group for youth in the URM Program. These designs could be used with the groups described in the previous section. In each option below, we discuss how these may apply to specific comparison groups. It is important to note that these descriptions are not exhaustive discussions of these methods, nor do they take into consideration the range of assumptions, different approaches within each technique, or advantages and disadvantages of each technique. Moreover, there are other potential methods not included in this discussion.

Propensity score matching (PSM): Propensity score matching techniques use existing data to develop a comparison group using characteristics captured in data. It uses these characteristics to develop a score that represents the likelihood that an individual would participate in a specific program or intervention (in this case, the URM Program or a specific program service), based on the characteristics of the individuals who actually participated in the program. It then matches those who participated in the program with those who did not, based on the score (Dehejia & Wahba, 2002; White & Sabarwal, 2014). This approach could identify a comparison group, such as youth in domestic foster care, who were as similar as possible on observable characteristics as URM youth. However, it requires sufficient

Propensity score matching example research questions:

- *Do URM youth graduate from high school at a similar rate compared to youth in the domestic foster care system by age 21?*
- *How do URM youth's employment status and earnings compare to refugee youth who arrived with their families?*

¹³ There were 49,100 UACs referred in FY 2018 (ORR, 2018). In comparison, 281 URM youth entered the URM Program, and only a subset of those youth were former UACs.

baseline data on both groups of youth, including sufficient relevant variables to create a strong matched sample, as well as a large sample, as not all youth would be included in the matched sample. Depending on the data and the comparison group, it could be challenging to identify enough youth with similar observable characteristics to URM youth. As in section 5.4.B, it may also be feasible to use PSM to develop groups among URM youth to examine the effect of specific services.

Interrupted time series (ITS): ITS compares the trajectory of outcomes in the presence of an intervention against the counterfactual of what would have happened without the intervention, based on trends suggested by longitudinal data (Penfold & Zhang, 2013; Fok, Henry, & Allen, 2015). This could be a good option for analyzing specific policy changes within the URM program and the resulting outcomes for URM youth. ITS requires specific methodological assumptions regarding the trajectory of outcomes, as well as data on outcomes at multiple time points, including outcomes measurable at baseline.

Interrupted time series and difference-in-difference example research question:

What was the impact on URM youth experiences or outcomes of a policy change that increased the maximum foster care age?

Difference-in-difference (DID): DID accounts for differences in outcome measures between two groups prior to the implementation of an intervention when estimating impacts (White & Sabarwal, 2014; Wing, Simon, & Bello-Gomez, 2018). It is often used for measuring differences between two groups for a discrete intervention or policy change. Like ITS, DID has specific assumptions and requires data at multiple time points, including pre- and post-program/intervention. Like PSM, evaluators could use DID to explore differences in outcomes between URM youth who accessed a specific service and URM youth who did not.

Analysis options: While we do not provide a discussion of options for the analysis phase, there are multiple potentially appropriate methods. These range from simple tests of means to more advanced regression-based approaches. Evaluators would determine these in conjunction with the design.

5.B.3. Non-experimental designs

Non-experimental designs do not use statistical approaches to create a comparison group or statistical methods to evaluate the impacts of a program or intervention on youth outcomes. However, they can provide in-depth information on URM programs and the youth they serve, including youth outcomes and how services are implemented. They can also incorporate contextual factors and the unique environment of each program. For designs that could include a comparison to other youth, researchers could include comparisons to the groups described in Section 5.B.2. On the other hand, non-experimental approaches are not as rigorous as experimental or quasi-experimental designs in understanding causal relationships.

Design options for non-experimental approaches

Design options for non-experimental approaches are wide-ranging, and could encompass a broader range of research questions, methods, and approaches than experimental or quasi-experimental designs.

Non-experimental outcomes evaluation: In this option, an evaluation would measure outcomes for URM youth but would not have a comparison group. Data collection and analysis methods could include quantitative analysis (such as analysis of ORR data or linkages to administrative data) or qualitative data collection and analysis, including any of the new data collection approaches described below in Section 5.C.3. An evaluation of this type could examine a wide variety of

outcomes, as well as how they compare across all programs, while providing a rich source of in-program and follow-up information on youth for a subset of programs.

On the other hand, many non-experimental approaches would not provide information on whether services have an impact on or change youth outcomes. In addition, similar to QEDs, it may take a long time to observe long-term outcomes for youth. An evaluation of this type could also require identifying goals that the outcomes of the evaluation could be compared against; for example, ORR may want to identify a goal of how many youth have attained a bachelor's degree by age 25, in order to assess the program's progress against these goals. ORR, service providers, or researchers could develop these goals using existing data, engagement of programs, youth, and stakeholders, or other methods to ensure the goals are appropriate.

Case studies. Case studies are an in-depth exploration of individual cases. Cases could be programs, specific services or components of programs (e.g., group homes), or youth, depending on the research questions. While this study focused on URM programs broadly and the services they provide to the diverse group of youth in the Program, a case study approach provides an opportunity for a deeper dive, through more in-depth data collection and analysis and/or through a

Non-experimental outcomes evaluation example research questions:

- *What employment outcomes do URM youth experience at age 26?*
- *How do these outcomes vary among different types of programs, such as variation in custody arrangement?*

Case study example research questions:

- *What service models and approaches do URM programs employ to serve youth with specific types of complex needs?*
- *What are the experiences of victims of trafficking in the URM Program? How do these experiences relate to their outcomes after leaving the Program?*

focus on specific components of the program model. For example, in a case study approach, researchers could collect more in-depth data through one-on-one interviews with youth, program participation data, and observations (data collection methods are described further in Section 5.C.3). In addition, they could focus research questions on certain program elements, such as how programs serve youth whose needs are best met in therapeutic foster care or residential treatment. They can include a variety of data collection and analysis techniques and focus on that specific unit in context. Case

studies are often used in conjunction with quantitative analysis to highlight specific components or units of a program. A mixed methods approach could include a variety of the data collection methods described below in Section 5.C.3.

Case studies would yield in-depth information on a small set of cases. On the other hand, they may not provide information across all URM programs, if not all are included, and it would take a considerable amount of up-front work to identify cases for inclusion.

Comparative case studies: Comparative case studies allow researchers to explore different cases (which can be a variety of different units) that are strategically selected to provide insight into how different service delivery models and contexts influence outcomes (Goodrick, 2014). Below, we describe some options for comparisons, as well as advantages and disadvantages. As with case studies, a mixed methods approach could draw on quantitative analysis and new data collection.

Similar to a regular case study approach, cases could be programs, specific services, or individuals, among others, depending on the research questions and type of comparison that is of interest. If looking at programs as cases, inclusion in the study could be based on characteristics, such as custody arrangement, or different structures or service delivery models. As an example, researchers could compare URM programs at agencies that only provide URM services to others that also provide domestic foster care services, and conduct case studies of each to understand whether and how providing services to both URM youth and youth in domestic foster care affects the services and outcomes of the URM program. Alternatively, cases could be selected for comparison based on similarities in their outcomes but different service delivery models, or similar models that result in different outcomes.

Comparative case studies could be an option for investigating relationships between experiences, services, and outcomes, though the approach is not as rigorous as experimental or quasi-experimental designs. Like single case studies, it would yield in-depth information on a specific group of cases, while the comparative element would provide more information on context and program characteristics. As with case studies, a comparative case study approach would not provide information on all sites and may take more initial effort to identify comparisons and cases for inclusion.

Comparative studies example research questions:

- *How do short- and long-term outcomes for youth compare between programs that serve primarily refugee youth who were referred while overseas, and programs that serve primarily former UACs, and those that serve an even mix?*
- *How do programs tailor their approaches to these different groups of youth?*
- *What services, contexts, and experiences of these programs contribute to these outcomes?*

Ethnographic-style research: Ethnographic methods focus on learning about individuals in the context and culture in which they live through in-person or first-hand interactions (Hammersley, 2006). Given that context, background, and experiences are integral to URM youth's trajectories and outcomes, using ethnographic methods would yield information that goes beyond measurable quantitative outputs or outcomes. Ethnographic approaches often involve individual interviews and observations (see discussion of new data collection options, described below in Section 5.C.3.).

Ethnographic-style research can generate a wide range of data on youth, including their perceptions of what is or is not successful about the program and their successes, challenges, and needs, as well as the context in which they experience program services. It may also capture cultural or other factors specific to URM youth that are not captured in existing data. Further, ethnographic methods emphasize interacting with youth in their own environment, such as their home or school.

Ethnographic methods example research questions:

- *How do youth experience URM Program services, adjustment to the United States, and navigating U.S. systems?*
- *What past experiences, strengths, and needs do they bring to this perspective?*
- *How does the context of their URM program experience (peers, local community, state/local policies) relate to their outcomes?*

Because this study aimed to provide a broad foundation for understanding URM Program services and administration, it benefitted from broad and free-flowing discussions from youth focus groups. Ethnographic methods would yield more

in-depth information and youth voice and could also focus on more specific topics. For example, during our focus groups, a few youth discussed high-level perspectives on mental health services; in

an ethnographic study, researchers could explore these experiences and perceptions much more deeply, including the cultural underpinnings of the youth perspectives.

As with all qualitative methods, sample size is less of an issue. On the other hand, it can be resource-intensive and require extensive logistic coordination. For example, for URM youth, researchers would need to consider interpretation and/or language capacity of researchers. It would also not yield causal information or systematic analysis of long-term outcomes. Finally, this method requires researchers who are highly qualified in conducting ethnographic research, especially with vulnerable groups, as these types of interviews may touch on difficult topics such as their family history and past trauma.

5.B.4. Designs for evaluating specific services

In addition to the designs above, there are additional ways to learn about impacts and implementation of URM program services, including options to provide quick feedback to program staff. These approaches focus on measuring outputs or short-term outcomes and how programs implement services. The methodologies used in these designs overlap with those used in the designs discussed in Sections 5.B.1-5.B.3. For example, some designs involve RCTs, QEDs, nonexperimental outcome measures, or similar modes of qualitative data collection. However, we treat them as distinct because by focusing on smaller scale questions or on providing rapid feedback to programs, they involve different designs and ways of implementing the evaluations than the studies described earlier. These approaches could include questions related to program processes or services that relate to youth outcomes, like staff retention or training, or foster parent recruitment, as we may expect that high-quality training or recruitment practices contribute to positive outcomes for youth.

Evaluating specific services: In the absence of a full experimental evaluation of the URM Program, tests of individual services can use rigorous experimental approaches to learn more about the URM Program by identifying individual service components and randomly assigning youth (or other individuals, as relevant) to receive the service or variation of the service. This would be appropriate for services to which all youth do not have access already due to limited program capacity, in which case randomization is a reasonable way to allocate these services. It also may be appropriate for services that programs have reason to believe may not be better than the usual approach; for example, if programs want to test a new training curriculum for foster parents, they could randomize participants to receive either the new or old curriculum, and not deny the service to anyone. Another option would be to use a quasi-experimental method to explore the impact of specific services. For example, if youth enter a waitlist for a specific service and a subset of those youth are selected in a non-random way to receive the service, then the group of youth who did not receive the service could form a comparison group for a quasi-experimental design. In this case, researchers could use propensity score matching or another quasi-experimental approach to develop two similar groups and to account for potential differences in the two groups that could arise from the non-random selection of youth to receive the service.

Evaluating specific services example research questions:

- *Does a cash incentive program result in higher levels of youth savings six months after completing the program? Why or why not?*
- *Does a specific approach (e.g., design or wording) for foster parent recruitment materials result in higher attendance at information sessions and/or higher rates of licensing than the normal approach?*

Rapid learning methods: Rapid learning approaches, sometimes known as rapid cycle evaluation, focus on providing quick and actionable feedback to programs (Holzwart & Wagner, 2019). They can be either experimental or non-experimental, or a combination of both. As described in Chapter 4, URM programs implement a variety of approaches and services designed to improve URM youth outcomes; rapid learning methods can allow programs to implement, evaluate, and refine these services in a short timeframe. Experimental rapid learning methods are similar to conducting tests on individual service components but often include iterative approaches and tweaks to service delivery until the goals identified have been reached. Programs with capacity and partnerships to use experimental rapid learning methods can be innovative and flexible in adapting their services to youth needs. With a focus on implementation and service delivery, programs can learn about why these approaches are effective to inform future service provision and development. For example, on

Rapid learning methods example research questions:

- *Does a specific mentoring program achieve the intended outputs (e.g., mentor pairs still meeting regularly after a specific time period, measure of satisfaction or engagement based on mentor/mentee surveys)?*
- *Are the components of the service being evaluated implemented as intended (e.g., do mentors meet as often as the program intends? Are mentor-mentee matches created according to the program design?)? What works well? What does not work well?*
- *If not meeting desired goals, what changes might be made (e.g., expanding preparation/support for mentors, revised approach to identifying mentor/mentee matches)?*

our site visits, we learned that programs use different ways to engage youth in independent living programming. In a rapid learning approach, a program could implement a supplemental independent living skills curriculum (e.g., additional reading, topics, or materials), randomly assign youth to receive the additional component, and then compare the attendance rates at independent living workshops between the groups of youth who received the independent living curriculum and those that did not. Based on their findings, they decide if they need to adapt the supplemental curriculum to improve attendance.

Rapid learning methods can also be non-experimental; these would focus on refining approaches in order to meet goals, but without randomization. Non-experimental approaches could also include data collection about how programs implement services in order to inform tweaks to service delivery in order to achieve the desired goals. In the example of the independent living skills curriculum, rather than randomly assigning youth, a program could provide the supplemental curriculum to all youth and aim to increase the overall rate of youth attendance at independent living skills programming.

These approaches have advantages and trade-offs. Rapid learning approaches that use experimental methodology can show impacts of an intervention or service on outcomes. In addition, rapid-learning approaches, either experimental or non-experimental, can provide quick feedback to programs, so they can allocate resources and adapt their approach in response to findings. Implementing these approaches can also help programs build capacity for research and evaluation.

On the other hand, they require capacity to implement and manage study activities. As a result, studies often provide funding for programs to build this capacity and implement these approaches, which has cost implications. In addition, these approaches would work only for certain services, such as discrete interventions.

Finally, for the quantitative approaches, statistical power to observe effects depends on building a sufficient sample. This could be a challenge, depending on how many youth access the service, how many sites or programs are involved in the study, and how long the study operates. For example, if

only youth who need tutoring are randomly assigned into an intervention, it could take a long time to build up a sufficient sample to detect effects.

C. Factors and considerations for selecting an evaluation design

While the conceptual model can help understand what measures might contribute to answering those questions and a discussion of designs can shed light on how we might understand the different components of the model, it is also important to consider program factors, logistics, and data when considering evaluation designs. This section builds off the discussion of designs to provide more concrete considerations to ground the recommendations provided in the concluding section.

5.C.1. How program structure, characteristics, and contexts affect evaluability

Program structure, characteristics, and contexts are critical for considering what types of evaluations are feasible, what types of support programs might benefit from before beginning an evaluation, and what types of information we might learn from an evaluation. Factors include:

- **Program structure:** Understanding the structure of the overall URM Program, as well as variation in structure of local URM programs, is important when considering evaluation options, as different designs may be a better fit for certain structures. Programs offer a range of services to youth and provide individualized services based on youth's goals and needs, rather than providing a single intervention or a set of services that are consistent for all youth, which may make a meaningful evaluation that applies to the full Program challenging. Further, the specific services that programs or partners offer may vary across different local URM programs. In addition, programs provide some services through a network of partners, which adds complexity to the model. Finally, programs have different approaches to staffing and caseloads, such as a mix of UAC and URM youth or URM youth only, which may have implications for identifying comparison groups.
- **State and local policies:** In addition to the influence of custody arrangement and other policies on program context and service implementation, variation in custody arrangement, eligibility for Medicaid, and other state and local policies have implications for evaluation. For example, in public custody arrangements, programs may have access to additional data on youth (e.g., if youth are in a public custody arrangement, they are more likely to be included in the state child welfare data system than youth in private custody arrangements). State and local policies are also important factors when considering comparisons between programs; for example, researchers could select cases for comparison in a comparative case study design based on different states' eligibility for Medicaid.
- **Program capacity:** Evaluation requires time, expertise, and buy-in from programs. We learned that programs have varying levels of capacity to participate in research and evaluation activities. This includes having staff dedicated to data collection, quality improvement, research, and evaluation; organizational capacity to collect and use data, including data management systems; and partner buy-in and support, including data sharing agreements. It is important to understand existing program capacity, as well as ways to boost this capacity if needed to implement specific designs.
- **Sample size:** Sufficient sample size is necessary to detect effects when analyzing the impact of services on outcomes using quantitative data. The URM Program does not serve a large number of youth at any given time, and the number of youth entering the Program has been decreasing in recent years. These small samples may make it more difficult to implement designs that rely on sample size for statistical power. While sample size is a factor, it does

not make an evaluation of the program infeasible, as there are qualitative designs that do not rely on a large sample, as well as quantitative methods for working with small samples.¹⁴ Given the availability of such methods, as well as the importance of documenting the experiences and outcomes of this small and unique group of youth, low sample size is not in itself a disqualifying factor for some types of evaluations.

- **Incorporating youth perspectives into an evaluation:** URM youth voices and perspectives are central to an evaluation of the URM Program, both in the design and interpretation of findings. In addition, including youth feedback and gaining youth buy-in may increase the likelihood that youth participate in evaluation activities.
- **Flow of youth into program:** Youth enter the program through different referral channels, and often have different experiences and/or needs based on how they entered the Program. As a result, considering how youth are referred to the program is important for sample build-up and availability of data on youth before they enter the program, among others.

5.C.2. Existing data sources, quality, and potential for use in future research

Understanding existing data sources that researchers could use to learn more about youth experiences and outcomes is an important step before planning an evaluation. Access to data that can help answer the research questions is necessary for an evaluation, whether it is existing data or data that researchers collect for a specific project. These data sources could provide information on all components included in the conceptual model. In this section, we discuss existing data sources, including ORR data, program data, and other data sources. In the next section, we discuss options for new data collection.

ORR data

Programs are required by ORR to collect data on youth via the ORR-3 and ORR-4 reports. Programs submit ORR-3 reports for specific changes for URM youth, such as initial placement, a change of placement or address, and change in immigration status. These records show the services programs provide to youth, youth placements, youth program status, and youth legal status. The ORR-4 includes information on youth education, well-being (as assessed by case managers), family contact and tracing, and independent living services and outcomes. Programs are required to collect the ORR-4 at specific points in the youth's program experience, such as at program entry, every year on the anniversary of their initial placement, and after they exit the program and stop receiving ORR-funded services, up to age 21.

While these data are rich sources of information on youth, there are some limitations:

- ORR has noted that some components are inconsistent and unreliable, due to variation in how program staff report information.
- ORR has provided technical assistance to programs on submitting the reports, especially in recent years. As a result, the consistency and accuracy of the data have improved over time. However, the variation in reliability makes it difficult to discern trends in reporting from trends in actual service provision.
- There may be backlogs in report approval, which may delay reports being submitted on time.

¹⁴ There are approaches for implementing tests and analyzing data with small samples, such as Dynamic Waitlisted Design, Stepped Wedge Designs, and applications of ITS (Wyman & Brown, 2015; Fok, Henry, & Allen, 2015). While a full discussion of these techniques is outside the scope of this report, it is worth noting that there are analysis and design options that may be appropriate.

- The data do not provide substantive information on URM youth experiences after they leave the program, as programs are only required to collect information until youth turn 21. URM youth may still be in the Program until age 21. For those who are not in the program, there may be a short period of time between when they exit and when they turn 21, which leaves relatively little time to observe post-Program experiences and outcomes. In addition, program staff face challenges in contacting youth after they leave the Program.

Non-ORR data sources

In addition to the data collected and submitted to ORR, programs may collect their own data and other local, state, and national sources may be available. In this section, we provide a brief description of additional data sources for consideration in an evaluation.

Program data

From the survey and site visits, we learned that some programs collect information beyond what they report to ORR. On the survey, half of the project directors reported collecting additional information on youth while in the Program; educational attainment was the most common category collected, followed by physical health indicators and employment status. In addition, nearly all the program directors surveyed reported that they track education and employment status as youth outcomes. They also described collecting outcomes such as English language proficiency, existence of social networks, and housing stability. More than half of project directors reported that they collect data on youth after they emancipate from the program.

On the site visits, some programs reported collecting outcome information such as a “termination summary” when youth exit, conducting exit interviews, and collecting data to support continuous quality improvement processes. However, these focus more on information on youth while in the program or right when they leave, rather than longer-term/post-exit outcomes.

Programs and partners said that tracking youth outcomes after they exit can be challenging because it can be difficult to maintain contact with youth over time, especially if their contact information changes. While some youth stay in touch with the program, others do not. In addition, programs report a lack of clarity on what specific outcomes would be the most useful to track.

Other state/local data

In addition to the data that programs collect themselves, there may also be data available through other state or local sources, such as education data. Some partners we spoke to during site visits collect data on URM youth they serve, but the data may not be specific to URM youth or clearly identify which youth are in the URM Program. This is especially likely for schools or partners that serve a broad population of youth, though researchers have developed methods for analyzing data related to refugees using sources that do not include fields identifying refugee status (Capps et al., 2015; Bernstein & DuBois, 2018). We also found that programs did not often have data-sharing agreements with partners to share data on the youth they serve. Programs and partners may not have the time, resources, or capacity for developing the infrastructure to share data on URM youth and maintain confidentiality, which is a key factor in planning future evaluations.

Potential data sources for outcomes

One possibility for learning about URM youth outcomes is linking to additional data sources. As part of our data analysis task, we examined data sources to which researchers may be able to link the ORR-3 and ORR-4 data. Prior to determining which data sources to link, researchers or evaluators should assess the feasibility of linking based on identifiers in the data, such as name, birthdate, or

social security number. For this study, we did not receive identifiers other than birthdate so we could not assess the quality of other fields for linking. In this section, we will briefly describe each data source, as well as the benefits and limitations of each for learning about URM youth outcomes.

National Directory of New Hires (NDNH): The National Directory of New Hires is a national repository of state-level directories to which employers report hires and their wages on a quarterly basis. It is maintained by the Office of Child Support Enforcement, and its primary purpose is to assist in the collection of child support. Researchers often use NDNH to analyze employment outcomes. While NDNH has limitations related to timeframe, type of employment included, and specificity for identifiers needed for matching, it could be a rich source of information on employment and earnings for URM youth after leaving the program (United States Department of Health and Human Services, 2020).

National Student Clearinghouse (NSC): The National Student Clearinghouse collects information from postsecondary education institutions, including enrollment and degree attainment. It is primarily used for enrollment and degree verification but can also be available for research. Linking to NSC data can help understand when and where URM youth enroll in postsecondary education, how long they attend, and whether they graduate (American Council on Education, 2010). However, not all institutions report to the Clearinghouse and reporting is inconsistent across types of institutions, as participation in NSC is voluntary. Large public institutions are more likely to share data with NSC, while smaller, private, and non-Title IV, degree-granting institutions are less likely to share data (Dundar & Shapiro, 2016).

Medicaid Analytic eXtract (MAX) and Transformed Medicaid Statistical Information System (T-MSIS) Analytic Files (TAF): The MAX files and newer TAF files, which replace the MAX files, include several datasets related to Medicaid claims at the individual level. Both files could answer questions about youth's medical needs and health services paid for by Medicaid. However, these files are not currently available for Medicaid data from 2017 to present. They are backlogged due to the transition to the new database that is the data source for the TAF files (Center for Medicare and Medicaid Services, 2019). The MAX and TAF files only include services paid for by Medicaid, so youth with other insurance will not be included. If youth receive care through managed care organizations, Medicaid claims data may not accurately represent the care they receive.

Census Bureau: The data sources included in the Census Bureau's Data Linkage Infrastructure cover a range of topics and populations, such as tax information, social service program participation, and other datasets such as the National Change of Address database, which could help understand how youth move after leaving the program. The Census Bureau creates a person-specific linking key that can link individuals across many datasets, using social security number (SSN) if available, and name and birthdate, as well as other identifiers, if SSN is unavailable (Chiu, 2017).

Other: Other data sources include national child welfare databases (e.g., the Adoption and Foster Care Analysis and Reporting System (AFCARS)), Internal Revenue Service data, Social Security Administration data, state- or local-level data (e.g., state/county child welfare data, Medicaid data, postsecondary systems, integrated data systems, school district data), national immigration status data, and other ORR sources on refugees, among others. While these may have information on URM youth, potential challenges include lack of information on how many URM youth would actually be included in the datasets, the resources required to identify and access datasets across multiple jurisdictions, and identifying whether there is information in these sources that ORR does not already collect as part of its required reporting. There may also be data on contextual factors, such as local policies, characteristics of localities, and service availability. These may be available through the resettlement agencies or published sources such as the Census Bureau's American Community Survey.

5.C.3. Options for new types of data collection

Evaluations often benefit from new primary data collection that focuses on the topics of interest for the evaluation and reflects the constantly evolving circumstances of programs. There are many options for new data collection; the most appropriate methods will depend on the specific questions the evaluation is trying to answer and on resources available. These data collection options could accompany the designs described in Section 5.B. Exhibit 9 provides an overview of several types of data collection.

Exhibit 9. Methods for new data collection

Method	Description
Interviews 	Conducting one-on-one interviews with individuals involved in the URM Program, especially youth, would yield information on youth experiences, perspectives, and potentially outcomes, depending on the time point at which it is collected. In addition to youth, interviews with foster families and program and partner staff would be critical to some of the design options and recommendations we present at the end of this chapter. In this study, we conducted focus groups with youth and foster parents and primarily group interviews with staff, which was sufficient for the study's goal of providing a broad description of the services and administration of the URM Program. Individual interviews would allow a deeper dive than the approach in this study.
Focus groups 	Focus groups can foster discussion among diverse perspectives and show how individuals in a group interact with each other. While we think that interviews are better for engagement with youth, focus groups that document interaction and relationships among a specific group of individuals or elicit diverse perspectives can provide helpful information. Options could be youth from a specific group home to learn about their interactions and shared experiences in the group home, or staff who share a similar role.
Surveys 	An in-depth survey with youth who left the program could provide outcome and experience data that may be difficult for programs to collect. A specialized survey firm could develop a sample of youth, contact them, and conduct the survey over the phone. Such surveys could be part of any design option that includes analysis of long-term outcomes and could be used in conjunction with administrative data to understand long-term outcomes. Another option would be to survey staff to learn about implementation (e.g., a survey of all URM case managers).
Observations 	Using observations of program activities, researchers can learn about how activities are documented and compare the observed implementation to perceptions of program services from staff, youth, and foster parents. Researchers could observe key URM Program activities, such as independent living workshops or foster parent recruitment sessions, to learn about program implementation and youth's and/or foster parents' engagement, as well as to understand variation in how different programs deliver similar services.
Case file analysis 	Reviewing documents, notes, and case files can provide context for certain design options. For example, a comparison of case file notes for URM and domestic foster care youth could provide insight into case managers' approaches to individual cases, documentation of services provided, and reasons for providing services on an individual level, which may not come across in other types of data collection.
Program data collection 	An evaluation could provide funding to programs to collect systematic quantitative data on youth for evaluation, in addition to what they already collect. For the URM Program, this could be a useful approach for collecting information on services provided at a more granular level than what is collected in the required program data (e.g., frequency of attendance at independent living workshops). Evaluations often include a Management Information System which researchers or evaluators and programs design together to collect information specific to a certain program or intervention.

5.C.4. Logistics

When designing an evaluation, there are several logistical elements to consider, such as cost, language capacity, research subject projections, administrative data linking, and timing of an evaluation. **Evaluation costs** include staffing, materials, and other resources. Different approaches have different cost implications; for example, site visits may be more costly than phone interviews, due to logistics related to travel and conducting interviews on site, while low-cost secondary data sources may make quantitative analyses less resource intensive than other approaches. Surveys of individuals who have left programs can be very expensive, as they must develop the instrument, locate and maintain contact with youth, administer the survey, and process the data for analysis.

For the URM Program specifically, **language capacity** is key. In order to incorporate the perspectives of youth who are not proficient in English, we recommend conducting data collection in languages other than English. Qualitative data collection and surveys with youth would require translation and/or interpretation, as well as approvals for interpreters to conduct data collection, which is an added cost.

In addition, any evaluation that qualifies as human subjects research will require **review and approval of an Institutional Review Board (IRB)** to ensure participants are protected. The level of effort involved in IRB review and approval depends on the study goals and content, vulnerability of and level of risk to participants, and data collection methods. Resources to consider include staff time and coordination to ensure all protections are in place and the project upholds the required standards.

Accessing **administrative data** for linking would require identifying and accessing data, as well as logistics such as negotiating data sharing agreements and ensuring data security. If the data are not linked by the entity providing the data, then researchers would need to have the expertise to match the data source to the ORR data. If researchers choose to pursue state-level data for linking, such as Medicaid, then implementing this approach for each state will be time- and resource-intensive.

Finally, evaluators would need to consider the **time** an evaluation would take. Designs including long-term outcomes, as well as quantitative designs requiring sufficient sample size and statistical power to detect effects, may not be feasible for several years. On the other hand, designs that do not rely on statistical power may be conducted with existing data or may include new data collection and could be done more quickly.

D. Potential future research questions and design considerations

Having discussed design options, considerations, and logistics, we bring these components together to suggest research questions, recommended designs options that could answer the research questions, and next steps that ORR could take for preparing for an evaluation.

5.D.1. Research questions

We developed four overarching research questions to guide future evaluations of the URM Program, based on conversations with ORR, programs, and other stakeholders about what they would like to know about the URM Program and on the Program's theory of change (provided by ORR). These questions are broad, and we expect that designers of a future evaluation of the URM Program would identify more specific research questions that fall under these larger questions.

Research questions for a future evaluation

RQ 1: What short- and long-term outcomes do URM youth experience after leaving the program?

RQ 2: How do short- and long-term outcomes of URM youth compare to the outcomes of youth who have similar or overlapping experiences but who do not enter the URM Program (e.g., youth in domestic foster care)?

RQ 3: How do different URM program models and contexts relate to experiences and outcomes for URM youth? How do different models, services/activities, and contexts contribute to positive youth outcomes?

RQ 4: What specific services/activities are effective? Do they help youth achieve the intended outputs and short- and long-term outcomes? Why or why not?

The research questions build off the conceptual model and the three types of approaches we described in Section 5.A.1 (measuring outcomes, measuring impacts, and implementation). For example, Research Question 1 emphasizes measuring outcomes, focusing on the Short- and Long-Term Outcomes on the right side of the model. Research Question 3 has a more intentional focus on the context at the bottom of the model and incorporates both measuring outcomes and how programs deliver these services. Research Question 3 could also encompass other attributes of service models, such as partnerships or program improvement processes. These questions are stated at a general level; the conceptual model helps demonstrate what specific topics and measures each might involve. We recognize that some of these questions may be more feasible to answer than others. Exhibit 10 provides a preview of which research questions each type of design discussed in Section 5.B could answer.

Exhibit 10. Research questions for future evaluations addressed by design options

Research questions addressed by design	RQ 1	RQ 2	RQ 3	RQ 4
Quasi-Experimental Designs				
Propensity score matching		X		
Interrupted time series		X		X
Difference-in-difference		X		X
Non-Experimental Designs				
Non-experimental outcomes evaluation	X		X	
Case studies			X	
Comparative case studies	X	X	X	
Ethnographic-style research			X	
Other Designs				
Tests of individual services				X
Rapid learning methods/Rapid cycle evaluation			X	X

*We discuss randomized controlled trials in this chapter but do not think this design is feasible for the URM Program.

In the next section, we provide recommendations for approaches that could answer these questions.

5.D.2. Recommended evaluation designs

Ultimately, the choice of evaluation design depends on what ORR, URM provider agencies, and other stakeholders want to learn about the URM Program. In this section, we offer recommended design options for each of the suggested research questions, along with considerations and trade-offs. In addition, we describe next steps that we hope will help ORR and URM programs prepare for a future evaluation.

As a general approach, we recommend incorporating both qualitative and quantitative methods for all research questions. Incorporating youth and staff perspectives and voices into the design is critical for understanding the relationship between the services and implementation of the URM Program and youth outcomes.

RQ 1 What outcomes do youth in the URM Program experience?

To understand the central question of what outcomes URM youth experience, we suggest a mixed methods outcome evaluation, accompanied by existing benchmarks or goals against which to compare youth outcomes. In order to capture long-term outcomes, this would require a survey and/or links to external administrative data sources. We also recommend incorporating an element focused on implementation to learn more about the contexts and experiences of specific programs or services, such as case studies of specific programs or ethnographic interviews with youth.

RQ 2 How do short- and long-term outcomes of URM youth compare to the outcomes of youth who have similar or overlapping experiences but who do not enter the URM Program?

This question may be difficult to answer due to the limitations of potential comparison groups. We recommend comparisons to youth in domestic foster care. While youth in domestic foster care have different characteristics than URM youth, we believe that the requirement for the same range of services offered to each group could provide a useful comparison. A comparison to youth in domestic foster care could show how youth who have different characteristics but receive similar services, achieve similar or different outcomes. Understanding this comparison would provide information to ORR on what elements of the domestic child welfare system are most applicable to URM youth, what practices or service delivery approaches from domestic child welfare are most beneficial for URM youth, and what elements may be less relevant. These comparisons may also provide insight for the domestic child welfare system about notable practices from URM programs that they could benefit from, perhaps especially for jurisdictions who serve more youth in domestic foster care from linguistically, religiously, and culturally diverse backgrounds.

From a design perspective, we recommend comparative case studies. This could include a survey or administrative data linkages to compare long-term outcomes but would focus on strategically identifying programs or services for comparison (e.g., a URM program that provides services for both URM youth and youth in domestic foster care). We recommend including in-depth interviews with youth, as well as a variety of other data collection methods, such as surveys and interviews with staff members and foster parents, observations of program activities, document reviews, and/or additional data collection by programs. These data collection approaches could shed light on how URM and domestic child welfare programs implement services, youth experiences in these programs, and how local context and availability of services for URM youth and youth in domestic foster care may vary.

ORR or researchers could also explore QEDs. However, we do not recommend a specific one here, given the challenges with feasibility discussed earlier. It is possible that researchers may identify more feasible comparison groups than we considered or identify a programmatic or policy change of interest that they could analyze using the methods described above. If researchers do pursue a QED, we would suggest pairing it with a focus on program implementation and/or a qualitative approach, such as interviews with youth and staff in order to incorporate their perspectives.

RQ 3

How do different URM program models and contexts relate to experiences and outcomes for URM youth? How do different models, services/activities, and contexts contribute to positive youth outcomes?

A comparative case study design, which analyzes youth outcomes and takes a deep dive into strategically selected cases to illustrate relationships between program service, context, and youth outcomes, would be a good option. An example of cases to compare could be URM programs that license all foster parents as therapeutic foster homes compared to those that do not license therapeutic foster homes at all in order to learn about how this contributes to youth and foster family experiences, how this affects the characteristics of youth who enter the program, and whether it relates to youth well-being outcomes. To understand long-term outcomes, a survey or administrative data linkages would be necessary. As with RQ 2, we recommend using a variety of data collection options. However, in contrast to RQ 2, these case studies would not need to focus on a specific comparison group but could include cases for comparison on a broader range of attributes, such as comparing programs with different structures, service delivery models, or partnerships.

An outcome evaluation, similar in approach to RQ 1 could also provide insight on this research question. A qualitative data collection component, such as ethnographic interviews with youth and staff or an implementation study, would be especially important here to document service delivery and context.

RQ 4

What specific services/activities are effective? Do they help youth achieve the intended outputs and short- and long-term outcomes? Why or why not?

To understand the effectiveness of specific services, we recommend conducting tests of individual services, along with implementation research or rapid learning methods. This allows programs to compare URM youth to each other, rather than other groups that may not have similar characteristics or experiences. We also think that supporting programs to invest in this type of quality improvement would be beneficial over the long-term and would support a learning community across programs, as they could share their successes, promising practices, and lessons learned with each other. Examples of specific services we learned about on our site visits include financial incentive programs and mentoring programs.

5.D.3. Next steps and preparation for an evaluation

With these evaluation options in mind, ORR and OPRE can support a potential future evaluation through specific tasks focused on gaining input on design and building capacity for data collection and research. These next steps will provide a concrete foundation for an evaluation, even before the evaluation design is selected.

Engage programs and stakeholders in all stages of research and evaluation: Engaging programs (e.g., youth, staff, foster parents, SRCs) and stakeholders (e.g., resettlement agencies) on what they want to learn, how they think it might be feasible to learn it, and what they think is important to consider is critical for developing an evaluation approach that puts participants' perspectives at the center and produces findings that are useful and actionable for ORR and individual URM programs. Youth, foster families, and program staff bring unique expertise on the program which is key for an evaluation. Some specific ideas for structuring this engagement include:

- **Participatory approaches that include youth, foster parents, and staff in evaluation or research approaches, findings, and priorities:** Including individuals who experience the program in evaluation design, interpreting findings, and shaping future research ensures that the research not only includes them in data collection but also in the implementation and use of evaluation. Participatory evaluation strategies emphasize participants' lived experience and expertise in identifying research priorities, designing data collection approaches, discussing and contextualizing findings, and identifying lessons learned (Gujit, 2014). As a next step, ORR should engage youth, families, and staff in identifying evaluation priorities, research questions, and outcomes.
- **Develop an evaluation working group:** This group could include representatives from ORR, URM programs and state offices, researchers, and/or resettlement agencies to provide regular input on the design and development of an evaluation, including the topics listed below (defining outcomes, data collection, etc.).
- **Engage committees with representatives from programs on specific topics:** This could include bringing programs together to identify priorities for specific types of services such as independent skills, placements such as group homes, mental health services, etc. This could create a learning community while also developing strategic goals for research and evaluation that ensure methods and approaches are responsive to programs' individual needs. This would be most appropriate if considering approaches related to RQ 4.

Defining outcomes and specific research questions: Developing specific and measurable outcomes to explore in an evaluation that reflect the URM Program's goals is an important step. The conceptual model we presented earlier offers high-level outcomes to explore, based largely on definitions of success that youth, foster parents, and URM program staff identified during our information collection. However, those designing evaluations will need to define more specific outputs, short-term outcomes, and long-term outcomes on which they want their studies to focus. They may also need to tailor the conceptual model provided in this chapter or develop new conceptual models for their specific research questions and/or studies. In addition, ORR, evaluators, and/or stakeholders could collaborate to develop specific research questions, within the overarching questions described in this section, to guide an evaluation.

Preparing for data collection and analysis: While ORR collects detailed information on youth and services, there may be opportunities to collect data that is more detailed and for longer periods of time. Some ideas for steps for data collection include the following:

- **Increase capacity for data collection:** Developing approaches to collecting outcome data by programs and/or ORR, including revisiting existing data collection methods and supporting programs to collect outcome data, could yield better quality information. Multiple program directors and SRCs noted on the surveys that training and assistance on data collection would be helpful. Programs visited also articulated the desire to measure long-term outcomes on youth and to have a standardized way of assessing outcomes that are difficult to define, such as well-being or mental health. For example, one program cited the Colorado RISE survey as an example for what might be helpful for the URM Program (Lichtenstein,

Puma, Engelman, & Miller, 2016). This survey collected information to measure the integration of adult refugees in Colorado, using a conceptual framework for integration developed by Ager & Strang (2008). ORR could also consider updates to the ORR-3 and ORR-4 forms to systematically capture desired information on youth experiences and outcomes.

- Support programs to develop data-sharing agreements with partners: Partners are a valuable source of information, as URM programs work with other organizations to provide services to youth, as described in the previous section. Gaining access to information that partners have on youth could provide a more comprehensive picture of youth experiences.
- Prepare for administrative data linkages to understand long-term outcomes of URM youth: This includes examining possible resources, depending on the outcomes of interest, and identifying steps needed to acquire and/or link the data.
- Learn more about what sample size would be required for addressing specific research questions to determine feasibility and timeframe of evaluation: This may include conducting power calculations to determine what sample sizes would be needed to identify a minimum detectable effect for the approach and intervention being studied.

Identifying components for evaluation: If ORR pursues tests of specific interventions or rapid learning methods, ORR and/or individual programs would need to identify components of the URM Program to evaluate. This could include ORR and/or programs identifying existing service components which they already implement and think would be helpful to understand internally and to share more broadly with the URM, UAC, and/or domestic foster care community. Alternatively, ORR could provide programs with funding opportunities to support innovation and the development of new methods of meeting youth needs and include the evaluation component as part of the grant.

6. Conclusion

This study documented the characteristics of the unique group of youth served by the URM Program, the services that the URM Program offers to youth, and how local URM programs provide these services to youth based on their individual goals and needs. URM providers work individually with youth to identify their strengths and needs and have developed innovative approaches to support youth when they arrive in the United States in making a successful transition to adulthood, and in maintaining connections to their cultural and religious heritage, if youth desire.

Looking forward, ORR, local URM providers, youth, foster families, and other stakeholders can collaborate to develop an evaluation of the URM Program. There are a variety of options, depending on the goals for an evaluation and specific research questions. An evaluation could provide further insight into how program services build on youth's strengths and address their needs in order to help youth achieve their long-term goals related to employment, education, well-being, connections to their local communities as well as to their cultural and religious heritage.

References

- Ager, A. & Strang, A. (2008). Understanding Integration: A Conceptual Framework. *Journal of Refugee Studies*, 21(2). Accessed at <https://academic.oup.com/jrs/article/21/2/166/1621262>.
- Barrett, A., Nolan, L., Sykes, J., Proctor, K., and Parker, J. (2019). Production of the TAF Research Identifiable Files (RIFs). TAF DQ Brief #9010. Baltimore, MD: CMS. Accessed at https://www.resdac.org/sites/resdac.umn.edu/files/9010_Production_of_TAF_RIF.pdf
- Bernstein, H. & DuBois, N. (2018). Bringing Evidence to the Refugee Integration Debate. Washington, DC: Urban Institute. Accessed at https://www.urban.org/sites/default/files/publication/97771/bringing_evidence_to_the_refugee_integration_debate_1.pdf
- Capps, R., Newland, K., Fratzke, S., Groves, S., Fix, M., McHugh, M., & Auclair, G. (2015). The Integration Outcomes of US Refugees: Success and Challenges. Washington, DC: Migration Policy Institute. Accessed at <https://www.migrationpolicy.org/research/integration-outcomes-us-refugees-successes-and-challenges>
- Chiu, M. (2017). “Access to Innovation: Utilizing the Census Bureau Data Linkage Infrastructure for Evidence-Based Research.” Presentation for the American Evaluation Association: Moving Beyond the Barriers 2.0 - Effective Models for Using Administrative Data to Generate Evidence and Enhance Evaluation Capacity, November 9, 2017. Accessed at <https://www.census.gov/content/dam/Census/about/about-the-bureau/adrm/data-linkage/events/2017-11/Access%20to%20Innovation.pdf>
- Cook, B. & Pullaro, N. (2010). College Graduation Rates: Behind the Numbers. Washington, DC: American Council on Education. Accessed at <https://www.acenet.edu/Documents/College-Graduation-Rates-Behind-the-Numbers.pdf>
- Congressional Research Service (2019). John H. Chafee Foster Care Program for Successful Transition to Adulthood. Accessed at <https://fas.org/sgp/crs/misc/IF11070.pdf>.
- Congressional Research Service (2019). Unaccompanied Alien Children: An Overview. Accessed at <https://fas.org/sgp/crs/homesec/R43599.pdf>.
- Dehejia, R. & Wahba, S. (2002). Propensity Score-Matching Methods for Nonexperimental Causal Studies. *The Review of Economics and Statistics*, 84(1): 151–161. Accessed at <https://users.nber.org/~rdehejia/papers/matching.pdf>
- Dundar, A. & Shapiro, D. (2016). The National Student Clearinghouse as an Integral Part of the National Postsecondary Data Infrastructure. National Student Clearinghouse Research Center. Accessed at <https://nscresearchcenter.org/wp-content/uploads/NSC-as-an-Integral-Part-of-the-National-Postsecondary-Data-Infrastructure.pdf>
- Fok, C., Henry, D., & Allen, J. (2015). Research Designs for Intervention Research with Small Samples II: Stepped Wedge and Interrupted Time-Series Designs. *Prevention Science*, 16(7): 967–977. Accessed at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4581909/>
- Goodrick, D. (2014). Comparative Case Studies, Methodological Briefs: Impact Evaluation 9, UNICEF Office of Research, Florence. Accessed at https://www.unicef-irc.org/publications/pdf/brief_9_comparativecasestudies_eng.pdf

- Guijt, I. (2014). Participatory Approaches, Methodological Briefs: Impact Evaluation 5, UNICEF Office of Research, Florence. Accessed at https://www.unicef-irc.org/publications/pdf/brief_5_participatoryapproaches_eng.pdf
- Hammersley, M. (2006). Ethnography: problems and prospects. *Ethnography and Education*, 1:1, 3-14. Accessed at <https://www.tandfonline.com/doi/pdf/10.1080/17457820500512697?needAccess=true>
- Holzward, R., & Wagner, H. (2019). Rapid learning: Methods for testing and evaluating change in social service programs (OPRE Report 2019 57). Washington, DC: Office of Planning, Research and Evaluation, Administration for Children and Families, United States Department of Health and Human Services. Accessed at https://www.acf.hhs.gov/sites/default/files/opre/2018methodsmeeting_091119_b508_3.pdf
- Lichtenstein, G., Puma, J., Engelman, A. & Miller, M. (2016). The Refugee Integration Survey and Evaluation (RISE) Year Five: Final Report: A Study of Refugee Integration in Colorado. Colorado Office of Economic Security, Division of Employment and Benefits and Quality Evaluation Designs. Accessed at <https://drive.google.com/file/d/1oS9Xp9Hw2PGOT-3C3is6pnPPrwtyx0lf/view>
- Penfold, B. & Zhang, F. (2013). Use of Interrupted Time Series Analysis in Evaluating Health Care Quality Improvements. *Academic Pediatrics*, 13(6S): S38–S44. Accessed <https://www.academicpedsjnl.net/action/showPdf?pii=S1876-2859%2813%2900210-6>
- United States Conference of Catholic Bishops/Migration and Refugee Services. (2008). Pre-Placement Processes for Minors Entering URM Care (Non-DUCS). Washington, DC. Accessed at: <https://brycs.org/wp-content/uploads/2018/09/pre-placement-May08.pdf>.
- United States Conference of Catholic Bishops/Migration and Refugee Services. (2012). Special Immigrant Juvenile Status (SIJS) Flow Chart: Children in Federal Custody. Washington, DC.
- United States Citizenship and Immigration Services. (2018). Victims of Criminal Activity: U Nonimmigrant Status. Accessed at <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-criminal-activity-u-nonimmigrant-status>.
- United States Citizenship and Immigration Services. (2019). Chapter 2 - Eligibility Requirements. Accessed at www.uscis.gov/policy-manual/volume-6-part-j-chapter-2.
- United States Code. (2020). 8 USC 1101: Definitions. Accessed at uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title8-section1101&num=0&edition=prelim.
- United States Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2019). The AFCARS Report. Accessed at <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport26.pdf>
- United States Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement. (2020). A Guide to the National Directory of New Hires. Accessed at https://www.acf.hhs.gov/sites/default/files/programs/css/a_guide_to_the_national_directory_of_new_hires.pdf
- United States Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement. (2019). "About the Program." Accessed at www.acf.hhs.gov/orr/programs/ucs/about.

- United States Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement. (2012). “Who We Serve – Cuban/Haitian Entrants.” Accessed at www.acf.hhs.gov/orr/resource/who-we-serve-cuban-haitian-entrants.
- United States Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement. (2019). Latest UAC Data FY 2018. Accessed at <https://www.hhs.gov/programs/social-services/unaccompanied-alien-children/latest-uac-data-fy2018/index.html>
- United States Department of Health and Human Services, Administration for Children and Families, Office of Trafficking in Persons. (2019). Fact Sheet: Human Trafficking. Accessed at www.acf.hhs.gov/otip/resource/fshumantrafficking.
- United States Department of Homeland Security. (2020). Refugees and Asylees. Accessed at www.dhs.gov/immigration-statistics/refugees-asylees.
- United States Department of Housing and Urban Development. (2019). Notice PIH 2019-20: Tenant Protection Vouchers for Foster Youth to Independence Initiative. Accessed at <https://www.hud.gov/sites/dfiles/PIH/documents/PIH-2019-20.pdf>.
- Wing, C., Simon, K., & Bello-Gomez, R. (2018). Designing Difference in Difference Studies: Best Practices for Public Health Policy Research. *Annual Review of Public Health*, 39:453–69. Accessed at <https://www.annualreviews.org/doi/pdf/10.1146/annurev-publhealth-040617-013507>
- Whitaker, T., Reich, S., Reid, L. V. B., Williams, M., & Woodside, C. (2004). The National Association of Social Workers’ Child Welfare Specialty Practice Section Members Describe their Experiences In Child Welfare. National Association of Social Workers.
- White, H., & Sabarwal, S. (2014). Quasi-experimental Design and Methods, Methodological Briefs: Impact Evaluation 8, UNICEF Office of Research, Florence. Accessed at https://www.unicef-irc.org/publications/pdf/brief_8_quasi-experimental%20design_eng.pdf
- White, H., Sabarwal, S., and de Hoop, T. (2014). Randomized Controlled Trials (RCT), Methodological Briefs: Impact Evaluation 7, UNICEF Office of Research, Florence. Accessed at https://www.unicef-irc.org/publications/pdf/brief_7_randomized_controlled_trials_eng.pdf
- Wyman, P. & Hendricks Brown, C. (2015). Designs for testing group-based interventions with limited numbers of social units: The dynamic wait-listed and regression point displacement designs. *Prevention Science*, 16(7): 956-966.

APPENDIX

A. Glossary

B. URM Program entry flow chart

C. Technical Appendix

Appendix A. Glossary

ACF: Administration for Children and Families, in the United States Department of Health and Human Services.

Asylee: A person who meets the definition of refugee and is already present in the United States or is seeking admission at a port of entry.

Cuban/Haitian Entrant: Cubans and Haitians who have been paroled into the United States, who are in pending removal proceedings, or who have a pending application for asylum.

DHS: United States Department of Homeland Security.

DOS: United States Department of State.

ORR: Office of Refugee Resettlement.

RADS: Refugee Arrival Data System. This is the data management system used by ORR to house data pertaining to refugees resettled in the United States

Refugee: Any person who is outside any country of such person's nationality or habitual residence, and who is unable or unwilling to return to or seek the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

Special Immigrant Juvenile: This classification is available to immigrant children who have been subject to state juvenile court proceedings related to abuse, neglect, abandonment, or a similar basis under state law.

SRC: State Refugee Coordinator—the administrator who oversees the state's refugee resettlement services. This term may refer to the individual SRC within a state, or the office of the SRC.

Victim of Trafficking: A person who has experienced the “severe forms of trafficking in persons,” as defined by the Trafficking Victims Protection Act of 2000 (TVPA). This includes sex trafficking and labor trafficking.

UAC: Unaccompanied alien children are youth who are under age 18, do not have a lawful immigration status in the United States, and have no parent or legal guardian in the United States is available to care for them.

UNHCR: United Nations High Commissioner on Refugees, an agency within the United Nations, is the international governing body that aims to protect refugees and other forcibly displaced communities and assist with their resettlement and repatriation.

U-Status: This status may be awarded to victims of crimes who have experienced significant mental or physical abuse while in the United States and who are willing to assist the government in investigation of the criminal activity. This status is designated with a nonimmigrant visa that was created through the Trafficking Victims Protection Act of 2000 (TVPA).

Appendix B. URM Program entry flow chart

Eligibility Type	Initial Identification	Referral and Placement	URM youth enter local URM program
Refugee	1. UNHCR identifies unaccompanied youth in a refugee camp or host community outside of the United States. 2. A Best Interest Determination is conducted and third country resettlement is identified as the durable solution. 3. The youth is referred by UNCHR for U.S. resettlement. 4. Resettlement Support Centers, working on behalf of the U.S. Department of State, begin U.S. resettlement processing. 5. DHS interviews youth and adjudicates the case.	1. DHS approves youth for U.S. resettlement. Because the youth does not have a family member or guardian to care for them, the U.S. Department of State refers the youth to the URM Program. 2. Resettlement agency accepts case and coordinates with local URM providers to determine local placement.	• Youth travels from overseas to local URM program for initial placement.
Special Immigrant Juvenile Asylee Victim of Trafficking Cuban/Haitian Entrant U-Status	1. Youth enter ORR's UAC program after being identified by DHS. 2. Youth qualify as an SIJ, asylee, victim of trafficking, Cuban/Haitian Entrant, or for U-status.	1. UAC care provider or community member/advocate initiates URM application for youth. 2. ORR coordinates with resettlement agencies and local URM providers to evaluate capacity for placement in the URM Program.	• Youth travels from ORR care facility to URM provider, which may be in a different state. OR • Youth is in UAC long-term foster care co-located with URM program; upon gaining eligibility for URM, youth continues to receive services from same agency and may continue living in the same placement.

Note: This exhibit presents the major pathways into the URM program; however, a small number of the youth may enter the URM Program in ways not included here.

Appendix C. Technical appendix

This appendix provides details on the collection and analysis of the three major information sources used in this study: the surveys, the site visits, and the URM Program data. We received clearance from the Office of Management and Budget (OMB Control Number 0970-0526) for all data collection protocols, including the surveys, interview guides, and focus group guides, as well as for outreach communication materials for respondents.

Surveys

The objective of the surveys was to systematically collect program-level information to document state/local policies, as well as program operations and implementation of the URM program across the country. We fielded three surveys, one for each of the following: URM program directors (PDs), State Refugee Coordinators (SRCs), and child welfare agency administrators from states with private custody arrangements.¹⁵ The surveys helped us identify:

- the types of services offered under the URM Program;
- how services and benefits are administered;
- how URM programs and child welfare agencies work together;
- how services are implemented with different sub-populations (e.g., country of origin, method of entry, referral source);
- types of data collected and data collection systems used by URM programs;
- types of policies in place within URM programs; and
- expected outcomes of URM program participants.

The surveys also asked questions to identify any differences in program implementation by program characteristics as well as data collection needs. It gathered consistent information from all URM programs, which is a complement to the qualitative information collected from a subset of programs in the site visit portion of the study.

Survey administration

Respondents were asked to complete the survey via the secure online platform, SurveyGizmo. Below we describe the topics of the survey and expected time of completion for the survey. We gave the participants a response deadline of two weeks from the day the survey invitation was sent out but kept the survey open for eight weeks to maximize participation.

¹⁵ Due to the different levels of involvement of child welfare agencies in sites with public vs. private custody arrangements, we used different approaches to collect data for sites with each type of arrangement. In states with public custody arrangements, the child welfare agency has legal custody of the URM youth. In states with private custody arrangements, the URM program provider maintains legal custody of the youth. After consultation with ACF, we determined that the public custody child welfare administrators would be more likely to have in-depth knowledge of the URM Program, while the private custody child welfare administrators may have less to say. We decided that holding conversations with public custody child welfare administrators would be beneficial while a short, open-ended survey would be best for private custody child welfare administrators.

Survey	Topics	Question format	Duration
URM program directors	Program administration, services provided to youth, partnerships, program funding, promising approaches, challenges, and data and evaluation efforts	Multiple choice and open-ended	60 min
SRCs	Program administration, partnerships, program funding, promising approaches, and data and evaluation efforts	Multiple choice and open-ended	40 min
Private custody child welfare administrators	Relationship to URM programs, role in monitoring URM youth and foster families, role in licensing child placing agencies	Open-ended and one multiple choice	40 min

The PD and SRC surveys are mainly made up of multiple choice questions, with some open-ended questions. This mix of question formats allowed us to gather systematic information from all respondents, while at the same time capturing the nuances between programs. For the child welfare administrator survey, we used open-ended questions exclusively. Given the wide variety of relationships between child welfare agencies and URM program staff, we determined that this was the most productive approach to gathering accurate and useful information.

We expected that respondents would need to consult with their colleagues in order to answer all questions, and we encouraged them to do so. Respondents were able to download a Word version of the survey so they could print and fill it out as a group, and then enter their responses all at one time. Respondents were also given a link unique to their program/site/state, allowing them to share the link with colleagues and to save the survey and come back to it at a later time. Respondents could skip any questions on the survey that they did not want to answer.

Survey piloting

We piloted the survey in May/June 2019. The purpose of piloting the survey was to identify potential problems (both methodological and technical) with the survey before its full implementation (e.g., questions or wording that are confusing/unclear), as well as to better estimate how long it will take participants to complete the survey. This pilot period was also an opportunity to pinpoint any potential glitches or problems with the online survey platform, such as broken logic programming (e.g., skip patterns). We selected three URM program directors and three SRCs to pilot the surveys from the people who participated in the stakeholder engagement phase of the project.

We did not pilot the survey with child welfare administrators as we did not have established relationships with child welfare administrators in the URM program sites to whom we could reach out to pilot the survey. Additionally, the child welfare administrator survey is shorter and contains only open-ended questions, which we felt did not need to be piloted.

Target sample and recruitment

Survey sample

The table below presents our target sample size, compared to the final analytic sample. Participants in one state declined to participate in the survey.

Group	Target sample		Response rate
	size	Final sample size	
URM program directors (PDs)	24	23	96%
State Refugee Coordinators (SRCs) in states that have a URM program	15	14	93%
Child welfare administrators associated with URM Program sites with a private custody arrangement	10	4	40%*

*Some URM provider agencies in states with private custody arrangements have relatively minimal interaction with the child welfare agencies in their states. As a result, not all programs in states with private custody arrangements suggested child welfare agency contacts, and of those that did, we did not receive responses from all suggested contacts.

The program in Grand Rapids, Michigan has a large sub-office in Kalamazoo. Additionally, Lutheran Family Services Rocky Mountains (LFSRM) is the single URM provider in Colorado, but their Colorado Springs program and Denver program are distinct from each other. On the advice of ORR, we treated the Kalamazoo sub-office and the two programs under LFSRM as separate programs for the purpose of this survey. Therefore, survey respondents included: Bethany Christian Services – Grand Rapids; Bethany Christian Services – Kalamazoo; LFSRM – Denver; and LFSRM – Colorado Springs.

In North Dakota, due to a programmatic anomaly, the SRC is an employee of Lutheran Social Services of North Dakota (LSSND), the URM service provider in that state. Upon guidance from ORR, we asked the SRC to complete the PD survey as she is an employee of LSSND. We then asked the state Foster Care Administrator to respond to the SRC survey.

Identifying and recruiting participants

The Office of Refugee Resettlement (ORR) provided the study team with names and contact information for PDs and SRCs in states that have a URM program. ORR sent an initial email to all respondents to introduce the study team and the project. This was intended to lend credibility to our study and to encourage participation. The study team then sent an email invitation to participants, which included a unique electronic link for each designated respondent and instructions for completing the survey.

The survey was open for eight weeks to ensure survey participants had ample time to complete the survey. During that period, the team monitored responses and sent email reminders or made phone calls to respondents who had not completed the survey. Toward the end of the data collection period, we consulted with OPRE and ORR about strategies to encourage participation and to identify alternate contacts in some instances. Participants received a thank you email after the submitted their survey.

The process for identifying participants for the child welfare administrator survey was different than for the other two surveys. Given the variation in how these programs are implemented, there is no one set person at each child welfare agency whom we could contact. On the PD and SRC survey, we asked respondents to provide the name and contact information for a point of contact at the child welfare agency associated with their URM program. This was supposed to be someone knowledgeable about the URM program and the child welfare agency's role/responsibilities with the URM program.

Ensuring adequate survey response rates

Our target response rate for all three surveys was 100 percent, which we came close to meeting. The initial email from ORR to all participants indicating their involvement and support of the study was

helpful in achieving a high response rate. We conducted follow-up with respondents to help ensure we received as many responses as possible.

We also made attempts to reduce the burden of participation in the survey that we believe helped us reach our target response rate. For example, the SurveyGizmo platform allows participants to stop and save their survey responses so they can come back to the survey should they get interrupted.

Survey data analysis

Our analysis of the survey data was descriptive in nature and was led by the project's research questions, with subgroup analyses where possible. The section below describes how we prepared and analyzed the data.

Data cleaning/preparation

Missing values

Respondents answered most questions on each survey, with the exception of some open-ended questions. Some responses were missing due to skip patterns in the survey logic, meaning that respondents were only asked certain questions based on how they answered prior questions. For some questions it was clear whether the respondent skipped the question, but with others we had to make our own determinations.

Recoding "other" responses

Most questions on the survey had an "other" response, and respondents were prompted to further specify their answer. One study team member reviewed each response to determine (1) whether it should be included in one of the existing response options or (2) whether there were enough of those responses to warrant creating a new additional option. Based on the number of respondents and patterns of responses, the threshold for creating a new response option was three, combined between PD and SRC responses in some cases. A second team member performed quality control checks of the recoding and made changes as needed.

Recoding responses to open-ended questions

For the open-ended question on the surveys, we attempted to pull out common themes and recode the responses into "like" categories. Due to the small overall sample size and the available responses, we were not able to do this for every open-ended question. One study team member reviewed the responses to all open-ended questions to determine common themes. We used a threshold of three consistent responses (combined between PD and SRC responses in some cases) to create a response category. A second team member performed quality control checks of the recoding and made changes as needed.

Analysis

All analyses were descriptive due to the small sample sizes. When possible, we conducted subgroup analyses (via crosstabs) to compare responses among program characteristics. Due to skip patterns on some questions, the cell size for individual questions was too small in some instances to conduct subgroup analyses.

Site visits

We conducted six site visits to URM programs across the country to interview program staff and partners and conduct focus groups with youth and foster parents in the program.

Site selection

Given that only six of the 22 URM programs could be chosen for site visits, we aimed to capture a wide variety of program features that impact how services are provided to URM youth. The six sites were not fully representative of the characteristics of URM programs or of the individuals these programs served. Instead, we aimed to use the six sites to inform OPRE, ORR, and other audiences about the variety of ways programs operate in different conditions, and offer useful lessons for improving programs and crafting future evaluations. In consultation with ORR, we selected six programs that captured diversity across the following criteria: whether the program was affiliated with Lutheran Immigration and Refugee Service (LIRS) or the United States Conference of Catholic Bishops (USCCB), or both; custody arrangement; geography; and program size. Other factors were also considered, including relative proportions of refugees and unaccompanied children (UACs), types of services provided, and program tenure.

URM Provider agency	Location (Main Office)	Custody Arrangement	Resettlement Agency	Size
Catholic Charities Community Services	Phoenix, AZ	Private	USCCB	Medium
Crittenton Services for Families and Children	Fullerton, CA	Private	LIRS	Large
Lutheran Family Services Rocky Mountains	Denver, CO	Public (county- administered)	LIRS	Medium
Bethany Christian Services	Grand Rapids, MI	Public (state- administered)	LIRS and USCCB	Large
Commonwealth Catholic Charities	Richmond, VA	Private	USCCB	Medium
Lutheran Community Services Northwest	Seattle, WA	Private	LIRS	Large

Site recruitment

Once we determined the sites for inclusion, we first contacted the SRCs as a courtesy, and to learn contextual information and recommendations about engaging with local programs. We then reached out to program directors via email and scheduled calls to discuss the possibility of a site visit and to begin developing a site visit agenda. We coordinated directly with the program director and partners to schedule the visits.

Schedules and respondents

Site visit schedules varied by site, in response to recommendations of local URM program staff and availability of partner organizations. Site visits lasted two or three days and were conducted from

November 2019 to January 2020. We conducted 60- to 90-minute semi-structured interviews with URM program leadership, URM case managers, recruitment and licensing staff, staff from local community partners, and staff from schools attended by URM youth. All interviews were recorded with the consent of participants.

In addition, we conducted 90-minute focus groups with URM foster parents and youth. Local URM program staff recruited parents and youth to participate in the focus groups, which were voluntary. Focus groups were conducted in English at five sites and Spanish at one site, led by members of the research team. Participants received \$30 gift cards as tokens of appreciation for their time. Forty-five youth participated and 56 foster parents participated across all sites.

Example matrix of organizations visited and topics covered in interviews:

Organization	Services for URMs						
	URM Case Management	Licensing	Counseling & Mental Health Services	Cultural Orientation & Integration	Education Services	Health Services	Other Social Services
URM Program	X		X	X	X	X	X
Local child welfare agency (if state with public custody arrangement)	X	X					X
Community partner(s)			X	X	X	X	X
Education partner(s)—e.g., local high school					X		

Analysis of ORR-3 and ORR-4 data

We analyzed the URM Program data collected on the ORR-3 and ORR-4 forms to learn about youth experiences and services in the Program, and to understand what we can learn from the data for future research.

Data received

Data extract. ORR provided data from the ORR-3 and ORR-4, as well as from the case records for fiscal years 2014-2018. The specific files provided were as follows:

- Case records submitted FY 2014-FY 2018
- ORR-3 records submitted FY 2014-FY 2018
- ORR-4 records submitted FY 2014-FY 2018
- Case records submitted prior to FY 2014 for cases that had ORR-3s and ORR-4s submitted during FY 2014-FY 2018
- Codebooks for specific variables (immigration status, placement agency, and state agency)

The data did not include ORR-3s and ORR-4s filed prior to FY 2014 for cases that opened prior to FY 2014. If a case closure form was submitted during FY 2014, case records for those youth were provided but no other ORR-3s or ORR-4s from prior to FY 2014 were included.

Sample. For the purposes of this analysis, we agreed with OPRE and ORR on an analytic sample of youth who entered the program during federal fiscal years 2014-2018. Specifically, this includes youth who had an initial placement date from October 1, 2013 to September 30, 2018. There were 1,950 youth in our sample based on this definition. Of these, 533 (27.3 percent) had left the program by the end of FY 2018. Whether certain types of ORR-3 and ORR-4 reports and sections of each report are required can vary by the age of the youth.

Due to the large number of countries of origin, we created larger groups for reporting based on guidance from ORR. The table below shows the countries in each region. No youth were from Europe or Australia.

Region	Countries
Americas	Mexico, Honduras, El Salvador, Guatemala, Nicaragua, Haiti, Cuba, Ecuador, Dominican Republic
Middle East	Afghanistan, Pakistan, Iraq, Syria, Palestine, Iran
East Africa	Eritrea, Somalia, Ethiopia
Central Africa	Democratic Republic of the Congo, Rwanda, Burundi, Central African Republic, Uganda, Sudan, South Sudan, Zambia, Angola, Tanzania
Central/South Asia	Burma, Bhutan, Bangladesh, Sri Lanka, Nepal, India, Kazakhstan, Russia
West Africa	Cameroon, Ivory Coast, Ghana, Burkina Faso, Sierra Leone, Guinea, Nigeria, Liberia, Togo, Benin, Mali
East Asia	North Korea, Thailand, China, Cambodia

Analysis steps

We used Stata (Version 15.1) to analyze the data. We began by creating programs to clean the case data, ORR-3 data, and ORR-4 data, including recoding variables and creating new variables we required for analysis. We constructed several analytic files using these programs and used these files to conduct descriptive analyses, including frequencies and crosstabs, as well as graphs and tables.

Exhibit F

*Commission,
"Report to the President and the Congress, 1949-1952"*
MEMO TO AMERICA:

The DP Story

**THE FINAL REPORT OF
THE UNITED STATES
DISPLACED PERSONS
COMMISSION.**



WASHINGTON : 1952

**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1952**

Preface

The Displaced Persons Commission was created by Public Law 774, Eightieth Congress, June 25, 1948. Formal operations were begun on August 27, 1948, and the first boatload of displaced persons was received on these shores on October 30 of that year. Legislation eliminating the discriminatory and unworkable features of the original law, was signed by President Truman on June 16, 1950. The last boatload of immigrants came into the United States on July 21, 1952. The Commission's job under the Act was to resettle in the United States eligible displaced persons from Western Germany and Austria, and from Italy, German expellees, Italian refugees from Venezia Giulia, political refugees from countries now behind the Iron Curtain, and displaced and war orphans. The Department of State was charged with other responsibilities under the Act. The Commission completed its regular program activities on June 30, 1952, and closed its books on August 31, 1952.

This, in the briefest outline, is the history of a unique and most significant experience in American foreign policy. For the first time in the history of the United States, this Government formally established an agency to undertake the resettlement of other nationals in this country. Existing barriers to immigration, rigidly maintained for decades, were temporarily set aside and a means provided for the integration into the American economy of a total of over 400,000 immigrants who will be resettled in all of the 48 States and in the Territories and possessions of the United States. From the sordidness and the spirit-crushing atmosphere of the displaced persons camps and refugee centers came men and women of diverse faiths and national backgrounds to find a new life and a new hope in the United States, and to enrich our economy and culture.

Here was a democracy in action. Here was something more than monetary and material support to nations to assist them in the physical and spiritual reconstruction so necessary to their reattainment of a place among other nations. Here was a declaration of the responsibility of nations of wealth, to open their own borders to new settlers in the interest of world peace. The problems involved in the admission of two-fifths of a million persons into the American economy were recognized, but more important was the realization also that shelter, sustenance, and a new purpose in life had to be found for

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Although every agency did not necessarily engage in all phases of the displaced persons program, the joint contribution to each of several phases was enormous and was crucial to successful operations. The extent of this work and its importance in making for the successful completion of the program is indicated by the single fact that of the 311,645 assurances filed, almost 90 percent were submitted through voluntary agencies. The resettlement program established by the Act and the Commission's regulations, necessitated close cooperation between the Commission and the voluntary agencies.

This substantive relationship of the American voluntary agencies to the very operation of the displaced persons program was recognized during the Congressional debates leading up to the original enactment and the subsequent amendments of the Act. In fact, certain provisions of the Act, such as the loan provisions in the 1950 amendments, were couched in terms specifically devised and related to the voluntary agencies and their accepted role in the program.

The role of the relief worker in the war stricken areas of the world was not a new one for many of the voluntary agencies. Established as many of them were on strict nationality or religious lines, they had been giving assistance in the form of relief supplies even before the outbreak of World War II. Some indeed, were veterans in the field of immigration work, having been instrumental in helping earlier refugees to immigrate to other countries as well as to the United States.

Of the older established agencies, having affiliates or chapters in cities across the country, some were equipped to do follow-up work of a social welfare nature and to assist the alien in every way possible to become assimilated into American society and adjusted to his new life. The role of the agencies in this line of the program was also anticipated by one of the Commissioners several months before the displaced persons legislation was passed:

Civic and welfare groups, as well as the representatives of local government, are at work in this field and have already conducted surveys and laid plans which reflected in very encouraging reports. This work is being advanced at a rapid pace and further details will be made available to you as it progresses. Satisfactory progress has been made by agencies representing the three largest religious groups of our country. Many resettlement plans have already crystallized. I say with confidence that resettlement of 100,000 people per annum as prescribed by the Stratton bill, though involving a tremendous amount of work, can be accomplished. The offered and expected cooperation of State and municipal governments, of public and private welfare agencies, and of religious groups assures this. We are suggesting to these cooperatives the establishment of a central committee to act in close concert and liaison with the representatives of the Federal Government who will be charged with the administration of the hoped-for legislation.

Accreditation

The Commission was faced with the problem of deciding which voluntary agencies were to be active members of this partnership.

The need for Government registration of overseas voluntary relief work was begun in 1939 under the terms of the Neutrality Act which required all such relief agencies to register and submit monthly reports if they planned to engage in relief activities in belligerent countries, the purpose of the registration being to prevent activities which might be inimical to the United States.

The President's War Relief Control Board operated from July 25, 1942, until May 15, 1946. The Advisory Committee on Voluntary Foreign Aid was formally organized on July 10, 1946, to "guide the public, and agencies seeking the support of the public in the appropriate and productive use of voluntary contributions for foreign aid * * *." The committee undertook liaison and consultation between appropriate Federal, International, and other public authorities and private bodies of related interests to facilitate policies and procedures, appraisals of relief needs, their appropriateness to voluntary agency programs, the adequacy of American programs abroad, maintenance of a public record of the programs, and evaluation of the programs, budgets, and operations, with an eye to possible correlation between programs.

When the Commission started operations, it limited its accreditations and recognition to agencies which were registered by the Advisory Committee, and who had had experience in resettlement work. On October 21, 1948, nine agencies were granted temporary accreditation by the Commission, on the condition that their programs would be registered by the Advisory Committee, and that they have established working relationships with the International Refugee Organization. At that time the following agencies were accredited: Church World Service, Hebrew Sheltering and Immigrant Aid Society, International Rescue Committee, Mennonite Central Committee, National Lutheran Council, National American Federation of International Institutes, United Service for New Americans, United Ukrainian American Relief Committee, and War Relief Services of the National Catholic Welfare Conference.

In February 1949, registration with the Advisory Committee was required of all voluntary agencies desiring accreditation to work with the Commission overseas, by virtue of an agreement with the Advisory Committee. Under the terms of that agreement it was stated:

1. The Commission will consider for recognition only those voluntary agencies which have registered with the committee and whose programs have been approved by the committee pursuant to its conditions of registration published September 1, 1948, or any amendments thereto.

2. Voluntary agencies applying to the Commission for initial recognition must be registered and their programs approved by the committee in order for them to receive recognition by the Commission for overseas work.

However, the Commission retained the authority to accredit an

agency which was not recognized by the Advisory Committee, although it planned to use this power sparingly, if at all.

The conditions of registration with the Advisory Committee required that the applicant be "a United States voluntary nonprofit agency engaged in, or which desires to engage in, an operations program overseas for the relief of human suffering or related forms of aid arising from or connected with World War II;" and further that "the operations overseas when supported by the granting of United States Government facilities are supervised in the countries of operations or participated therein by United States citizens." Registrants were also required to file fiscal reports and to supply information relating to relief supplies distributed by the agency.

Thus, the reliability of the Commission's accredited voluntary agencies was attested to and supervised by a special United States agency set up for that purpose.

By the end of the program, 19 agencies had received accreditation:

- American Committee for Resettlement of Polish D. P.'s.
- American Federation of International Institutes.
- American Friends Service Committee (withdrew 1949).
- American National Committee to Aid Homeless Armenians.
- Church World Service.
- Hebrew Sheltering and Immigrant Aid Society.
- International Rescue Committee.
- Mennonite Central Committee.
- National Catholic Welfare Conference—War Relief Services.
- National Lutheran Council.
- Order of A. H. E. P. A.
- Serbian National Defense Council—Division of Displaced Persons.
- Travelers Aid Society.
- Tolstoy Foundation.
- Unitarian Service Committee.
- United Friends of Needy and Displaced People of Yugoslavia.
- United Service for New Americans, Inc.
- United States Committee for the Care of European Children.
- United Ukrainian American Relief Committee.

Although registration was required only of those agencies which were actively engaged in relief operations and maintained American staffs in foreign countries, many voluntary agencies which normally did not maintain such overseas staffs registered with the Advisory Committee in order to participate in the displaced persons program. The basic reason for this was their desire to file assurance with the Commission as the sponsor rather than merely as an expediting agency. One of the Commission's basic requirements with respect to the acceptance of blanket unnamed assurances was that the agency would maintain sufficient staff overseas to make the nominations for the sponsor against assurances.

Assurances

The sponsorships through assurances were the life blood of the program—no assurance, no displaced person in the United States. The bulk of this aspect of the program fell on the many religious and nationality organizations, only some of which were already actively participating in the field of immigration and resettlement when the Displaced Persons Act was passed. It was always anticipated that the voluntary agencies would make one of their greatest contributions to the program through submitting assurances. To this end, and because of their reliability and unquestioned responsibility, the Commission waived notarizations of their assurances, and established special so-called blanket assurances, whereby the assurance need not specifically identify job or housing accommodation until the actual visa stage in the pipeline.

The first step in the cooperative operational relationship revolved about the assurance. From or through their own constituencies, the voluntary agencies filed assurances with the Commission. These assurances were transmitted to the Commission headquarters in Washington from the agency's headquarters instead of being sent from their local offices.

Thus, through sponsorships, the voluntary agencies pumped life-blood into the program and got it going.

In addition to the individual named assurances which agencies submitted on behalf of relatives or friends, several agencies also submitted named and unnamed blanket assurances which did not specifically identify the housing or employment facilities. In connection with the blanket assurances, the agency itself assumed the responsibilities of sponsorship with respect to the assurance of housing, employment, inland transportation, port reception, and against the immigrants' becoming public charges. Agencies maintained their own records of their cases and established their own procedures for reporting status on cases to their own sponsors.

An incidental, but highly important, result of the submission of assurances by voluntary agencies was a much broader base of geographic distribution than otherwise likely, owing to their widespread chains of local, affiliated, and associated organizations. This geographic distribution was one of the Congressional objectives set forth in the Act.

The Commission accepted assurances submitted by accredited voluntary agencies, without a requirement for an audit by the appropriate State commission on the explicit assumption that the voluntary agencies would, through their local committees and representatives, make appropriate checks on the reliability of the sponsor and the desirability of the resettlement opportunity. In the vast majority of the cases, such checks were made in one form or other. However, in prac-

Protestant, Jewish, and Catholic agencies was mutually accepted. Because of this division along religious lines, a problem was sometimes presented in cases of mixed marriages. CWS provided assurances for 200 of the mixed marriage families and for 200 Moslem families.

One of the larger projects undertaken jointly by Church World Service and Tolstoy Foundation was the immigration and resettlement of some 600 Kalmuks, last survivors of a once numerous people gradually exterminated by Soviet aggression. Under the terms of an agreement with the International Refugee Organization, Tolstoy and CWS undertook the Kalmuk resettlement, receiving \$10,000 for administration and operational expenses, a resettlement grant of \$80,000 for resettlement, on the basis of \$200 per person, and an additional \$10,000 if the minimum requirement of 400 could be resettled. Additional grants were given for "hard-core" cases. By April 1952, 532 Kalmuks had been resettled in the United States. The Kalmuks were Buddhists and had a community organization centered in their religion. This project was unique in many respects and those who sponsored it are to be complimented for undertaking its especially heavy responsibilities.

One of the most difficult problems facing the IRO was the resettlement of "hard core" cases, the aged, infirm, physically handicapped, who required special attention. With the assistance of special grants from IRO, CWS undertook the resettlement and rehabilitation of 330 such persons, with an IRO grant of \$500 per family unit. These persons and their families were selected by the staff of CWS from persons eligible for IRO resettlement assistance. CWS was charged with the responsibility of providing assurances, rehabilitation, and location after their arrival in the United States. The Commission cooperated fully in this project.

National Catholic Welfare Conference—War Relief Services (NCWC)

The War Relief Services of the National Catholic Welfare Conference was authorized in 1947 by the Board of Bishops to establish a National Catholic Resettlement Council to serve as a principal operating agency in aiding refugees from Germany, Austria, and Italy to enter the United States and other countries of the Western Hemisphere.

The Resettlement Council was originally composed of representatives of NCWC, National Catholic Rural Life Conference, National Conference of Catholic Charities, National Council of Catholic Men, National Council of Catholic Women, and 24 other Catholic and nationality organizations throughout the United States. The membership also included a Diocesan Resettlement Committee director from each of the 120 dioceses in the United States. War Relief Services was charged with administrative responsibility for the program of the resettlement council.

The functions of the National Catholic Resettlement Council included the following: (1) Promotion of interest in the problem and distribution of information concerning the displaced persons program to Catholic individuals and groups throughout the country; (2) developing a system of sponsorship under which the names and addresses of all Catholics who were prospective sponsors would be catalogued; and (3) providing plans for follow-up care for the displaced persons after they had arrived in order to promote satisfactory resettlements.

One estimate made during 1948 placed at 52 percent the proportion of Catholics in displaced persons camps and other centers in Europe. The original target set by War Relief Services was for the resettlement of a minimum of 100,000 Catholic displaced persons plus as many non-Catholic displaced persons as directly or through their sponsors, requested the services of National Catholic Resettlement Council.

The diocesan resettlement committees worked at the community level to procure job and housing assurances, and assurances against public charge. The national office in New York acted as a clearing house for the diocesan committees and coordinated the work between Europe and the United States.

NCWC conducted an overseas orientation program after visa issuance. Upon the embarkation of a displaced person ship for the United States, the national office of War Relief Services was notified by cable of all its cases aboard. The national office advised the affected local committees in advance of the arrivals in order that the committees and sponsors might make the final arrangements for placement. Inland transportation arrangements were made well in advance of arrival in most cases as a result of this system. This communications network also greatly facilitated the arrangement of substitute opportunities for displaced persons whose sponsors had withdrawn their assurances after embarkation of the D.P.'s.

The wide dispersment of the 120 diocesan resettlement committees and the large number of Catholic parishes in and outside of the large cities permitted an effective follow-up system in carrying out the resettlement aims of the National Catholic Resettlement Council. Reports from the diocesan resettlement directors indicated that successful resettlements resulted in from 80 to 85 percent of all cases sponsored by the agency with the first resettlement placement.

At the height of the displaced persons program War Relief Services-NCWC employed about 650 persons directly concerned with all phases of the displaced persons operation, both in Europe and the United States. About 380 of these were in Europe, the remainder in the United States. In addition, many hundreds of volunteers aided on a part-time basis at the ports of reception and at the points of final destination.

As of June 30, 1952, War Relief Services-NCWC, acting through the National Catholic Resettlement Council, had brought into the United States a total of 135,350 displaced persons, 15,387 expellees and 957 orphans. Continuing resettlement activities occur largely at the diocesan level.

National Lutheran Council (NLC)

The National Lutheran Council had been active in the field of migration since 1939. From small scale participation in refugee programs, carried on in cooperation with the American Committee for Christian Refugees and its successor, Church World Service, the program has grown considerably. In 1946 a European program of pastoral care and rehabilitation was inaugurated under the Lutheran World Federation. When responsibilities toward Lutheran refugees assumed larger proportions, a separate agency, the Lutheran Resettlement Service, was established in the fall of 1948 to meet the increased workloads on the division of welfare of the National Lutheran Council.

NLC's refugee immigration program was handled by two separate arms, in Europe by the Service to Refugees of the Lutheran World Federation, and in the United States by the Lutheran Resettlement Service. Registered by the Advisory Committee on Voluntary Foreign Aid for participation in the displaced persons and orphan programs under the 1950 law, in the specified areas, the spheres of participation of these two bodies expanded after the 1950 amendments to include the German expellees, out-of-zone refugees, Venezia Giulians, European refugees in the Far East, and other groups.

To meet the needs of the program, 36 Lutheran area and State resettlement committees were organized. The primary functions of these local committees were to obtain assurances and to assist in resettlement activities. The national staff, from a modest beginning of 3 persons, increased to a high of 125 during the first 6 months of 1950, and paid staff in the area and State offices reached a maximum of 75 during the same period.

Of an initial goal of 35,000 displaced persons to be brought to the United States under NLC sponsorship, approximately 32,000 were brought into this country. However, instead of the estimated 10,000 assurances to accomplish this project, 21,000 assurances were necessary. Under the amended Act, new goals for the sponsorship of 10,000 German expellees were established and by March 1952—the closing date for filing—2,500 assurances for expellees had been sent to the European office.

Throughout the program the Lutheran Resettlement Service operated on an individual rather than blanket assurance basis, in the belief that better placements could be made in this manner. This agency preferred to work in terms of its "dossier" program, whereby actual

descriptions of the displaced persons were submitted stateside before final action was taken on nominations. Refugees entering the United States were advised of the assurances covering them before leaving Europe and were afforded follow-up case work service. Facilities were available for displaced persons requiring special attention because of illness, poor social adjustment, or unsuitable employment.

Late in the program, NLC developed a plan of charging a fee of sponsors of named persons, as a means of conserving its resources to process unnamed assurances.

Inland transportation was furnished to the immigrants on a loan basis by the Lutheran Resettlement Service and the loan was collected from them when they were able to pay. Of the some \$1,250,000 loaned by NLC, approximately 76 percent had been repaid by June 30, 1952. The Lutheran Resettlement Service found the repayment of these loans to have a valuable byproduct in that the correspondence exchanged with the immigrants with regard to the payment of loans led to periodic reports from them telling of their progress in resettlement. Individual records were kept on each arrival at the national office, and in some instances case records were kept at area offices.

United Service for New Americans (USNA)

United Service for New Americans and its predecessor agencies had a history of 14 years of active work in the immigration, resettlement and integration of Jewish refugees in the United States by the time the Commission's program began. USNA evolved from the consolidation of the National Refugee Service and the National Service to the Foreign Born Section of the National Council of Jewish Women in July 1946. Both organizations had been very active in immigration work, particularly in assisting immigrants in all phases of this work from premigration planning to the point of final integration. The National Council of Jewish Women especially had been active in the actual resettlement and integration of the aliens into the community life. Local sections of this body remained in existence and continued working with local welfare agencies and resettlement committees.

Building on this structure, USNA was instrumental in forming a network of community welfare agencies throughout the country to accept resettlement responsibility for the newcomers. Volunteer committees were organized in communities where none previously existed and trained field staffs gave professional guidance.

In Europe, the American Jewish Joint Distribution Committee (AJDC), an overseas agency organized in 1914 to render aid to Jews in all parts of the world, handled much of USNA's European field services.

In October 1948, USNA and Hebrew Sheltering and Immigrant Aid Society reached an agreement whereby USNA would handle all the blanket assurances from Jewish community groups, while HIAS

Exhibit G

96th Congress }
2d Session }

COMMITTEE PRINT

REVIEW OF U.S. REFUGEE RESETTLEMENT
PROGRAMS AND POLICIES.

A REPORT

PREPARED AT THE REQUEST OF
Senator EDWARD M. KENNEDY, *Chairman*
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

BY THE
CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS
NINETY-SIXTH CONGRESS
SECOND SESSION .



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1980

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(II)

FOREWORD

America has been a haven for the world's homeless since the first colonists reached these shores four centuries ago. Since then, the American people have a record of accomplishment in offering a helping hand to refugees that is unsurpassed by any other nation.

We can be proud of this record. Over many years we have responded generously and compassionately to the needs of the homeless, and our national policy of welcome has served our country and our traditions well.

But for too long our policy toward refugee assistance and resettlement lacked effective programing and planning. We admitted refugees in fits and starts because our immigration law was inadequate and out of date. Once refugees arrived, our resettlement programs and policies were inconsistent and out of touch with today's needs.

To bring some long overdue reform to our country's refugee policies and programs, Congress has enacted "The Refugee Act of 1980." As stated in the first title of the act, the objectives of the act were "to provide a permanent and systematic procedure for the admission to this country of refugees of special humanitarian concern to the United States, and to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted."

The new law accomplishes six basic objectives:

1. It repeals the previous law's discriminatory treatment of refugees by providing a new definition of a refugee—moving us away from only accepting refugees "from communism" or certain areas of the Middle East—to all who meet the test of the U.N. Convention and Protocol on the Status of Refugees.
2. It raises the annual limitation on regular refugee admissions from 17,400 to 50,000 each fiscal year.
3. It provides for an orderly but flexible procedure to deal with emergency refugee situations if the resettlement needs of refugees of "special humanitarian concern" to the United States cannot be met within the regular ceiling established prior to the beginning of the fiscal year.
4. It replaces the former use of the "parole authority" contained in section 212(d)(5) of the Immigration and Nationality Act—which has been governed only by custom and practice—with new statutory language asserting congressional control (i.e., formal "consultations") over the entire process of admitting refugees.
5. It establishes an explicit asylum provision in our immigration law for the first time.
6. It provides for a full range of Federal programs to assist in the resettlement process, and statutorily creates the Office of Refugee Resettlement to monitor, coordinate, and implement refugee resettlement programs.

IV

Together, these provisions will enable the United States to meet any refugee situation, anywhere, and to deal with it more effectively and efficiently. The new law ends years of ad hoc programs and differing policies toward different refugees, and puts our refugee programs on a firmer footing.

To give some perspective to this new law, I asked the Library of Congress to update an earlier study on U.S. refugee resettlement programs, and to review for the committee the evolution of U.S. refugee law and policy. A revised edition of that study has now been submitted to the committee by the Congressional Research Service and is printed in this volume, along with other background material on refugee programs and policies.

The committee hopes this report will contribute to a better public understanding of U.S. refugee programs.

EDWARD M. KENNEDY,
Chairman, Committee on the Judiciary.

LETTER OF SUBMITTAL

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
August 8, 1980.

Senator EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to submit a report on U.S. refugee resettlement law and policy which was prepared at your request by the Congressional Research Service.

The report was written by Charlotte J. Moore, analyst in social legislation, of our Education and Public Welfare Division. It is a revised and updated version of a 1979 CRS paper of the same title by Catherine McHugh. Since that time, major legislation, the Refugee Act of 1980, was enacted by Congress. Ms. Moore's update focuses on the development of the Refugee Act in the context of past U.S. refugee admission and resettlement programs and policies.

We hope that this report will serve the needs of the Committee on the Judiciary, as well as the needs of other committees and Members of Congress concerned with U.S. refugee policy.

Sincerely,

GILBERT GUDE,
Director.

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APPENDIX III:

REFUGEE RESETTLEMENT IN THE U.S.:

TIME FOR A NEW FOCUS

A Report

by

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David S. North

David A. Ford

with the Research and Editorial Assistance of

Robin Wagner and

Deacon Ritterbusch

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August 23, 1979

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Chairman
Senate Judiciary Committee
U.S. Senate
Washington, D.C.

Dear Senator Kennedy:

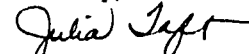
During the past ten months I have been working on a study of refugee resettlement policies in the United States during the past twenty-five years. Enclosed is the final report which was prepared under a grant from the Social Security Administration. As you will see from the text, the study examines the historical, demographic, psychological and institutional contexts of resettlement programs, as well as an in depth look at the specific efforts for Chilean, Cuban, Hungarian, Indochinese, Kurdish and Soviet refugees.

Throughout the development of the report Jerry Tinker was a most helpful resource, and I wish to express my appreciation for his generous and able assistance.

The report contains 56 recommendations for modifying the current policies and procedures for refugee resettlement within the United States. As your Committee continues its deliberations on a National Refugee Policy, I hope you will find our suggestions useful. Please don't hesitate to let me know if you would like additional information.

With warm regard,

Sincerely,


Julia Vadala Taft

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The Indochinese refugee situation caused the creation of two different management entities. Following the fall of the Saigon Government in April, 1975, President Ford established the Interagency Task Force for Indochinese Refugees. The Task Force directed the interagency effort to move the refugees from Southeast Asia through the Western Pacific transit centers, through the four Stateside camps and into the resettlement process. The crisis stage was regarded as terminated on December 31, 1975 when the Task Force completed its work.

To organize the Government's response to the plight of the Hungarian refugees, President Eisenhower on December 12, 1956 created the President's Committee for Hungarian Refugee Relief, chaired by Tracey S. Voorhees.⁸ It coordinated that resettlement effort until it went out of business on May 14, 1957.

Most recently, the Office of the U.S. Coordinator for Refugee Affairs, headed by Ambassador-at-Large Dick Clark, was established by President Carter in February, 1979, for policy oversight and coordination responsibility in both domestic and overseas refugee-related matters. That Office, within the State Department, not only encompasses the functions of State's Office of Refugee and Migration Affairs, but also serves as the focal point within the Executive branch for budgetary review and liaison with Congress, State, local and foreign governments in refugee-related matters, and is charged with program direction and coordination across all Federal agencies. In the latter capacity the Coordinator chairs the Interagency Working Group on Refugees comprised of senior officials from agencies with refugee concerns. The establishment of this Office and the Interagency Working Group are major steps forward in the Administration's effort to rationalize and coordinate refugee policies more effectively.

C. Traditional Voluntary Resettlement Agencies

Since World War II the voluntary resettlement agencies have been the most eloquent and effective advocates for refugee admission. Throughout the years they have been the organizations in most direct contact with the refugees, as they have assumed responsibility for the day-to-day pre-migration counseling, reception, placement and other resettlement efforts.

The voluntary resettlement agencies traditionally provided assistance without government financial support, using their own financial resources and volunteers to provide services to refugees. The Cuban, Soviet and Indochinese programs, however, have been accompanied by per capita grants to the resettlement agencies, although this funding does not cover actual costs of resettlement.

⁸ White House, press release, December 12, 1956.

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The non-sectarian agencies have normally relied upon sponsorship of refugees by individuals or community groups or have taken on the assignment of sponsors directly, relying upon a network of local offices staffed by caseworkers. The religiously-affiliated agencies have normally linked refugees with their diocesan structures or local churches which provide direct services to refugees.

For the purposes of this report we are using a de facto definition of a voluntary agency as an entity through which the U.S. Government ensures the resettlement of refugees in the U.S. The current (July 1, 1979) list of such entities can be found in Table 5. Clearly this is, despite their common concern in refugee resettlement, a mixed collection of organizations, some much larger than others, some new to the field, many with decades of experience. Table 5 shows the extent to which these agencies have been involved in the listed refugee movements, as well as membership or nonmembership in the American Council of Voluntary Agencies for Foreign Service, Inc., the umbrella agency.

Currently there are four refugee programs in which the Government provides funds for resettlement agencies. The State Department provides per capita resettlement grants for Indo-Chinese refugees (\$350) and Soviet, Eastern European and other refugees (\$250) in differing amounts. The Cuban placement programs, funded by HEW, at the moment are too small to justify a per capita system of fund allocations, but some small grants were made. The only matching grant program among the four is HEW's \$1,000 per capita program for Eastern European refugees, which is primarily for Soviet Jews. The \$1,000 grant covers long term resettlement services rather than just the reception and placement expenses.

The largest of the resettlement agencies is the Migration and Refugee Services of the U.S. Catholic Conference, which operates as an arm of the Catholic Church. There are three Protestant resettlement agencies: the Lutheran Immigration and Refugee Service; the World Relief Services, a new entity among the resettlement agencies which relates to the Evangelical churches; and Church World Service, which works through other (non-Lutheran and non-Evangelical) Protestant churches.

HIAS (Hebrew Immigrant Aid Society) offers its assistance to refugees through a network of Jewish Family Service agencies. Ravtov (a Hebrew word meaning approximately "much good") is a newcomer to the field, specializing in the resettlement of religiously conservative Jews.

The Tolstoy Foundation was created earlier in this century to help White Russian refugees, particularly those in the arts;

TABLE 5

Refugee Resettlement Activities of Voluntary Agencies, July, 1979

Voluntary Agency	STATE DEPARTMENT-FUNDED PLACEMENT GRANTS			HEW FUNDED PROGRAMS			
	FY '79 Indo-Chinese Program	FY '79 European Program	FY '78 Cuban Program	FY '79 Indo-Chinese Program	FY '78 Cuban Program	1979 European Program	Block Grant (000s) 1/
	Number of Refugees	Total Grant (000s) 1/	Number of Refugees	Total Grant (000s) 1/	Number of Refugees	Total Grant (000s) 1/	
*American Council for Nationalities Service	4,800	1,680	-	-	-	-	33
*American Fund for Czechoslovak Refugees	750	263	77	19	-	-	33
*Church World Service	2,250	788	-	-	21	10	-
*Hebrew Immigrant Aid Society	900	315	7,792	1,948	-	-	8,000
*International Rescue Comm.	3,500	1,225	893	223	35	10	586
State of Iowa	500	175	-	-	-	-	-
*Lutheran Immigration and Refugee Service	3,700	1,295	-	-	-	-	15**
*Polish American Immigration and Relief Committee, Inc. Rantov	-	-	81	20	-	-	-
	-	-	341	85	-	-	232
*Tolstoy Foundation	600	210	274	69	-	-	150
*U.S. Catholic Conference	12,500	4,375	1,164	291	1,066	40	100
*World Relief Services	500	18	-	-	-	-	-

*Member of the American Council of Voluntary Agencies.

**Predicted total; contract not signed as of this date. 1/ numbers rounded to nearest thousand.

Source: Telephone conversations with State and IRAP, HEW, and with ACVA.

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the Polish and Czechoslovakian organizations were similarly created to assist refugees from those nations.

The two non-ethnic, non-religious, non-governmental entities on the list are the International Rescue Committee, which operates through branch offices, and the American Council for Nationalities Service (ACNS). The latter is a nationwide umbrella organization of local immigrant-serving agencies, often called International Institutes. ACNS also publishes the highly useful newsletter for those concerned with refugee and immigration matters, Interpreter Releases.

The State of Iowa, because of Governor Robert Ray's strong interest in the subject, became, in the sense used here, a voluntary agency in 1975. Iowa has concentrated on the resettlement problems of the Lai Dam tribesmen.⁹

Each of these agencies operates with its own guidelines and program delivery systems. While there is a wide disparity in the procedures used to resettle refugees, each agency must agree to provide services leading to self-sufficiency. The multitude and diversity of the various resettlement structures has created numerous problems with regard to equity and quality of treatment for refugees. These issues will be examined in Part II.

It is interesting to note that of all the agencies currently utilized for resettlement services, none is primarily Hispanic or Oriental, although during the past decade the overwhelming majority of the refugees resettled were Cuban or Indochinese. The extent to which existing agencies are sensitive to the ethnic, cultural, and religious diversity of current refugees is an issue which is explored in this report. It is a continuing challenge to the resettlement agencies to adapt to the changing complexion of refugee movements in a manner which promotes cross-cultural appreciation rather than antipathy or paternalism.

D. State and Local Governments

State and local governments play a critical role in refugee resettlement. We have been told on numerous occasions by State and county officials that the Federal Government admits refugees, but refugees are not resettled on Federal land -- they are resettled in individual States. Because refugees come under the

⁹The Travelers Aid International (which resettled 532 Indochinese refugees) and the Chinese Consolidated Benevolent Association (which resettled 900 refugees) are no longer on the State Department's list of active voluntary agency grantees, nor are the States of Maine, New Mexico, Oklahoma, and Washington, or Jackson County (Missouri) and Indianapolis (Indiana), all of which played that role in 1975.

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PART II

CHAPTER 1: THE HUNGARIAN REFUGEE PROGRAM

In October 1956, student demonstrations in Budapest, Hungary led to riots when police began arresting the demonstrators. Groups of workers, intellectuals and individuals who had long resented repressive conditions in Hungary joined the upheaval. A declaration of martial law and the arrival of Soviet troops sparked a general insurrection which was vigorously repressed. During the next few days the revolutionary government fell and refugees began streaming into Austria and Yugoslavia.

The large numbers of refugees arriving in Austria (21,000 during the first three weeks after the uprising), in addition to the thousands of refugees remaining from World War II, led Austria to request assistance from the Governmental Committee for European Migration (ICEM) and the United Nations High Commissioner for Refugees (UNHCR). At the urging of the High Commissioner, offers of asylum were received from numerous governments, and, on November 2, 1956, President Eisenhower announced that as many as 5,000 Hungarians would be admitted to the U.S.¹

By late November, 7,000 Hungarians were crossing the border daily; however, the numbers of refugees crossing the frontier gradually began to decrease as tighter military controls were established in Hungary. By March 1957, refugee movement from Hungary into Austria and Yugoslavia had stopped. By late winter of 1958, 200,119 Hungarian refugees had fled their country and over 170,000 had been resettled in third countries. The United States accepted 38,121 of them.²

While there were similarities between the Hungarian movement and earlier resettlement programs (use of the voluntary resettlement agencies, and assistance from international agencies, for example), there was one significant way in which the Hungarian program differed--the speed with which it occurred. The sense of urgency which developed was the result of the need for quick relief to Austria which already carried a major refugee burden, and the need to take advantage of the wide-spread offers to assist the Hungarian refugees.

¹Markowitz, "Humanitarianism Versus Restrictionism," op.cit.

²Data furnished by ICEM to the American Council of Voluntary Agencies for Foreign Service, Inc., Report of Fact Finding Committee of the Committee on Migration and Refugee Problems on the Hungarian Refugee Program (New York: ACVAFS, May 1958, mimeo).

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Within the United States, the refugees received a warm reception. Positive reaction in the press appeared to be an important factor in creating support for the refugees, as did the existence of substantial Hungarian ethnic communities.

This chapter examines the resettlement experiences of the Hungarian refugees and reviews the activities of the public sector, particularly the Federal Government, and the overwhelmingly receptive role of the private sector.

A. Resettlement - The Federal Response

The first 5,000 Hungarian refugees were admitted under the provisions of the Refugee Relief Act of 1953, as amended. There were no specific criteria for selection initially; the earliest admissions appeared to be on a first-come-first-served basis. Responding to the continuing buildup of refugees in Austria, the President authorized on November 26, 1956, the admission of an additional 16,500 Hungarians, 15,000 as paroled aliens, and 1,500 under the provisions of the 1953 legislation.³

The selection system for Hungarian refugees evolved over time, a process which seems to occur in all emergency refugee movements to the United States. In January 1957, refugee admission priorities were based on family reunion and persons with special skills; in February parolees already in the United States were authorized to submit affidavits of relationship for husbands, wives, minor children and parents of minor children; in April admission priorities were hardship cases (family reunifications) and "special interest" cases (scientists and engineers whose skills and backgrounds would enable them to easily integrate into American communities); finally, in May, categories and priorities were redefined and expanded for Hungarian escapees in Austria as well as those in European countries of second asylum.⁴

1. The President's Committee for Hungarian Refugee Relief

Shortly after announcing the decisions to admit an additional 16,500 Hungarian refugees and to establish a reception and processing center at Camp Kilmer, the President created the President's Committee for Hungarian Refugee Relief to ensure coordination of, and provide assistance to, the various government, military, civil and voluntary organizations concerned with the resettlement of the refugees.

³Markowitz, "Humanitarianism Versus Restrictionism," op.cit.

⁴ACVAFS, Report of the Fact Finding Committee, op.cit., Section II, pp. 2-3.

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The work of the President's Committee at Kilmer was under the direction of Leo C. Beebe, Vice Chairman of the Committee. Mr. Beebe was responsible for three operational areas: government agency coordination, voluntary resettlement agency coordination, and coordinating the activities of the cooperating agencies (those agencies not directly concerned with sponsoring refugees but who provided supportive services). In addition, Mr. Beebe was assisted by four staff departments: public information, administrative services, data processing services, and educational services.⁵ It was not, however, the responsibility of the Committee to raise funds; that was accomplished by voluntary and charitable organizations all over the country.

One of the more difficult problems for both the President's Committee and the traditional resettlement agencies was the proliferation of organizations that wanted to assist the Hungarian refugees. Many of these organizations had had no experience with displaced persons and did not clearly understand, despite their general altruistic motivations, the requirements of this refugee population or how to mesh their services with the resettlement agencies. The numerous cooperating agencies accredited to Camp Kilmer contributed to an atmosphere of confusion and inadequate cooperation early in the program.⁶

2. The Camp Kilmer Experience

The First Army was ordered to prepare Camp Kilmer to receive and process the Hungarian refugees as they arrived in the U.S. The first group of sixty refugees arrived at Kilmer from Austria on November 21, 1956. The U.S. Government requested ICEM to provide and coordinate transportation and, for the most part, refugees arrived at McGuire Air Force Base, New Jersey on ICEM-chartered airlines, although other refugees arrived aboard military ships and planes. Arrangements were made through ICEM for advance notification of flight arrivals from Europe so that the various processing agencies at Kilmer would be ready for new arrivals. While this system worked effectively through December when flights were coming in at the rate of about ten a day, it later slipped out of control resulting in considerable confusion and did not work very well thereafter. The reason appeared to be a constant turn-over of personnel--a recurring problem in refugee movements.

⁵U.S. Bureau of Public Assistance, Outline of the Organization and Work of the President's Committee for Hungarian Refugee Relief in Assisting in Resettlement of Hungarian Refugees. (Washington, January 7, 1957 mimeo), pp. 2-3.

⁶ACVAFS, Report of the Fact Finding Committee, op.cit.

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Refugee processing at Camp Kilmer began with the U.S. Public Health Service (PHS), which provided health screening and medical examinations, paying particular attention to cases of tuberculosis. In the early days of processing, some tubercular refugees were released from Kilmer and later had to be hospitalized. Later PHS improved the procedures for screening and treating suspected tuberculosis patients. There was some criticism that HEW as a whole should have been involved earlier in the program and widened its scope beyond the tuberculosis problem.

The next processing step was done by the U.S. Employment Service (USES) of the Department of Labor. Refugees 16 years of age and older were interviewed and classified according to occupation, education, language, training, and preferred areas of resettlement. A job availability inventory was used which identified occupational demands and job offers throughout the nation. The USES also provided an inventory of housing availability. Information concerning job offers, housing, refugee qualifications and resettlement desires were then matched by an IBM-designed and financed system,⁷ which resulted in a "Suggested Disposition for Employment and/or Housing" form. These forms were then given to the sponsoring voluntary agencies so that they could promptly utilize offers of assistance.⁸ The USES continued to provide assistance in locating acceptable employment after Camp Kilmer closed. Some USES offices assigned personnel specifically to work on Hungarian placement.

An English language course was set up at Kilmer using eight certified teachers, none of whom spoke Hungarian. The program was only moderately successful since there seemed to be no pressure on the refugees to learn English. Consequently, only about 4% of the refugees attended classes. The Army had films available for orientation, and a handbook entitled "Life in America" was published by the Common Council for American Unity and made available to the refugees. There was no concerted or integrated effort to provide these orientation services, probably due to the anticipated very short stay in camp of the refugees.

The final refugees left Camp Kilmer in May 1957 which marked the closing of the emergency operation. Hungarian refugees who

⁷IBM also provided technical and design assistance for the Indochinese program in 1975.

⁸See President's Committee for Hungarian Refugee Relief, Report to the President (Washington: U.S.G.P.O., May 1957).

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were admitted to the U.S. after that time transited through New York where many of them were provided temporary lodging in Brooklyn paid for by INS.

It is apparent from all available documents that rapid integration of the Hungarians was due to the mobilization of the private sector in the U.S. The voluntary resettlement agencies⁹ and their local affiliates, working in cooperation with local charitable and service organizations, led the national effort both at Camp Kilmer and in communities throughout the country.

In fact, the Federal Government was explicit about its reliance on the private sector to resettle the Hungarian refugees. There was no provision for Federal resettlement expenditures beyond providing some health care funding and paying transportation costs. The International Cooperation Administration allocated \$1.5 million to defray domestic transportation costs, but not to exceed an average for each resettlement agency of \$40 per refugee. In explaining the nature of the Federal expenses, one Federal document stated that:

"As such, the payments do not in any way constitute a precedent for giving payment to the voluntary agencies for similar costs for other refugee movements.

"Beyond the provision of financial assistance to care for excludable health conditions and transportation costs, there is no present expectation that additional special provisions for Federal financial assistance will be needed. By and large, the Hungarian refugees represent a high level of educational and vocational attainment, and it is expected that the voluntary sponsoring agencies will be able to make provision for any immediate assistance and service that might be required. As the refugees are absorbed into the community, any needs presented by them are expected to be met as for any other person on the basis of individual circumstances and eligibility for services from resources available."¹⁰

⁹The voluntary agencies credentialed to resettle refugees at Camp Kilmer were the American-Hungarian Federation, Catholic Relief Services, Church World Service, International Rescue Committee, Lutheran Refugee Service, Tolstoy Foundation, United HIAS Service, and the United Ukrainian American Relief Commission.

¹⁰U.S. Department of Health, Education and Welfare, Social Security Administration, Bureau of Public Assistance, Hungarian Refugee Program, (State Letter No. 290, February 19, 1957), p. 2.

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B. Resettlement - The Private Sector Response

After the resettlement agencies and their staff members at Kilmer had located sponsors and (usually) employment, the refugees were sent to the receiving communities and were met by relatives, friends or agency workers. Typically, the initial reception was arranged by the local affiliates of the resettlement agencies. Initial shelter varied; local hotels, YMCAs and YWCAs and schools were utilized. In some communities refugees went directly to temporary homes. Numerous groups provided financial assistance until a refugee was actually employed--councils of churches, individual congregations, Catholic and Jewish organizations and other charitable groups. Community fund-raising activities were generally not coordinated, with the exception of some local coordination by Mayor's Committees. In addition to cash, material assistance was given through donations of furniture, clothing and food.

1. Employment

As with all refugee movements, employment was indispensable to ensuring effective resettlement. As noted earlier, unemployment rates were generally low and most of the Hungarians were sufficiently skilled so that jobs were quickly found for the majority of them. Where the inevitable problems did occur, they were usually caused by a refugee having to accept a position for which he or she may have been overqualified by previous position or training, or felt that this was the case. English ability was a problem for some refugees, but often employment was arranged in plants where there were other Hungarian-speaking workers, or where lack of English was not a serious impediment.

2. Housing

Housing, like employment, is necessary for effective resettlement. In 1956-57, housing was not a serious problem since usually adequate housing was available in the resettlement communities. Typically, refugee assistance groups arranged permanent housing with friends and relatives and sometimes with employers. In some communities, the usual residence requirements were waived and public housing was made available. Although housing was available, the refugees' unfamiliarity with American life presented some problems. Household appliances that Americans take for granted had to be demonstrated and explained, and refugees had to be taught that in a free enterprise system bills for rent, gas and electricity had to be paid by the tenant. Volunteers and relatives provided the orientation.

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3. Language Difficulties

For the Hungarians, as for other refugees, the language barrier was one of the most difficult obstacles to resettlement. Few of them spoke English, complicating their search for employment and presenting difficulties for agency social workers who were attempting to aid and counsel them. Inability to speak English prevented refugees from either being made aware of or actually receiving many community services. The linguistic problem was approached in a variety of ways: special English classes were established by public school systems and by private agencies; private tutoring was made available by some resettlement agencies; and the Hungarian communities in the U.S. provided tutoring and interpreter services at no cost. There were problems, of course: some of the women found it more difficult to learn English than men, possibly because they did not have as much contact with wider society as did the men; some refugees were impatient with traditional methods of teaching English and wanted more vocationally-oriented English training and less grammar and syntax; other refugees had difficulties attending classes regularly because of full-time jobs; and there were a few Hungarians who simply did not want to learn English at all. Despite the problems, there appeared to be a general eagerness to master enough of the new tongue so that barriers to resettlement could be eliminated.

4. Academic and Vocational

Other major problems for many in refugee movements are the abrupt interruption in academic training, principally at the secondary and university levels, or the need for refugees with professional training to transfer their skills to a new setting. The latter problem is frequently difficult and requires professional reclicensure, refresher training or skills upgrading, and meeting mandatory U.S. professional standards. Occasionally the skills problem is insurmountable as in the case of lawyers whose foreign legal training is not transferrable to the U.S. Solving the former problem, by finding ways to allow Hungarian students to continue their education in the U.S., was also difficult even though American colleges and universities were generous in providing them with scholarships. Dr. John A. Krout, a member of the President's Committee and Provost of Columbia University, was instrumental in helping Hungarian university students into American educational institutions. He was assisted by the Institute for International Education and World University Service. Although these voluntary efforts were substantial, they did not meet all the needs of all the refugee students. Nevertheless, the relatively small size of this refugee

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population eased this problem considerably.¹¹ As the study indicates in later chapters, transferring skills and education is a problem in all refugee movements.

5. Health and Welfare

When Hungarians arrived in the U.S. in 1956 and 1957 most were admitted as parolees. The practical effect was that the Hungarians were not eligible for State or Federally financed public health and welfare assistance, although the Federal Government paid the tuberculosis diagnosis and hospitalization costs.¹² Thus, to the extent that the Hungarian refugees required health, welfare and social service assistance, these services had to be provided through voluntary efforts by the communities in which they resettled.

Refugees arriving with virtually no personal resources often have a variety of acute medical needs. The private voluntary efforts that were undertaken to meet these needs included a range of free or low cost medical and physician services; many public hospitals waived residence requirements for the refugees. In addition, private financial assistance was obtained for widowed or working mothers and separated families, to supplement low incomes and for a variety of emergencies. Organizations affiliated with the voluntary resettlement agencies and other local organizations such as the YMCAs, YWCAs, Red Cross, the Salvation Army, and the International Institutes, made financial and adjustment services available.

A January 1958 study of the Hungarian resettlement program concluded:

"Although the ways in which the refugees' needs were met differed from community to community, such difference is inevitable and probably all to the good. Americans are characteristically ingenious in tackling their problems in a wide variety of ways. A common

¹¹See generally Committee on Educational Interchange Policy, Hungarian Refugee Students and U.S. Colleges and Universities: One Year Later, (New York, June 1958); Outline of the Organization and Work of the President's Committee, op.cit.; American Immigration Conference and National Council on Naturalization and Citizenship, Hungarian Refugee Resettlement in the United States, (New York, January, 1958).

¹²In January 1957, a government ruling determined that the INS would be responsible for payment of the first six weeks of hospital costs. INS declared that prior authorization was required and in a few instances declined to absorb hospital costs that had not been previously authorized.

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denominator appears perhaps in this one observation: Where there is some kind of coordinated community action, spearheaded by a mayor's committee, a Health and Welfare Council, or a given agency, both the refugee and the community are better off."¹³

6. Unaccompanied Minors

One of the most difficult sub-groups of any refugee population to help is unaccompanied minors. There are immigration requirements, specific legal and guardianship concerns and general child welfare obligations which must be observed. Social work professionals have always insisted that special consideration be accorded to unaccompanied minors and rightly so. The unaccompanied minors among the Hungarian refugees were no exception.

An Ad Hoc Committee on Children was created by the American Council of Voluntary Agencies, with members from the Catholic Committee for Refugees, Church World Service, International Rescue Committee, International Social Service and United HIAS Service. On August 26, 1957, a contract was signed between the United States Escapee Program of the State Department and ACVA "to insure the successful resettlement of unaccompanied Hungarian youth."¹⁴ It was decided that the following criteria would apply:

- the program would be administered solely under the jurisdiction of INS;
- the parole of the children would be to the District Director of INS rather than to the relative-sponsor or the voluntary agency;
- the child had to be under 17 years of age and then living in Austria (later changed to 18 years and extended to children residing in Yugoslavia);

¹³Joint Committee on Integration of the American Immigration Conference and the National Council on Naturalization and Citizenship, Hungarian Refugee Resettlement in the United States: An Inquiry Into Selected Problems, Trends and Solutions at the Community Level. (New York, January, 1958).

¹⁴American Council of Voluntary Agencies for Foreign Service, Inc., Report of the Ad Hoc Committee on Children on Programs for Unaccompanied Hungarian Minors (New York, April 25, 1958).

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courses which were initially funded by a combination of University and foundation funds. Subsequently, HEW paid virtually the entire cost. By mid 1964, 85% of the 1,600 physicians who participated in this program were qualified to practice in hospitals as interns or residents. By the spring of 1967, the average cost per Cuban physician in this program was only about \$300--a remarkable social investment.¹³ Almost all of the Cuban refugee physicians who entered the U.S. have been or are now being licensed to practice medicine.

A program for Cuban dentists was begun in 1964 under which they were admitted to third year standing in several Eastern dental schools and received maintenance grants and tuition loans of up to \$2,000 a year. Florida passed a law in 1974 which made it easier for Cuban professionals to be licensed after successfully completing a training program, passing a board examination in Spanish and showing some language ability in English.

7. Unaccompanied Minors

One of the most important and difficult aspects of the refugee program was the presence of large numbers of unaccompanied children. Although the Federal Government funded the program for these children, it was implemented almost exclusively by private agencies.

Cuban parents, worried that Castro's government would attempt to indoctrinate their children or force the older ones into military service, began to send their children to the U.S. Legal custody for the children remained with the parents in Cuba since it was anticipated that the separation would be brief.

The unaccompanied children who arrived in 1960 and early 1961 were sent either directly to relatives or friends, or were cared for by the Catholic Welfare Bureau in Miami. As it became clear that the numbers of unaccompanied children would increase dramatically, President Kennedy ordered the creation of a special program for these children. As part of the overall refugee contract negotiated between HEW and the Florida Department of Public Welfare, it was agreed that the latter would develop an emergency program for the unaccompanied children. In turn, the Florida Welfare Department awarded contracts to four voluntary agencies to provide foster care for these

¹³John F. Thomas, "Cuban Refugees in the United States," International Migration Review, 1 (Spring 1967): 54.

children.¹⁴ The contract provided for Federal reimbursement of the costs of child care at the rate of \$6.50 per day for those in group care, and \$5.50 per day for those in foster care. The direct care costs were for shelter, clothing, food and other essentials. The voluntary agencies were also reimbursed for transportation costs and incidental expenses in relocating children outside of Miami and for the actual costs of medical treatment for serious illnesses.

Between 14,000 and 15,000 unaccompanied children had entered the country by 1965. Half of these children were quickly reunited with family members, relatives or friends. The remainder were cared for through the efforts of the voluntary agencies and their affiliates. By April 30, 1967, 8,331 children had been provided foster care with the largest number (7,041 or 84.5%) being assisted by the Catholic Welfare Bureau of Miami. Federal reimbursement for both foster and institutional care, and for transportation and special services, amounted to \$28,531,489, or an average of \$3,425 per child.¹⁵

When the airlift from Cuba to the U.S. began in December 1965, special priority was given to reuniting Cuban parents with their children already in this country. As part of the resettlement planning, the voluntary agencies attempted to resettle and reunite a family in the location where the child was already living. By April 30, 1967, 62,861 Cuban refugees had arrived on the airlift and the number of children in foster care had been reduced to 375 cases.¹⁶

8. Federal Expenditures on Cuban Refugees in Retrospect

Looking back at the patterns of Federal spending in the Cuban program, over the years, one is struck by three salient facts:

¹⁴These agencies were the Catholic Welfare Bureau of Miami, the Children's Service Bureau of Dade County, The Jewish Family and Children's Service of Miami and United HIAS Service in New York.

¹⁵Department of Health, Education and Welfare, Social and Rehabilitation Service, Children's Bureau, Cuba's Children in Exile: The Story of the Unaccompanied Cuban Refugee Children's Program. (Washington: U.S.G.P.O., 1968), O-297-602, p. 6. Federal Expenditures for the Cuban Refugee Program, FY '61 - FY '80, an unpublished document obtained from the HEW Refugee Program, indicates that \$29,306,000 was expended on the unaccompanied children through the end of FY 1966.

¹⁶Cuba's Children in Exile, op.cit., p. 5.

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- the program was expensive, an estimated \$1.4 billion dollars, or about \$1,861 per capita;
- there appears to be a substantial lag time between increases and decreases in the flow of refugees, and in the related expenditure patterns; and
- there were substantial changes in the mix of programs funded by the Cuban Refugee Program over the years, mostly related to the aging of that population.

Table 9 shows Federal expenditures for each year between FY '61 and FY '80 (estimated), as the program grew from a modest \$4,089,000 in FY '61 to a peak of \$143,686,000 in FY '74, and back down to about \$45,000,000 for FY '80. Were these data to be converted to constant dollars, the increases between 1961 and 1974 would not appear to be as dramatic, and the decline since then would be more drastic.

Chart 1 displays the lag time between refugee arrivals, the receipt of cash assistance and total Federal expenditures. It should be noted that the number of cash assistance recipients also includes an estimated number of SSI recipients. The chart shows that refugee entries fell sharply between FY '62 and FY '63; the number of welfare recipients dropped 12 months later, and at that time Federal expenditures began to decrease slightly. Similarly, between FY '65 and FY '66 entries increased sharply, 12 months later the welfare case load rose substantially, and Federal expenditures rose more gently. The tides turned in 1971 when entries fell rapidly, in FY '72 when the number of welfare recipients dropped and in FY '73 when, belatedly, Federal expenditures declined.

The gap between changing levels of entries and numbers of welfare recipients seems to relate to a number of factors: one of them must be that private sector resources (friends, relatives, refugee savings, if any, and voluntary agency assistance) must postpone the visit to the Welfare office for many refugees, while making it unnecessary for others. The lag time between entries and expenditure levels also represents, of course, the all too well known molasses-like process used to make Federal funding decisions.

In order to show the changing patterns of Federal expenditures--in terms of what was purchased--Table 10 displays

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TABLE 9

Federal Expenditures for the Cuban Refugee Program,
FY '61 - FY '80
(in thousands of dollars)

<u>Fiscal Year</u>	<u>Expenditure</u>
1961	4,089
1962	38,502
1963	56,028
1964	46,012
1965	32,532
1966	35,825
1967	45,594
1968	55,227
1969	70,649
1970	87,412
1971	112,125
1972	136,726
1973	143,686
1974	114,843
1975	84,236
1976*	82,645
1977	80,511
1978**	71,950
1979**	52,000
1980**	45,264
TOTAL	1,395,856

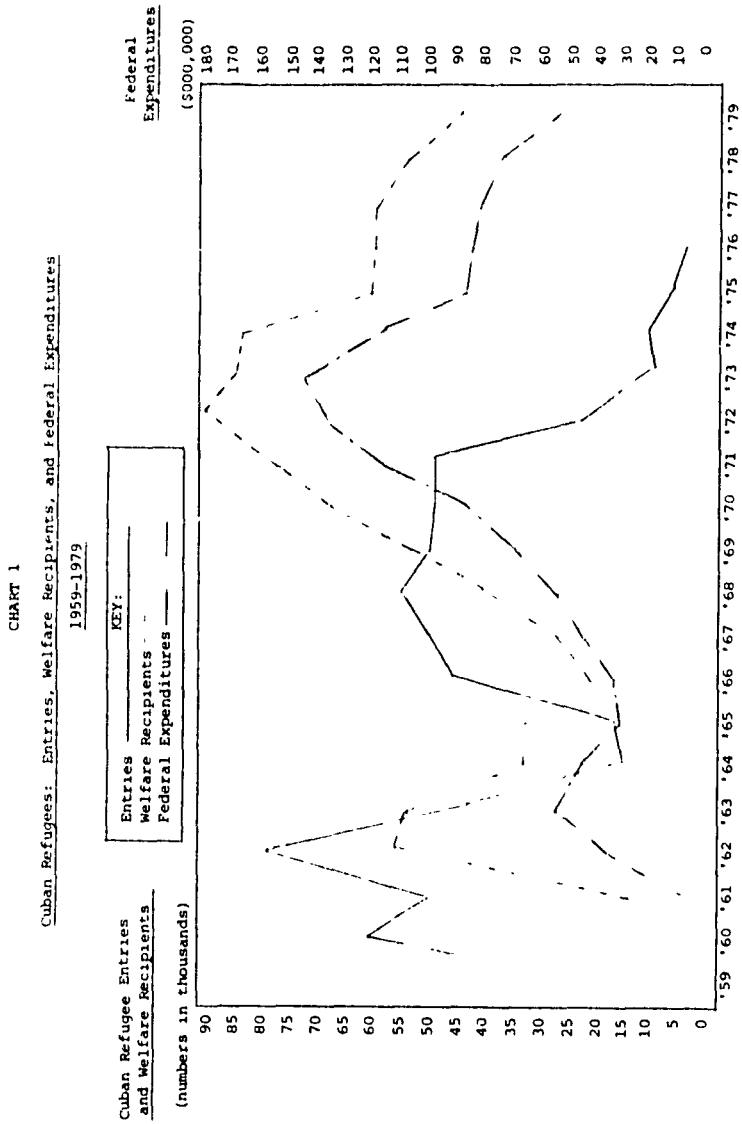
*Excludes transitional quarter.

**1978-1979 data are budget estimates;
1980 figure is the zero based budget estimate.

Source: Unpublished data secured from the
Refugee Program Staff, Office of Family
Assistance, SSA, HEW.

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Source: Cuban entries from unpublished INS data; data on number of welfare recipients and level of federal expenditure from unpublished data supplied by the Refugee Program Staff, Office of Family Assistance, SSA, HEW.

TABLE 10
Distribution of Federal Expenditures for the Cuban Refugee Program, by Type of Assistance, FY '61-'65, FY '66-'70, and FY '71-'75 (five year totals), and FY '76 and '77
(as percents)

Type of Assistance	FY '61-'65	FY '66-'70	FY '71-'75	FY '76	FY '77
Cash Assistance	48.5	45.7	64.9	32.3	31.4
Medical Assistance	4.7	7.8	12.8	43.6	42.4
Other Social Services	3.5	4.7	3.8	8.9	8.6
Education	19.9	27.7	14.3	13.8	16.2
Unaccompanied Children	14.7	2.2	0.7	.	.
Administration	8.6	11.9	3.4	1.4	1.3
TOTAL	99.9	100.0	99.9	100.0	99.9
N= (\$000)	177,163	294,707	591,616	82,645	80,511

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Source: Unpublished data secured from the Refugee Program Staff, Office of Family Assistance, SSA, H&W

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the percent distribution of funds spent on Cuban refugees by six categories of assistance. It shows that in the first five years of the program 49% of the funds were spent for cash assistance, 20% on education, and 15% on unaccompanied minors. By 1977 medical care had become the most expensive single item, at 42%, while 31% was spent on cash assistance, education had declined to 16% of the total, and the unaccompanied minors had ceased to be a factor. Stated another way, the mix of services and assistance purchased by the Federal Government changed over the years to reflect the aging of the target population, which, as mentioned earlier, was an older than average refugee population even when it arrived. The unaccompanied children found parents and grew up, cash assistance dropped as people found jobs (or their way onto SSI rolls, which are excluded from these tabulations), and medical costs rose as people grew older, and as the cost of medical care grew more rapidly than the cost of living generally.

9. Cuban Refugee Program Phaseout

During the 17 years since the enactment of the Migration and Refugee Assistance Act of 1962, the legislative basis for the Cuban Refugee Program, the Cuban refugees have made great economic progress. While there are still Cuban refugees who require assistance (particularly the currently arriving political prisoners), the majority of this refugee population has become self-sufficient. Accordingly, the need for a continuing special program to assist the States in providing services for these refugees has declined substantially. Congress approved a six-year phasedown of this program, beginning in FY '78. The phasedown percentages are as follows:

<u>Fiscal Year</u>	<u>Federal Share of Funding</u>
1977	100%
1978	95%
1979	85%
1980	75%
1981	60%
1982	45%
1983	25%
1984	-0-

Thus, during FY '79, HEW is reimbursing the States 85% of refugee cash and medical assistance costs and State and local administration and social services costs.¹⁷ The phasedown of

¹⁷ During FY '73 Medicaid costs for refugee SSI recipients were reimbursed at 100%. This exception to the phasedown level was authorized in the program appropriation for FY '78.

education cost reimbursement to Dade County is based on the same percentages used in the welfare assistance program, but applies them to costs in FY '77. Hence, the education grants to Dade County for FY '79 are 85% of actual 1977 costs.

One of the reasons why Dade County has been so successful in resisting the efforts of Federal officials to phase-down the program has, no doubt, been the fortuitous committee assignments of its legislators in Washington; one of the State's senators is a majority member of the Senate Appropriations Subcommittee for HEW-Labor, and one of the County's three Congressmen is, similarly, a majority member of the House Appropriations Committee.

Moreover, Florida has used a separate accounting and fiscal management system for Cuban Refugee Program funds. Thus, the administrative mechanisms for the program are different from the mechanisms for the regular State and local financial assistance programs. The dual system approach has made the State program highly visible and clearly distinct from similar State assistance programs. This procedure has reinforced the State's perception of Federal fiscal responsibility for the Cuban Refugee Program.¹⁸

D. Resettlement - The Private Sector Response

The Cuban Refugee Program was the first in which comprehensive Federal financial assistance was provided to refugees outside a refugee reception center. Despite the cash assistance, social and medical services and training programs financed by the Federal Government, the traditional voluntary agencies had a major role in the resettlement effort. As they had in the past, the resettlement agencies and their affiliate organizations provided the actual resettlement services in relocating refugees and assisting them in their struggle for self-sufficiency.

As the numbers of refugees arriving in the Miami area began reaching crisis proportions, the political solution was to seek to resettle refugees throughout the United States. Thus, "resettlement" in the Cuban Refugee Program was defined as resettlement of refugees away from Miami. Contracts to provide such resettlement services were signed with the four voluntary agencies that had initially received contracts to provide

¹⁸Review of the Cuban Refugee Program, op. cit., p. 39.

assistance to the Cuban Refugee Emergency Center in Miami.¹⁹ These contracts were concluded first by Mr. Voorhees and later extended by Secretary Ribicoff. The Federal Government agreed to reimburse the agencies for the costs of transportation to the new resettlement location and for "reasonable expenses incidental to such travel." Moreover, the government agreed to pay a per capita amount of \$60 for resettlement and "miscellaneous costs." The contracts clearly stipulated that the resettlement agencies would not be reimbursed for expenses which were not covered by the contract.

In 1964, the contracts were renegotiated and contained new provisions. The government continued to pay for transportation costs and incidental expenses, plus the \$60 per capita payment; however, these costs and expenses were more precisely defined. The contracts also defined the responsibilities of the public agencies and the resettlement agencies and were more specific about the types of services to be performed by both agencies. In addition, the contracts contained an "Adjustment of Payments for Assistance and Services" clause. This clause permitted the resettlement agencies to request an adjustment of payment from the Government, but not to exceed 15% of the \$60 per capita resettlement grant.²⁰ The contracts also required record-keeping and accounting procedures. According to representatives of some of the voluntary agencies, the administrative mechanisms were quite burdensome. This was the principal reason why in subsequent non-Cuban refugee movements the agencies requested per capita grants from the Department of State which would not require detailed cost-reimbursement accounting procedures.

The four resettlement agencies operated independently and developed their own resettlement methods for the Cuban Refugee Program based on past resettlement activities and their national and affiliate agency structures.

¹⁹These agencies were the Catholic Relief Service of the National Catholic Welfare Conference (CRS), Church World Service (CWS), United HIAS Service (HIAS), and the International Rescue Committee (IRC).

²⁰The per capita resettlement grant did not cover all the costs incurred by the voluntary agencies for resettlement services. HIAS estimated, for instance, that for the period 1961-1964 their costs exceeded Federal reimbursements by about \$700,000. In addition, IRC spent about \$350,000 of its own funds on refugee operations in 1960 and 1961 prior to the creation of the Cuban Refugee Program.

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Since most of the refugees were Catholic, the Catholic Relief Service carried the heaviest burden. CRS organized its program through the diocesan resettlement offices, each of which is autonomous. Special offices were set up in New York City and New Orleans to assist large numbers of Cuban refugees in those cities who had not entered the U.S. through Miami and who were thus not eligible for the Federal program.

Church World Service activities were coordinated through its New York office, and resettlement activities were undertaken by local denominational representatives: the parishes, synods, and congregations of the denominations represented in CWS. CWS initiated flights from Miami, in which groups of refugees were resettled simultaneously in the same city to provide the cultural reinforcement and mutual support that might otherwise have been lacking.

United HIAS Service, because of its long experience in resettlement work and the extensive network of comprehensive social service programs around the country, was active in resettling the small number of Jewish refugees. HIAS's approach included the use of extensive pre-planning (i.e., developing a comprehensive resettlement package prior to moving a refugee family).

The International Rescue Committee was the only non-sectarian agency involved in the Cuban Refugee Program. Unlike the other agencies, it did not have local affiliates; however, it opened several branch offices and established working relationships with such groups as the Nationalities Service Centers, Travelers Aid, Chambers of Commerce and other service organizations.

As in the Hungarian program, the voluntary resettlement agencies relied on their local affiliates to develop sponsors. Unlike the Hungarian program, however, the availability of Federal assistance generally precluded the need to provide as extensive voluntary, community-based services to refugees.

There were, of course, problems in the attempt to resettle refugees away from Miami. Many thought that Castro would be overthrown, and they could return to Cuba. Others refused to leave Miami because they were waiting for friends and relatives. For many, jobs had been located and there was no financial pressure to leave. Some feared that they would be unable to receive financial assistance if they left Miami. Many refugees did not want to leave the Cuban atmosphere of Miami, and some were afraid of the colder winters in other parts of America. Because of the reticence to resettle outside Miami, the Federal

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Government made a decision that financial assistance and other program benefits would be denied to refugees who refused to accept an appropriate resettlement opportunity. It is not clear how vigorously this policy was enforced; on the other hand, a very substantial minority (almost half) of the Cuban refugees, resettled outside the State of Florida.²¹

E. Geographical Distribution

What were the geographical patterns of the Cuban resettlement? Did they all simply stay in Dade County, as some casual observers might suppose? Table 11 sheds some light on these questions, even though it does so through a complex proxy measure. (Hard data on the geographical distribution of Cuban-born persons was not published for the 1970 Census, so a proxy is used consisting of the total number of Cuban-born persons who were naturalized between 1961 and 1977 as well as the Cuban aliens who registered with INS in January, 1977.)

Despite its limitations, Table 11 suggests several trends in the years covered. First, the majority of all identifiable Cubans in the U.S. in 1977 lived in Florida. Second, the Cuban population of Florida increased rapidly, by more than 450%, but so did the national population of Cubans. Third, the Cuban population in some states increased much more rapidly than it did in Florida; note the percentage increase figures in the table's last column for the states of California (1269%), Texas (870%), and New Jersey (749%). Fourth, there was a substantial Cuban colony in New York at the beginning of the refugee movement, but it apparently attracted very few of the new arrivals.

While this table was not constructed to study the naturalization process--state of naturalization data were used for the lack of other, hard data on the current location of the refugees--some state-by-state naturalization trends are evident. Proportionately, there appears to be a relatively low rate of Cuban naturalizations in Florida and relatively high rates in New York and in Puerto Rico. We can offer no explanation for this phenomenon.

F. Analysis

The goals of the Cuban refugee resettlement program were much more ambitious than those of the Hungarian program, though

²¹Wynkoop, *op.cit.*, p. 150-51, and conversation with Mr. Phil Holman, Director, Special Programs Staff, SSA, HEW.

Exhibit H

76-03708 098163

REPORT TO THE CONGRESS



BY THE COMPTROLLER GENERAL
OF THE UNITED STATES

UNITED STATES
GENERAL ACCOUNTING OFFICE

JUN 3 1976

LIBRARY SYSTEM

Evacuation And Temporary Care Afforded Indochinese Refugees-- Operation New Life

Over an 8-month span, more than 140,000 refugees were moved from war-torn Indochina to peaceful environments in America and third countries. Certain management problems, however, resulted in some excessive costs and potentially wasteful practices in the refugee program.

ID-76-63

7-03708

JUNE 1, 1976
098163



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-133001

c1
/ To the President of the Senate and the
Speaker of the House of Representatives

During an 8-month period ending in December 1975, over 140,000 refugees were processed under the Indochina Refugee Program. These people were evacuated from Cambodia and South Vietnam; temporarily cared for at Department of Defense refugee camps in the western Pacific and the United States; and finally resettled in the United States, a third country, or repatriated to Vietnam.

This report is a followup to our report issued to the Congress on June 16, 1975, entitled "U.S. Provides Safe Haven for Indochinese Refugees," and contains information relevant to the evacuation and temporary care phases of the refugee program.

We did not request all agencies concerned with the Indochina refugees to review and provide written comments on this report. The Departments of State and Defense, as well as representatives of the President's Special Interagency Task Force for Indochina Refugees, have, however, reviewed the report and provided comments which have been incorporated where appropriate.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53) and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget; the Secretaries of State, Defense, Treasury, and Health, Education, and Welfare; the Attorney General; and the Administrator, Agency for International Development.

A handwritten signature in black ink, reading "James B. Heath".

Comptroller General
of the United States

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ABBREVIATIONS

AID	Agency for International Development
GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

EVACUATION AND TEMPORARY
CARE AFFORDED INDOCHINESE
REFUGEES--OPERATION NEW LIFE
Multiagency

D I G E S T

In April 1975, about 163,000 Cambodians and Vietnamese who fled from their native countries were without homes. The Indochina Migration and Refugee Assistance Act of 1975 and the related appropriation act passed in May 1975 provided immediate assistance to these refugees. The President's Special Interagency Task Force for Indochina Refugees was mandated to move refugees first to safe reception centers and then to initial placement with U.S. sponsors.

This report follows up GAO's June 16, 1975, report to the Congress, "U.S. Provides Safe Haven for Indochinese Refugees," and deals with the evacuation and temporary care phases of the Indochina Refugee Program.

The process of moving refugees to a settled and peaceful environment was effectively accomplished, using the resources of 18 Federal departments and agencies, 14 voluntary agencies, 10 State and local organizations, and the Task Force. However, certain management problems gave rise to some excessive costs and potentially wasteful practices. Daily management problems that confronted officials at the reception centers were handled on an ad hoc basis. Certain weaknesses in overall program coordination permitted improper claims for reimbursements from program funds and poor control of supplies and equipment.

To insure full compliance with the special evacuation appropriation act (Public Law 94-24) and the expressed concern of the Congress, GAO is recommending that the Departments of State and Defense

--review the validity, propriety, and correctness of claims for cost reimbursements from the special refugee funds and

--quickly identify usable supply and equipment items onhand when the refugee reception centers closed and implement action necessary for the U.S. Government to effectively use such items. (See p. 5.)

Task Force auditors, before the disbanding of the Task Force on December 31, 1975, had reviewed some transactions. The Departments of State and Defense are now considering the extent to which additional review work is necessary. Also, representatives of the General Services Administration and the Defense Supply Agency are in the process of determining how to dispose of supplies and equipment onhand.

By December 20, 1975, 140,676 refugees had been processed through the refugee program at a cost of over \$328 million. Of these, 129,792 settled in the United States, 6,632 resettled in other friendly countries, and 1,546 were repatriated to South Vietnam. Also, 544 refugees on parolee status were waiting for the United Nations High Commissioner for Refugees to arrange for their repatriation back to Indochina. (See p. 8.)

Another estimated 23,000 Cambodian and Vietnamese refugees stranded in Thailand were being assisted by the Thai Government, the U.N. High Commissioner for Refugees, and the United States. (See p. 42.)

The Congress appropriated \$305 million to the Department of State and \$100 million to the Department of Health, Education, and Welfare for the Indochina refugee program in May 1975. The State Department appropriation, plus the \$100.3 million made available from Agency for International Development funds, was earmarked to meet the costs of refugee evacuation, temporary care, and initial placement with sponsors.

The President's Task Force was responsible for coordinating all U.S. activities of the Indochina refugee program. The State Department managed the refugee funds. The Department of Defense provided logistical support for moving the refugees to safety and affording them temporary care until their initial

placement with U.S. sponsors or their departure to other countries. The Agency for International Development provided many employees, who had years of experience with Indochinese people, to assist at refugee reception centers, and many other Federal agencies assisted in carrying out the refugee program. (See pp. 17 to 19.)

CHARGES QUESTIONED

The Military Sealift Command overcharged the program an estimated \$4.26 million for transporting refugees. Based primarily on estimates, the State Department and the Agency for International Development paid the Sealift Command over \$15.7 million for transporting 179,000 Vietnamese refugees. In December 1975, after GAO had questioned the Command about certain charges against the program, the Command said the overcharges would be properly adjusted. (See pp. 20 and 21.)

In addition to its regular fleet, the Air Force Military Airlift Command flew some other planes to airlift refugees. The Command charged the refugee program \$2.03 million for the flying hours attributed to those planes. After GAO questioned the availability of other funds to cover those flying hours, the Air Force reviewed the cost computations and decided to cancel the charge against the refugee program and charge the costs against the Air Force annual flying hour program for fiscal year 1975. (See p. 23.)

The Navy charged the refugee program \$6.6 million for supporting the U.S. evacuation of South Vietnam. The Navy said that amount represented the extra steaming costs of 43 Pacific Fleet vessels incurred during April 1975 as a result of the evacuation.

Under Navy policy, Pacific Fleet vessels will not ordinarily steam more than 45 days during a quarter, so the Department of Defense concluded it was proper to:

- Determine the amount of fuel the 43 ships would ordinarily consume during a 15-day period versus the fuel they actually consumed during April 1975.
- Categorize the fuel difference as costs incremental to the refugee program.
- Claim reimbursement for those costs from the special refugee fund.

Pacific Fleet vessels reportedly transported about 14,000 people during the evacuation. One-half of these people were U.S. citizens and many others were dignitaries from friendly third countries, which indicates that the Pacific Fleet's primary mission was other than evacuation of refugees. Thus, GAO questions the Navy's \$6.6 million charge to the refugee program.

The Navy also identified as refugee program costs \$1.4 million, representing costs of evacuating Americans and their personal belongings from Vietnam. The State Department and the Navy concurred with GAO that the Navy may be due reimbursement for such costs, however, these charges were not proper refugee program costs. Adjustments were in process when GAO fieldwork ended. (See pp. 21 and 22.)

WEAKNESSES IN CONTROL OF SUPPLIES AND EQUIPMENT

Throughout the program's 8-month life, requests for supplies and equipment at reception centers were filled without considering cost, duration and importance of the need, or correctness of quantity requested. As the reception centers prepared to close, the Task Force and the State Department realized that considerable quantities of supplies and equipment would remain onhand.

In mid-January 1976, General Services Administration and Defense Supply Agency representatives were still determining which onhand items their supply systems could absorb and which items should be disposed of; the cost of these items had not been determined. However, the Air Force, Army, and Marine Corps

had taken some items, valued at \$298,000, into supply systems and had made corresponding adjustments to outstanding reimbursements due from the refugee program. The State Department had also placed refugee program equipment costing \$600,000 into its regular stock inventory. (See pp. 24 to 26.)

CHAPTER 1

EVALUATION OF EVACUATION AND

TEMPORARY CARE OF REFUGEES

The Indochina Migration and Refugee Assistance Act of 1975 and the accompanying appropriation act specified that
1 \$405 million--\$305 million appropriated to State Department 82
2 and \$100 million to the Department of Health, Education, and 22
Welfare (HEW)--of the amount authorized would be used to
assist refugees who, because of persecution or fear of per-
secution, fled from Cambodia or South Vietnam. The Agency
3 for International Development (AID) transferred an additional 97
\$100.3 million to the State Department for use in the refugee
program.

Carrying out this legislation involved the combined ef-
forts of 18 U.S. Government departments and agencies as well
as many State and local government agencies and private or-
4 ganizations. The Special Interagency Task Force for Indochina P. 012-4-5
Refugees, established by the President on April 18, 1975, was
charged with coordinating the activities of all U.S. groups
participating in the Indochina refugee program.

The refugee program was composed of (1) evacuation of
140,676 refugees, (2) temporary care of refugees while they
awaited permanent resettlement, and (3) resettlement of ref-
ugees in the United States or third countries where they
were to begin a new life. The first two phases of the pro-
gram were successfully completed on December 20, 1975, when
the last 68 refugees departed the reception center at Fort
Chaffee, Arkansas. However, the short time frame and the
emergency conditions under which this humanitarian endeavor
was accomplished, as well as the magnitude of the Indochina
refugee program, gave rise to certain management problems
which affected the program's efficiency and economy.

The resettlement phase of the program included the re-
location of 132,421 refugees in American communities as well
as support and followup services designed to deal with prob-
lems, generated after they were relocated. The Department of
Health, Education, and Welfare assumed responsibility for
that phase of the overall program in January 1976.

GAO is currently reviewing the implementation of se-
lected segments of the resettlement phase.

SUCCESSFUL MOVEMENT OF REFUGEES

The President's Special Interagency Task Force, the Departments of State and Defense, voluntary agencies, and State and local groups are to be commended for their parts in the successful movement of more than 140,000 refugees from war-torn South Vietnam and Cambodia to safety and the arrangements for their resettlement in the United States or another country of their choice. Confronted with such a task in April 1975, Federal, State, and private resources were immediately made available and, employing Defense's logistics capability, effectively used.

About 94 percent of these refugees (132,421) were afforded temporary care at U.S. military facilities before being released in the United States. About 6,000 refugees were released from the program even before they reached the continental United States.

The following graph shows the progress in moving the refugees toward permanent resettlement after June 8, 1975.

The program began under emergency conditions and was carried out with extreme urgency within only 8 months.

PROGRAM WEAKNESSES

The uniqueness of the program, the urgency with which evacuation and temporary care phases were carried out, the diversity and number of groups involved, and the unusual funding arrangement all contributed to the following management problems which we identified in our review.

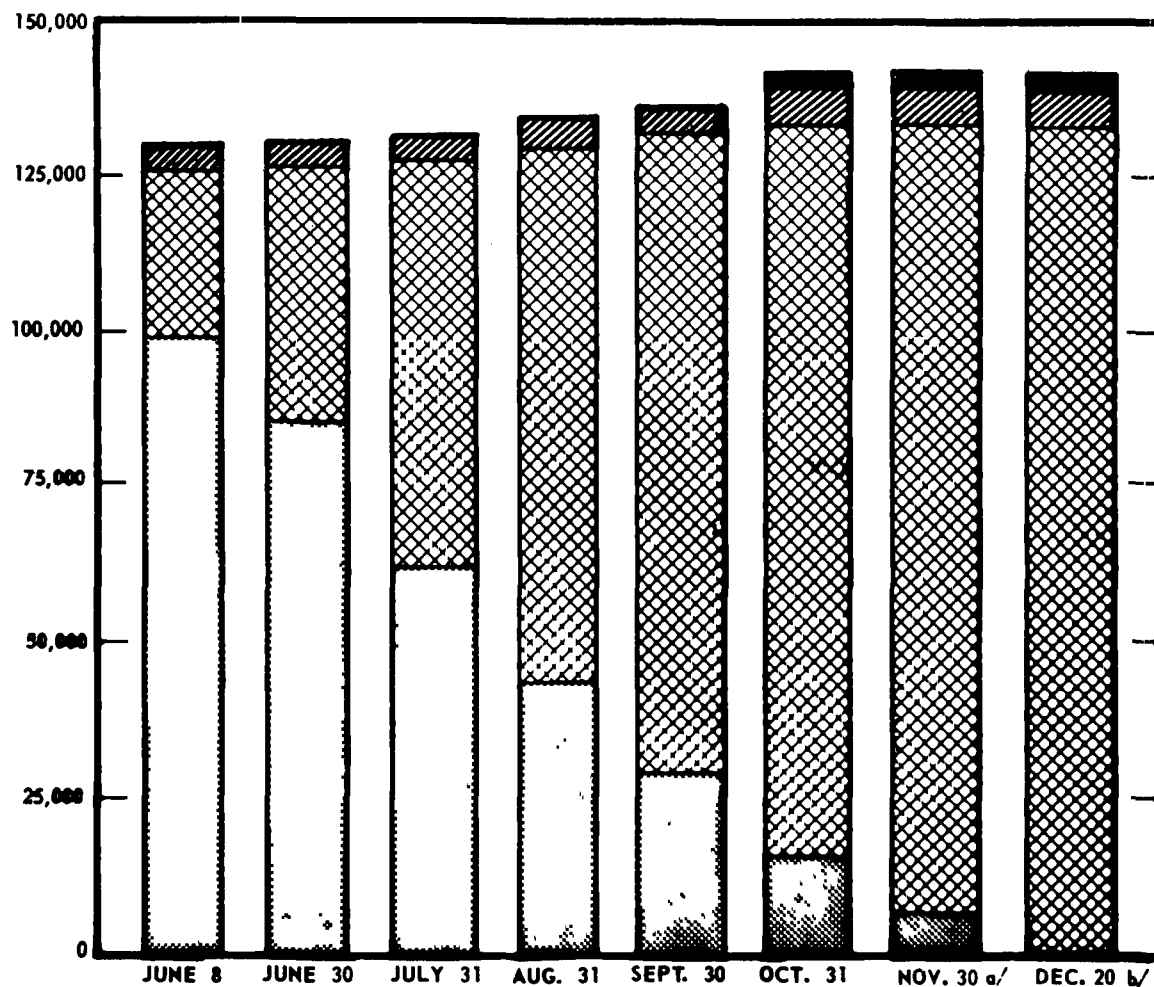
- Problems of overall program coordination (pp. 12 to 13).

- Absence of adequate review of reimbursement claims (pp. 20 to 23).

- Weak control of supplies and equipment (pp. 24 to 25).

The total financial effect of these program weaknesses cannot be effectively measured until all claims for reimbursement are audited and the value and disposition cost of all unused and serviceable supplies and equipment are determined. Even this data may not identify the value of waste and pilferage which occurred during the temporary care phase. Therefore, the complete impact of program weaknesses may never be known.

REFUGEES



-  REFUGEES AT CONUS RECEPTION CENTERS AND IN WESTERN PACIFIC STAGING AREA AWAITING RESETTLEMENT
-  REFUGEES RELOCATED IN THE U.S. (INCLUDES DEATHS AT RECEPTION CENTERS AND 1807 AMERICANS REPATRIATED FROM INDOCHINA)
-  REFUGEES RELOCATED IN 3RD COUNTRIES.
-  REFUGEES REPATRIATED TO SOUTH VIETNAM.

a/ REMAINING 6 REFUGEES DEPARTED THE WESTERN PACIFIC STAGING AREA (GUAM) ON NOV. 7, 1975

b/ CONUS RECEPTION CENTERS' ACTIVITIES CEASED WHEN THE LAST REMAINING 68 REFUGEES DEPARTED FORT CHAFFEE ON DEC. 20, 1975

During our review we made a number of inquiries concerning selected program obligations. Various agencies are adjusting program reimbursements downward by about \$7.7 million, and the following agencies have adjusted program costs.

	<u>Reduction in claims</u> (millions)
Military Sealift Command (p. 21.)	\$4.26
Military Airlift Command (p. 23.)	2.03
Navy Material Command (p. 23.)	.76
State Department (p. 23.)	<u>.68</u>
	<u>\$7.73</u>

The Navy contends that \$6.6 million charged for the fuel costs of Pacific Fleet vessels was a proper incremental cost to the program; however, we do not believe the information furnished to us fully supports this contention. Moreover, we feel that the \$6.6 million was paid from refugee funds to cover fuel costs that normally would have been paid from Navy's annual appropriation.

Because the President's Special Interagency Task Force did not have the time necessary to insure efficient and economic implementation of the program, the ad hoc style of problem solving was followed.

We believe that because many Federal agencies were involved in the urgent refugee program, clear lines of responsibility for monitoring the efficiency and economy of the program were not established or discernible. In our opinion, this condition contributed to the program's economic weaknesses.

The first two phases of the refugee program which required the resources of many Federal agencies have ended, and the President's Special Task Force for Indochina Refugees was formally disbanded on December 31, 1975. Proper action has been, or is being, taken on most of the program charges which we questioned.

RECOMMENDATIONS

We understand that State and Defense internal review groups are considering additional examinations of selected program activities, including the disposition of supplies and equipment onhand at program's end and other questionable matters. However, we recommend that the Secretaries of the Departments of State and Defense:

- Review the validity, propriety, and correctness of claims for cost reimbursements from the special refugee funds.
- Quickly identify usable supply and equipment items onhand when the refugee reception centers closed and implement action necessary for the U.S. Government to effectively use such supply and equipment items.

OTHER PROBLEMS

Our June 1975 initial review of the Indochina refugee program identified several potential problem areas, most of which, except for the cost-related problems discussed earlier in this chapter, have been resolved. We pointed out in our June 1975 report that the safety and health of refugees in tents on Guam was endangered by the approaching typhoon season; those at Eglin Air Force Base, Florida, and Camp Pendleton, California, by the inclement fall and winter weather. We also discussed problems in obtaining security clearance and sponsorship for all refugees.

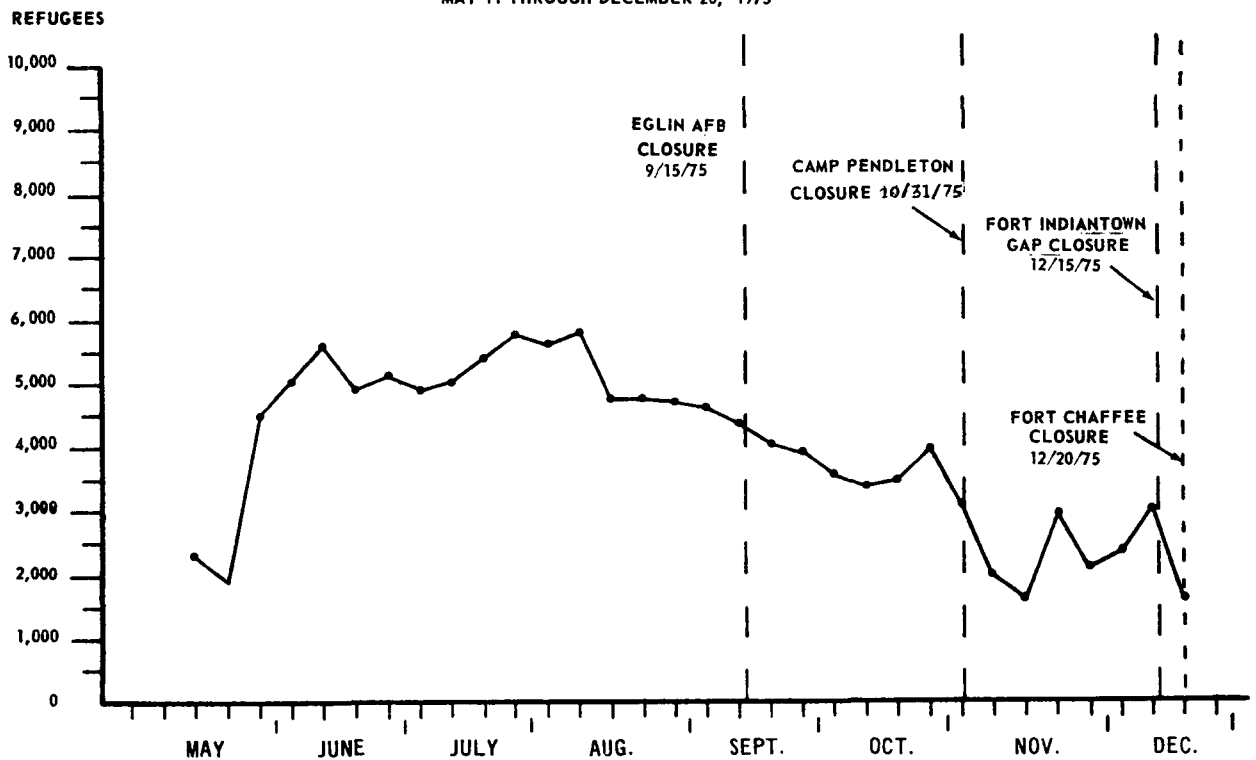
The reception center at Eglin was closed 8 days before Hurricane Eloise struck it on September 23, 1975, considerably damaging tent structures still standing at the center. Also, the Task Force's quick reaction in altering the method used early in the crisis to obtain security clearances for refugees resolved a large refugee program bottleneck. Sponsorship and security clearances were obtained, and the last refugees were initially resettled on December 20, 1975.

We are now reviewing both sponsorship and resettlement of refugees.

CHAPTER 2EVACUATION AND RELOCATION

In March 1975, Communist forces began an onslaught against the Governments of South Vietnam and the Khmer Republic (Cambodia); in April both governments collapsed and thousands of refugees were seeking safety in the United States. By June 8, more than 130,000 refugees had entered the U.S. program specifically designed to resettle them in the United States or third countries, 1/ and by December 20, a total of 140,676 refugees had moved in and out of the program. The following graph depicts the rapid movement of refugees from the four U.S. reception centers. (See app. I for detailed information on refugees processed through the program.)

WEEKLY RELEASES OF REFUGEES FROM CONUS RECEPTION CENTERS
MAY 11 THROUGH DECEMBER 20, 1975



Note: About 14,000 refugees had been released prior to May 11, including 5,750 released from Travis Air Force Base.

1/See our report to the Congress, "U.S. Provides Safe Haven for Indochinese Refugees," June 16, 1975, (ID-75-71).

Immediate manpower resources, drawn from many Federal agencies, and special funding authorization by the Congress were required to carry out a program to effectively evacuate the large number of refugees, provide them with temporary care, and ultimately resettle about 94 percent of them in the United States.

The President established the Special Interagency Task Force for Indochina Refugees to coordinate all U.S. activities for providing transportation and safety for South Vietnamese and Cambodian refugees and for developing and implementing a major refugee resettlement program. Although 18 Federal agencies and many other State and private organizations directly participated in carrying out the program, the Departments of State, Defense, Justice, and Health, Education, and Welfare; the Agency for International Development; and 9 American voluntary agencies provided the major thrust of implementation efforts.

Also assisting were the U.N. High Commissioner for Refugees and the Intergovernmental Committee for European Migration. (See app. II for a list of program participants and apps. IV, V, and VI for services provided and costs incurred by these participants.)

REFUGEE REPATRIATION

Throughout the program's implementation, continuous efforts were made to assure refugees that the United States would actively sponsor the repatriation of those who wished to return home. As a result, on December 11, 1975, 116 refugees were placed temporarily in a halfway house while the U.N. High Commissioner for Refugees attempted to obtain their respective government's official acceptance of them as repatriates. As of December 30, 1975, an additional 428 refugees, who had accepted sponsorship and resettled in the United States, were waiting for the U.N. High Commissioner to arrange for their return to Indochina.

On October 16, 1975, 1,546 Vietnamese refugees demanded and were given free use of the Vietnam Maritime Ltd. cargo ship, "Thuong Tin I," on which to return to Vietnam. These refugees were mostly military people who claimed they never intended to leave Vietnam. Their demands had reached riotous proportions in August and early September; barracks at Camp Asan, Guam, were burned down on August 31, and U.S. marshall's were sent to Guam to help maintain order.

Confronted with this situation, the United States prepared the "Thuong Tin I" to carry the Vietnamese

refugees to South Vietnam at a cost of about \$700,000. The ship left Guam manned by refugees with prior naval experience and reached its destination near Saigon on October 24, 1975. The Provisional Revolutionary Government allowed the 1,546 refugees to disembark; however, it publicly denounced the United States for unilaterally sponsoring the refugees' attempt to reenter Vietnam without formal approval.

Attempts by the U.N. High Commissioner for Refugees, including the September and December visits to Vietnam and discussions with Provisional Revolutionary Government authorities, to obtain official acceptance of the refugees seeking repatriation have been to no avail, ostensibly because the Provisional Revolutionary Government cited more pressing matters at hand. It is still not known when the 116 refugees at the halfway house and the 428 who have accepted sponsorship will be allowed to return. The United States has agreed to give the High Commissioner \$500,000 for expenses and travel costs of refugees being repatriated.

U.S. REPATRIATES

Among the people referred to as Indochina refugees are 1,807 U.S. citizens and permanent resident aliens. These refugees were eligible for temporary assistance for repatriated Americans for 90 days (administered by HEW). None of them are currently receiving this type of assistance.

On June 28, 1975, Public Law 94-44 amended section 1113 of the Social Security Act to make permanent the temporary assistance program for U.S. citizens returning from abroad but limiting the amount of such assistance and the period during which an individual can be given the assistance.

THIRD-COUNTRY RESETTLEMENT

The Task Force originally estimated that 20,000 Indochina refugees would resettle in third countries. However, when the Fort Chaffee reception center closed on December 20, 1975, ending Task Force resettlement efforts, 6,632 refugees had moved to 27 third countries--about 5,800 of them to Canada and France.

The Intergovernmental Committee for European Migration assists refugees in arranging travel to and from third countries. The Task Force estimated that such costs incurred by the Committee will be about \$7.4 million.

REFUGEES ON PAROLEE STATUS

Of the 132,421 refugees in the United States, 129,792 are under a parolee arrangement; that is, they are on an

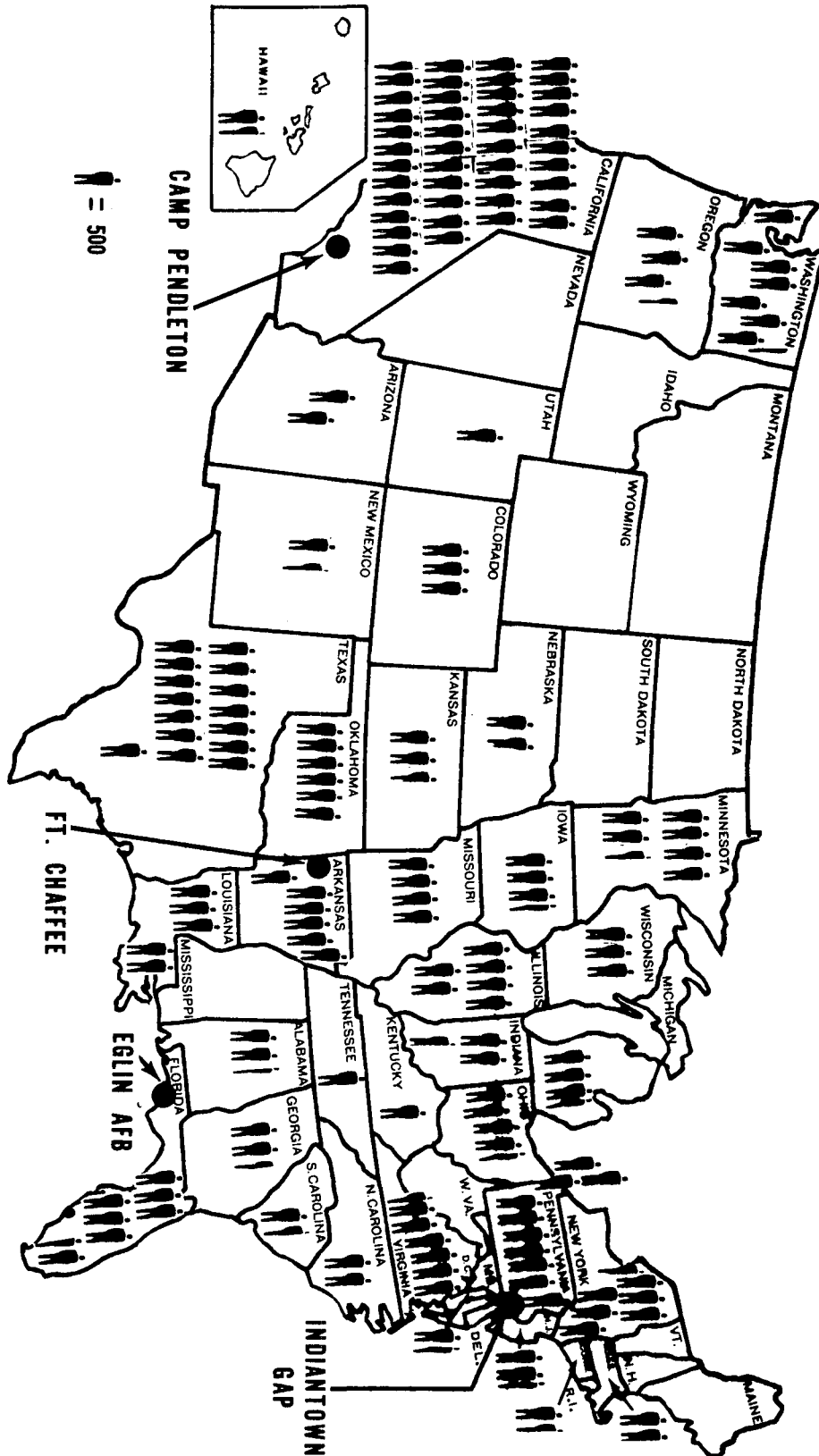
indefinite voluntary departure status. They do not have access to the full range of benefits available to U.S. citizens and permanent resident aliens. For instance, the 19,000 refugees who had worked for the U.S. Government in Vietnam and the 20,000 who had worked for the South Vietnamese Government (15,000 military) can neither be employed by the U.S. Civil Service Commission nor enlist in the U.S. military services.

California, Texas, Florida, Pennsylvania, Washington, Minnesota, Illinois, New York, Oklahoma, and Virginia were chosen by about 54 percent of the refugees to resettle in and to begin new lives in the United States.

The following map shows the distribution of refugees in various States at October 17, 1975.

Nine American voluntary agencies have assisted 111,160 refugees in obtaining sponsorship in U.S. communities. Each agency was to receive \$500 from the State Department for each refugee initially resettled. (See app. III.) Another 4,663 refugees obtained sponsorship through various State and local resettlement organizations.

In January 1976, HEW assumed overall responsibility for U.S. programs to provide aid to the refugees. Departure from refugee reception centers is only the beginning of a long process of resettlement. To permanently resettle in the United States, parolees must become permanent resident aliens, the first step toward becoming U.S. citizens.



CHAPTER 3

PROBLEMS OF OVERALL PROGRAM COORDINATION

The President's Special Interagency Task Force was responsible for coordinating the overall administration and implementation of the Indochina refugee program. Under the program, receiving, processing, temporarily caring for, and relocating large numbers of refugees in the United States within a short timespan was successfully carried out. However, during our review we saw indications of certain overall coordination problems, mostly in the early stages of the program. We believe similar problems can be mitigated if steps are taken to insure that lessons learned in the Indochina refugee program are considered in planning for future refugee evacuation and resettlement programs.

Because of the (1) emergency nature of the Task Force mission, (2) number and diversity of public agencies and private organizations which had to be marshalled to support the program, and (3) geographic expanse of the program, maximum flexibility to use existing expertise was important. Therefore, the Task Force asked established Federal agencies and private organizations to use their own planning and managerial capabilities to carry out the quickly developed refugee program. The following agencies, organizations, and groups were most directly involved in the program.

- The Department of State was responsible for controlling funds for the evacuation, temporary care, and initial resettlement. Refugee funds of \$305 million were appropriated, and \$100.3 million were transferred to State from the Agency for International Development. Even though State assigned an official to the Task Force in September to function as the controller of refugee funds, it continued to be accountable for those funds.
- The Department of Health, Education, and Welfare was responsible for controlling funding for, and management of, the transition of resettled refugees into U.S. society. The amount of \$100 million in refugee funds was appropriated to HEW. HEW also provided the Task Force program with support services at both the Washington headquarters level and the reception centers. Such support services were funded from Department of State funds.
- The Department of Defense was responsible for physical evacuation, transportation, and temporary care of refugees and for support and security at refugee processing facilities.

--Voluntary agencies were responsible for obtaining sponsors for refugees and coordinating resettlement activities. Each agency functioned under the guidance of its own headquarters.

--Task Force civil coordinators at Defense staging areas and reception centers were responsible for organizing and administering the reception centers and for overall processing.

Many other Federal agencies, including the Departments of Labor and Justice and the Agency for International Development, and private organizations, such as the American Red Cross, Salvation Army, Travelers' Aid, etc; also provided manpower and additional program support.

From its inception, the Task Force was active in coordinating refugee-related activities and it resolved major program implementation problems, particularly, those related to the major mission of resettling the refugees quickly. As the program progressed from its initial stages, the Task Force established some broad program guidelines to assist participating agencies and groups.

Although the Task Force and participating agencies made a concerted effort to carry out the refugee program smoothly, we observed some management problems involving the Task Force's need for more direct authority at the operating level, particularly in the early stages. We believe there was a need for uniform and authoritative implementation of program policies at the staging and reception centers. The following problems were prevalent in program management.

--The Task Force provided broad program guidelines, but direction and responsibilities were not clearly defined at the operating levels. This led to uncertainties among personnel engaged in refugee processing and support functions.

--Many implementation problems were dealt with on an ad hoc basis, so much of the decisionmaking was geared to resolving problems rather than preventing them. Decisionmaking efforts were exerted as early as May and June with regard to disposition of program supplies and equipment. However, only after the reception center at Eglin Air Force Base closed in September was the determination made that properties onhand belonged to the Department of State and that, therefore, only those items not needed by State worldwide would be subject to normal Federal supply disposition procedures.

- The Task Force monitored overall program expenditures, but experienced difficulties controlling costs early in the program. Reliance was placed on participating agencies' normal operating procedures and, to a large extent, determinations relative to incurring reasonable costs were left to the discretion of those agencies.

The actual impact of the overall coordination problems is difficult to measure. However, we believe that sufficient manpower and financial resources under the control of the Senior Civil Coordinator at the sites could have mitigated the improper claims and supply problems discussed in chapters 5 and 6 of this report.

Many program officials at operating levels shared our views that these were overall coordination problems, but they believed that personnel commitment and dedication to program objectives offset the adverse effect of these problems. Generally, they attributed coordination difficulties to the urgency of the program, its unusual funding arrangement, and the large number of agencies and organizations involved.

Even though the Indochina refugee program was successfully carried out in only 8 months, we believe that correcting the several program defects described in this report would benefit planning for future large-scale interagency programs. Therefore, we suggest that in the future, consideration be given to:

- Delineating clearly the lines of authority and responsibility among participating agencies.
- Providing authority commensurate with the responsibility delegated to officials or agencies carrying out the program. In the refugee program, the Senior Civil Coordinators were responsible for organizing and administering overall temporary care and processing activities at refugee staging areas and reception centers. However, they had no allotment of, or direct access to, funds for fulfilling their responsibilities. Neither did they have control over refugee funds being expended by other agencies to carry out the program at the staging areas and reception centers.
- Limiting automatic procurement authority to specific types of supply and equipment items, particularly when one agency's purchases are funded from another agency's appropriation.

--Providing for the agency to which funds are appropriated to implement fund control procedures, including reviews of the validity and propriety of obligations at or near the location(s) where most of the expenses will accrue.

We believe management control and fiscal accountability of future programs would be enhanced by the use of these management tools.

CHAPTER 4PROGRAM FINANCING AND FUNDS USED

The Indochina Migration and Refugee Assistance Act of 1975, enacted on May 23, 1975, requires the President to submit reports to the Congress at 90-day intervals until September 30, 1977, on the status of refugees from Cambodia and South Vietnam. The Department of State is accountable for refugee funds. The summary below shows the Task Force's December 15, 1975, report on these funds and its projection to the end of the program of all costs to be charged against State Department funds.

	Obligations as of <u>Nov. 30, 1975</u>	Projections to end of <u>program</u>
		(as of Mar. 31, 1976)
Total funds available	\$405,277,454	\$405,277,454
Obligations	<u>328,155,145</u>	<u>357,005,969</u>
Funds remaining available	\$ 77,122,309	\$ 48,271,485

An additional \$100 million was appropriated to the Department of Health, Education, and Welfare, and as of November 30, 1975, total obligations were \$30.8 million.

FINANCING

Funds made available to the State Department for the refugee program came from Agency for International Development accounts and from special appropriations passed by the Congress on May 23, 1975 (Public Law 94-24).

AID loan funds transferred to State	\$ 2,277,454
AID Indochina Postwar Reconstruction funds allotted to State	98,000,000
Special congressional appropriation	<u>305,000,000</u>
Total	<u>\$405,277,454</u>

AID loan funds transferred

Based on Presidential Determination 75-13 dated April 8, 1975, as authorized in section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, AID transferred \$5 million from its loan receipts accounts--loan principal repayments and interest collections--to the accounts of the Office of Refugee and Migration Affairs, Department of State,

for assistance to Cambodian and Vietnamese refugees. In the early days of the Indochina refugee crisis, \$2.3 million of this money was obligated for urgent Indochinese refugee needs.

In August, the remaining \$2.7 million was removed from the refugee program for Cambodians and Vietnamese and made available for assisting Laotian refugees. This action was authorized by Presidential Determination 76-2 dated August 5, 1975.

Although Laotian refugees will be counted as part of the quota for Indochinese parolees allowed to enter the United States, evacuation, temporary care, and resettlement services for them will not be financed from funds made available specifically for Cambodians and Vietnamese. The handling of Laotian refugees is part of the regular program of State's Office of Refugee and Migration Affairs.

AID Indochina Postwar Reconstruction funds allotted

As we previously reported (ID-75-71, June 16, 1975), AID allotted, in three installments ending May 2, 1975, \$98 million in Indochina Postwar Reconstruction funds available under the Foreign Assistance Act of 1961, as amended, to State for financing the refugee program. These refugee funds were in addition to the AID funds spent in Vietnam during the final days of the Indochina Postwar Reconstruction Program.

Special congressional appropriations

On May 23, 1975, the Congress passed Public Law 94-24, thereby appropriating \$305 million, with which the State Department was to reimburse the various agencies for costs incurred in the evacuation, temporary care, and resettlement of the refugees, and another \$100 million for HEW's role in the transition of Indochinese refugees into U.S. society. This report deals only with matters related to funds appropriated to the State Department.

When the Cambodian and Vietnamese refugee evacuation problem became a reality in April 1975, the Congress immediately recognized the need for prompt additional funding. However, considerable concern arose as to the validity of State and Defense estimates in support of the request for new obligation authority of \$382 million. (HEW requested an additional \$125 million.)

At congressional hearings before the enactment of Public Laws 94-23 and 94-24, the Congress was not assured that the number of refugees ultimately remaining in the United States would correspond with the number used to compute estimated costs nor that the refugees would, in fact, need Federal assistance to the extent estimated.

The Senate Committee on Appropriations also expressed great concern about the types of costs the Congress intended to be covered by the proposed bill. The Committee's concern centered on a point of prudent management of Federal funds--that money appropriated for emergency assistance to Cambodian and Vietnamese refugees should not be used for such costs as personnel services, equipment, and supplies already provided for in other appropriations. The Congress passed the appropriation act but reduced State's request for new obligation authority by \$77 million and HEW's by \$25 million.

FUNDS USED

The Department of State allowed the Task Force to administer the special funding for refugee evacuation, temporary care, and initial placement. However, a number of other agencies and organizations, primarily Defense, provided program support on a cost-reimbursement basis. (See app. II.) The Task Force estimated that the reimbursable amounts totaled \$328 million as of November 30, 1975. Below is a general summary of these amounts as reported by the Task Force to the Congress on December 15.

<u>Activity</u>	<u>Total obligation</u>
Evacuation, transportation, and temporary care by Department of Defense	\$223,006,000
Administration, processing, and other support services by Government agencies (except Defense) and private organizations	18,302,065
Placement and resettlement by voluntary agencies, State and local governments, international organizations, and Federal agen- cies	<u>86,847,080</u>
Total	<u>\$328,155,145</u>

Appendixes IV, V, and VI contain discussions of these major program costs.

As of March 31, 1976, the total program obligations were reported as \$333.3 million, and an additional amount of \$23.7 million was projected through the end of the program. Of the remaining \$48.3 million, the State Department transferred \$43 million to HEW on March 31 to cover assistance being provided to Vietnamese and Cambodian refugees. State estimated that the other \$5.3 million will be returned to the U.S. Treasury.

Evacuation, transportation,
and temporary care

Defense was primarily responsible for carrying out the evacuation, transportation, and temporary care phases of the refugee program, with the services concentrated in the following areas.

<u>Service</u>	<u>Primary areas of responsibility</u>
Navy	Sealift of refugees, protective support of the evacuation, and operation of the major Pacific staging area.
Marine Corps	Protective support of the evacuation and operation of the Camp Pendleton reception center.
Air Force	Airlift of refugees and operation of a Pacific staging area and the Eglin reception center.
Army	Operation of reception centers at Fort Chaffee and Fort Indian-town Gap and a small facility in the Western Pacific staging area.

The services also assisted in various forms of logistical, personnel, and medical support which was provided from military installations located throughout the world.

Administration, processing, and
other support services

The Department of State was responsible for overall program funding. Also, a special National Advisory Committee

was established to advise the President on refugee matters. Several other Federal agencies--Immigration and Naturalization Service, Customs Service, HEW, and the Department of Labor--actually processed refugees at the various refugee camps; however, considerable administrative work was done in Washington, D.C.

The processing generally consisted of insuring that refugees met U.S. entry requirements, were placed under proper control, obtained basic medical services, and were familiarized with various Government programs. Program administration consisted of the operation and security of the refugee camps, coordination of agency activities, and overall program management.

Many voluntary organizations, including the American Red Cross, YMCA, Baptists, and Salvation Army, also provided services for the refugees. The cost of these services, paid for by the program, included provision for comfort items, recreation activities, language training, locator services, and others.

Placement and resettlement

This area includes obligations associated with placing refugees with sponsors and transporting them to resettlement locations. The largest single cost element is the value of the 18 resettlement contracts with voluntary agencies and State and local governments. According to the December 15, 1975, Task Force report, these obligations totaled \$68,485,000. However, they have subsequently been adjusted downward to \$67,765,000 in accordance with amounts stated on the contracts. (See app. III for a list of these contracts.)

CHAPTER 5

CLAIMS FOR REIMBURSEMENT QUESTIONED

In our June 1975 report on Indochina refugees, we suggested that much effort was needed to establish and maintain accounting procedures to control refugee program costs. Except for points discussed here and in chapter 6, we found that the accounting procedures had been established by the various agencies and that the amounts reported for the refugee program appeared reasonable.

The Congress intended that the Department of Defense be reimbursed only for refugee program costs not covered by other appropriations. Defense defined incremental costs as those actual and/or estimated costs incurred over and above normal operating costs of personnel and forces involved in an operation.

We questioned various costs reported for reimbursement under the refugee program, because they did not appear to be incremental to normal agency activities.

SEALIFT

The Navy Military Sealift Command evacuated about 179,000 Indochinese refugees, including those moved within South Vietnam. The Command normally provides sea transportation services to other U.S. Government agencies at established uniform rates. For services provided to the refugee program, the Command billed the Department of State and the Agency for International Development for costs totaling \$15.7 million. The costs were computed by applying the established Government rates and adding extraordinary costs not recoverable through these rates, including:

- Extraordinary overtime, other crew benefits, etc., which would not be recovered under the normal Government rate. Officials at Command headquarters established this estimate at 30 percent of the costs recovered under Government rates, for a total of about \$1.6 million.
- Refit costs to repair the seven contractor vessels and three Government ships damaged during the evacuation. Command officials estimated this figure to be \$300,000 per ship, for a total of \$3 million.

--Subsistence costs of providing food to refugees aboard ship. Command officials estimated this cost at \$2 million.

Although estimating these costs may have been an appropriate management procedure for projecting total program expenditures, the estimates should not have been used as the basis for reimbursement. The Sealift Command said that the estimates were used for billing purposes to prevent a possible cash flow problem.

A subsequent analysis of some actual costs in these areas indicated that these estimates were significantly overstated. We brought this matter to the attention of the Sealift Command, which began a process of determining the actual costs; the work had not been completed at the time of our review. However, we estimated that the program was overcharged by \$4.26 million, as follows.

<u>Item</u>	<u>Adjustments</u> <u>(in process)</u> (millions)
Extraordinary costs	\$0.79
Refit costs	2.47
Subsistence	<u>1.00</u>
Total	<u>\$4.26</u>

The Command has already refunded \$2.2 million to the refugee program and estimates an additional \$2 million will be refunded when actual costs are determined.

STEAMING COSTS

During the evacuation of South Vietnam in April 1975, the Pacific Fleet reportedly provided 34 warships to support refugee sealift activities on the South China Sea. Sometime after November 1975, the Navy found that nine other ships had assisted in the exercise. According to a Defense official, approximately 14,000 people from Indochina were evacuated on Pacific Fleet vessels; about half of them were Americans and the remainder were foreigners, many of whom were dignitaries from third countries as well as from Indochina.

The Navy subsequently billed the Department of State \$5.7 million for reimbursement of steaming costs incurred by the 34 warships, because such costs were considered to be incremental and therefore chargeable to the refugee

program. We were advised in February 1976 that an additional \$858,000 would be charged to the refugee program for the excess fuel consumed by the other nine vessels.

The Navy stated that Pacific Fleet vessels' steaming activities are ordinarily restricted to 45 days each quarter during a fiscal year and that there is a corresponding limit on funds available to meet fuel costs. In accordance with this stated restriction, the Navy computed the fuel costs the 43 warships would have incurred had they operated 15 days during April 1975 for 18 hours a day. The \$6.6 million billed to the refugee program as steaming costs represented the difference between the amount computed, based on the 50-percent factor, and the actual cost of fuel consumed by the 43 vessels during April.

The Navy stated that its activities in protecting the U.S. Government's interest must be carried out within the availability of funds budgeted and appropriated. The Department of Defense contends that the \$6.6 million for steaming costs is a proper charge to the Indochina refugee program and that that amount is part of the Pacific Fleet's \$7.4 million deficit in fuel funds for the fourth quarter of fiscal year 1975.

We believe Defense's position on the steaming costs is questionable. The Pacific Fleet was in the South China Sea during April 1975 to protect U.S. Government interests in that area, and a major portion of that interest was the safety and well-being of the Americans working in Vietnam at that time. The fact that about half the people moved aboard Pacific Fleet vessels were Americans and that many others placed onboard were dignitaries from friendly third countries strongly indicates that the primary mission of the Pacific Fleet was other than evacuation of refugees. Therefore, we believe that the Navy's position that special refugee funds should bear the costs of extra fuel consumed by Pacific Fleet vessels during April 1975 needs to be re-examined by State and Defense.

The State Department has also questioned the propriety of the Navy charging steaming costs against the refugee program. State contends the Pacific Fleet was in the South China Sea on a military mission and therefore the special refugee funds should not be used to pay Navy fuel costs.

AIRLIFT

The airlift of Indochinese refugees was accomplished by the Air Force Military Airlift Command, which provides air transport services to U.S. Government agencies at

established rates. The Airlift Command billed the Department of State for services at the established Government rates and for other costs which were not recoverable under the rate structure.

We found that, in addition to the regular Command airlift, other Air Force aircraft had participated in the airlift. The cost of using these planes was billed to the State Department, based on hours flown in excess of hours planned for the final quarter of fiscal year 1975. The Air Force reviewed the cost computations in October 1975 and decided to absorb all the hours flown as annual flying hours budgeted for training during fiscal year 1975. This resulted in a downward adjustment in refugee program costs of \$2.03 million.

EVACUATION OF U.S. CITIZENS

Many U.S. citizens were evacuated from South Vietnam with the refugees. According to a Department of State official, the cost of evacuating U.S. citizens was not reimbursable under the special refugee funding, since existing appropriations include funds for this purpose. Unfortunately, the nature of the evacuation made it difficult to separately identify all such costs.

In reviewing evacuation costs identified by the Naval Material Command, we found two items for reimbursement involving evacuation of U.S. citizens which we believe should not be charged against the special refugee funds.

- Necessary modifications costing \$680,000 were made on Navy helicopters for the expressed purpose of evacuating U.S. citizens. This cost included component parts, repairs, and field team support.

- Personal belongings of U.S. Embassy personnel were transported to the United States at a cost of about \$756,000.

The State Department agreed that, although Defense may be due reimbursement for these costs, they were not reimbursable from the special refugee funds.

We understand State will make an adjustment for the extraordinary helicopter costs. The Navy has submitted the bill for \$756,000 through the normal Department of State channels and is not seeking reimbursement from the special refugee funds.

CHAPTER 6

WEAKNESSES IN CONTROL OVER

SUPPLIES AND EQUIPMENT

The Task Force did not institute uniform controls for managing supplies and equipment purchased for the program but relied instead on the Department of Defense supply system as the mechanism for managing such assets. For the most part, the Task Force was not involved in the actual procurement process.

The military services provided most of the logistical support to the refugee processing centers through the established supply activities of the installations where the centers were located. Usually, military personnel, with some Task Force coordination, determined what was needed, requisitioned or procured it, and coordinated its distribution. Records of supplies and equipment issued were maintained, and periodic billings were made to the Department of State for reimbursement.

Defense reported that as of November 28, 1975, supplies and equipment costing about \$70 million had been purchased for the program. Based on reported data, we estimate that about one-third of that cost was for refugee subsistence supplies.

This system was generally adequate for quickly acquiring supplies and equipment needed in the refugee program. However, some weaknesses in supply procedures evolved.

- Because of the immediate urgency of supply and equipment needs almost any item could be purchased. Individual items of supply and equipment were not usually identified on the billings to the program and the Department of State and the Task Force were not always aware of supplies and equipment purchased or onhand.
- Some high-cost items were purchased even though the program was expected to have a short life. Such items included garbage trucks, recreation items, special books and periodicals, and specialized office and communications equipment. Defense officials said that, although cost effectiveness was involved in the decisionmaking process, too many uncertainties existed to make definitive cost comparisons.

- Some expendable items were purchased in excess of requirements because actual requirements were not determined or errors were made in requisitions. Types of items overpurchased included trash bags at Eglin Air Force Base, table napkins and polaroid film at Indiantown Gap, and plastic cups at Fort Chaffee. Defense recently advised us that excesses are being returned to supply channels for full credit and that this will preclude significant losses.
- Supplies were not adequately guarded. Defense said that the transient character of the refugee center populations made pilferage difficult to control and that the emphasis on processing refugees out of the camps overrode the need to account for supplies, resulting in a significant loss in small, portable items.
- Uniform criteria were not established for identifying "major" items of equipment for which Defense would not charge, but would loan to the refugee program. Officials at the reception center at Eglin Air Force Base said an item valued at \$1,000 constituted a major piece of equipment, but no formal criteria was established at other centers. However, Defense defined major items as "ships, aircraft, and items of this type, the purchase of which necessitated Task Force approval." Therefore, equipment items such as large trucks, radio equipment and some other high-cost items were purchased and billed to the refugee program.

The Task Force did not formulate a disposition plan for supplies and equipment charged to the program until September 1975 and was still modifying it as late as November. The Pacific staging sites and some reception centers were closed before the disposition plans were finalized. The final disposition procedures, summarized below, were contained in instructions to the remaining reception centers on November 13, 1975.

1. After the civil coordinators at the reception centers determined that items were no longer needed, the Department of State had first choice of any assets for which it had normal operational requirements. State made no reimbursements to the program for these items but paid all shipping costs associated with their movement.

2. After State's requirements were satisfied, the reception centers attempted to return the assets to Defense or General Services Administration supply channels, which were to credit the program for items returned. Any costs associated with the return of these assets (repacking, repairing, etc.) were to be paid from the special refugee funding.
3. Assets not returned to supply channels and credited to the refugee program were to be turned over to Defense or the General Services Administration for distribution to other U.S. Government, State, local, and private agencies (at no reimbursement) or sold as salvage (with net returns going to the Treasury).

As of mid-January 1976, the Air Force, Marines, and Army had taken into their inventories small amounts of supplies and equipment from reception centers and had made corresponding adjustments of about \$298,000 to the refugee funds. The State Department had also taken equipment valued at an estimated \$600,000 into its inventory.

The total value of materials on hand at the centers, including Guam, when refugee activities ceased was unknown in January 1976. The value of items remaining at Fort Chaffee and Fort Indiantown Gap which could be reentered into the Defense Supply Agency and the General Services Administration supply systems were being determined at that time. The Defense Supply Agency was also inventorying the items already transferred from such locations at Eglin Air Force Base, Camp Pendleton, and Guam to various supply depots, such as Ogden, Utah, and Richmond, Virginia.

When these two organizations have completed their inventories and when final determinations on the disposition of items onhand have been made, final credits can be applied to the overall cost of the refugee programs. At that time, the degree to which these weaknesses affected the program can be assessed.

CHAPTER 7

PHASEOUT OF REFUGEE PROGRAM

The Congress, before it passed the authorization and appropriation legislation in May 1975, expressed concern over the timespan required to resettle the Indochina refugees in the United States. During congressional hearings, concern was expressed that the program should not develop into a long-term Federal undertaking similar to the Cuban refugee program. Therefore, the appropriation act for special assistance to the Cambodian and Vietnamese refugees specified that the \$305 million provided to the State Department and the \$100 million provided to the Department of Health, Education, and Welfare would remain available for obligations only until June 30, 1976.

The President's Special Interagency Task Force has continuously and diligently strived to move refugees out of the federally managed facilities by obtaining their initial placement with sponsors. In July, when nearly 80,000 refugees were still at centers in the Western Pacific and the United States, the Task Force pledged to have all centers closed by December 31, 1975. Even the influx of an additional 10,000 refugees from August through the end of October did not alter the projected closing date. All centers were closed on December 20, when the last 68 refugees departed the reception center at Fort Chaffee.

The social, economic, and humanitarian impact of admitting the Indochina refugees on U.S. society can only be determined at some future date.

CLOSING THE CENTERS

Since April 23, 1975, when the first refugees moved through Guam, more than 140,000 refugees have been processed through U.S. centers located in Thailand, the Philippine Islands, Guam, Wake Island, and Hickam Air Base in Hawaii as well as through four reception centers and Travis Air Force Base in the continental United States.

Over a 32-week period from May 11 to December 20, 1975, an average of 4,000 refugees were released from the refugee program each week. (See p. 6.) Early in August, the weekly release rate peaked at 5,792. It dropped to a low of 1,617 in the last week of activities at Fort Chaffee. However, the rate did not drop below 4,000 until after facilities at the Eglin Air Force Base closed nor below 3,000 until after Camp Pendleton closed.

Appendix I shows the number of refugees released from each center and the date on which each center closed.

TASK FORCE TERMINATION

The President's Special Interagency Task Force for Indochina Refugees became defunct 11 days after the center at Fort Chaffee closed on December 31, 1975.

On October 31, the international aspects of the program were transferred to the State Department's Office of the Coordinator for Humanitarian Affairs. These aspects relate primarily to the estimated 71,000 Indochina refugees stranded in Thailand. A State Department official said those eligible for entry into the United States will travel directly from Thailand to U.S. sponsors. He said American voluntary agencies help process and relocate eligible refugees into the United States.

On December 31, 1975, the Task Force Director returned to her regular position with HEW. A small number of Task Force personnel were reassigned to State's Office of Refugee and Migration to account for and close out claims outstanding against the \$405 million in refugee funds.

On January 1, 1976, the HEW Task Force for Indochina Refugees assumed all responsibility for domestic programs previously carried out by the defunct Interagency Task Force for Indochina Refugees. This assumed responsibility deals with coordinating continuing Federal and State programs available for refugees in the United States. HEW is also now responsible for preparing future reports to the Congress on the Indochina Migration and Refugee Assistance Act of 1975.

CHAPTER 8

SCOPE OF REVIEW

We reviewed authorizing legislation; accumulated and reviewed pertinent data on evacuation, temporary care, and resettlement activities; and held discussions with Inter-agency Task Force officials, including its internal auditors. We also obtained data from and talked with officials of the Departments of Defense; Health, Education, and Welfare; Justice; Labor; and State; and the Agency for International Development in Washington, D.C.

During August, September, and October, we visited western Pacific staging areas in Guam, the Philippines, and Thailand; the headquarters of the Pacific Fleet in Hawaii; refugee reception centers at Camp Pendleton, Fort Chaffee, Eglin Air Force Base, and Fort Indiantown Gap; and the Military Airlift Command Headquarters at Scott Air Force Base. We obtained and reviewed pertinent data, observed the implementation of the program, and talked with appropriate officials at these locations, including representatives of voluntary agencies.

Our work was directed primarily toward (1) examining procedures used to insure that program costs incurred complied with the intent of the Indochina Migration and Refugee Assistance Act of 1975 and the related appropriation act and that data was fairly presented in the financial statements included in the President's reports to the Congress, (2) identifying problems affecting the effectiveness, efficiency, and economy with which the program was being carried out, and (3) updating information on program operations and problems described in our June 1975 report to the Congress.

This review concentrated on the evacuation and temporary care phases of the refugee program. The resettlement phase, which begins when refugees leave the reception centers, is currently under review.

APPENDIX I

APPENDIX I

REFUGEES PROCESSED THROUGH
THE PROGRAM AT DECEMBER 20, 1975

	<u>Date closed</u>	<u>Refugees processed</u>
Refugee centers:		
Thailand	Oct. 31, 1975	148
Subic Bay	July 6, 1975	76
Clark Air Base	Aug. 22, 1975	131
Guam	Nov. 7, 1975	5,030
Wake Island	Aug. 3, 1975	72
Hickam Air Base	Sept. 3, 1975	600
Camp Pendleton	Oct. 31, 1975	48,418
Fort Chaffee	Dec. 20, 1975	50,135
Eglin Air Force Base	Sept. 15, 1975	8,665
Fort Indiantown Gap	Dec. 15, 1975	21,651
Travis Air Force Base	May 7, 1975	<u>5,750</u>
Total		<u>140,676</u>
Destinations:		
U.S. communities		<u>a/132,421</u>
Third countries		6,632
South Vietnam (repatriated)		1,546
Deceased (at centers)		<u>77</u>
		140,676
U.S. citizens and permanent resident aliens	-1,807	
Births at centers	-822	
Releases to third countries	-6,632	
Repatriated	-1,546	
Deceased (at centers)	<u>-77</u>	<u>-10,884</u>
Total refugees paroled in United States		<u>a/129,792</u>

a/Includes 544 refugees who have requested repatriation and are waiting for the U.N. High Commissioner for Refugees to arrange their return to Indochina.

APPENDIX II

APPENDIX II

SUMMARY OF OBLIGATIONS INCURRED BY
DEPARTMENTS, AGENCIES, AND ORGANIZATIONS
(INTERAGENCY TASK FORCE REPORT OF DEC. 15, 1975)

Federal departments and agencies:

State (Task Force):

Administrative and support services	\$2,514,148	
Placement and resettlement costs	<u>7,532,080</u>	\$ 10,046,228
Defense		223,006,000
Health, Education, and Welfare		870,779
Customs		37,470
Labor		179,094
Agency for International Development		4,708,204
U.S. Information Agency		71,050
Immigration and Naturalization Service		3,027,000
U.S. Marshall Service		984,000
Others (note a)		40,000
National Advisory Committee		<u>35,000</u>
		\$243,004,825

Private U.S. Organizations:

Travelers Aid	300,000	
American Red Cross	5,276,560	
YMCA	303,360	
Baptists	33,500	
Washington International Center	7,900	
Salvation Army	214,000	
Voluntary agencies	<u>b/65,030,000</u>	71,165,320

State and local government organizations		3,455,000

International organizations:

Intergovernmental Committee for European Migration	7,400,000	
U.N. High Commissioner for Refugees	<u>3,130,000</u>	<u>10,530,000</u>
		<u>b/\$328,155,145</u>

a/Other agencies, such as the Federal Bureau of Investigation, Department of Agriculture, Central Intelligence Agency, etc.

b/Does not show a recent downward adjustment of \$720,000.

Note: The Departments of the Treasury, Housing and Urban Development, Transportation, and Interior and the Office of Management and Budget also contributed to the refugee program; however, we saw no evidence of requests for reimbursement by them.

BEST DOCUMENT AVAILABLE

APPENDIX III

APPENDIX III

SUMMARY OF RESETTLEMENT ACTIVITY BY PRIVATE
VOLUNTARY AND STATE AND LOCAL ORGANIZATIONS

	Anticipated refugee sponsorships (Dec. 19, 1975) (note a)	Department of State contracts (Nov. 30, 1975) (note a)
Private voluntary agencies:		
U.S. Catholic Conference	48,332	\$25,090,000
International Rescue Committee	18,139	7,680,000
Church World Services	16,950	10,150,000
Lutheran Immigration and Refugee Service	15,823	10,150,000
United HIAS Services, Inc.	3,500	5,090,000
Tolstoy Foundation, Inc.	3,051	2,090,000
American Council for Nationalities	4,000	1,500,000
American Fund for Czechoslovaks	817	1,060,000
Travelers-Aid International	<u>548</u>	<u>1,500,000</u>
Total	<u>111,160</u>	b/ <u>64,310,000</u>
State and local government agencies:		
Department of Emergency Services, State of Washington	1,570	1,000,000
Employment Security Commission, State of Iowa	633	250,000
Department of Institutions, Social Aid Rehabilitative Services, State of Oklahoma	362	500,000
Division of Community Services, State of Maine	167	150,000
Governor's Cabinet Secretariat, State of New Mexico	141	250,000
Don Bosco Community Center, Jackson County, Missouri	220	125,000
Indianapolis Area Chapter American Red Cross	80	100,000
Chinese Consolidated Benevolent Association of Los Angeles	838	930,000
Chinese Consolidated Benevolent Association of New York	72	150,000
Church of the Latter-Day Saints	<u>580</u>	(c)
Total	<u>4,663</u>	b/ <u>3,455,000</u>
Total	<u>115,823</u>	a/ <u>\$67,765,000</u>

a/Final settlement of State Department contracts will be based on actual number of refugees initially resettled rather than on amount stipulated on contract.

b/The difference between these amounts and those in app. II was properly adjusted after issuance of the Task Force report of Dec. 15, 1975.

c/No contract was let between the Church of the Latter-Day Saints and the State Department.

SUMMARY OF OBLIGATIONS FOR
EVACUATION, TRANSPORTATION, AND TEMPORARY CARE

Defense's major cost categories as contained in the President's report of December 15, 1975, to the Congress, are described below. The \$223,006,000 reported by the Interagency Task Force represented obligations accumulated by the Army, Air Force, Navy, and Marine Corps. (See pp. 17 and 32.)

EVACUATION AND MOVEMENT--\$100,231,000

Shipping (Pacific Fleet)--\$7,277,000

During the evacuation of South Vietnam, the Navy's Pacific Fleet provided 34 warships to support refugee evacuation activities in the South China Sea. The Navy subsequently billed the Department of State \$5.7 million for reimbursement of the 34 ships' incremental steaming costs. The balance of Pacific Fleet claims (\$1,577,000) was for other incremental costs related to the evacuation and movement of refugees. The Navy advised us on February 18, 1976, that an additional nine warships participated in the evacuation exercise.

These Navy vessels moved about 14,000 people--7,000 Americans and 7,000 foreigners, including dignitaries from third countries--in addition to providing protective support for the overall evacuation exercise (see ch. 5).

Shipping (Sealift)--\$8,354,000

The sealift of refugees to staging areas in the Pacific was conducted by the Navy's Military Sealift Command. Approximately 179,000 refugees were evacuated by the Command over a 49-day period, including those moved within South Vietnam.

The Military Sealift Command performs sealift services for Defense and other Government agencies at established uniform rates. For the refugee program, the Command billed the Department of State for services performed at the prescribed Government rates and for certain extraordinary costs the Command claims were not recovered through these rates.

In addition to the \$8.4 million the State Department paid the Military Sealift Command from the special refugee funds, the Agency for International Development paid the Command \$7.3 million out of Indochina Postwar Reconstruction funds for sealifting refugees prior to April 18, 1975 (see ch. 5).

APPENDIX IV

APPENDIX IV

Airlift--\$84,600,000

The airlift segment of the refugee evacuation was composed of (1) movement of refugees to safe havens within South Vietnam, (2) movement from South Vietnam to Pacific staging areas, (3) movement from staging areas to reception centers within the United States, and (4) transportation of supplies, equipment, and nonrefugee personnel. The airlift was conducted by the Air Force's Military Airlift Command, using both Government-owned and chartered aircraft.

The Command provides services to Defense and other U.S. Government agencies at uniform rates. The \$84.6 million shown in the Task Force report is based on Command airlift services performed at prescribed Government rates. The Military Airlift Command also incurred and billed the Department of State for certain extraordinary costs which were not charged to the refugee program.

CAMP ESTABLISHMENT AND
REFUGEE MAINTENANCE--\$122,775,000

Camp setup--\$12,923,000;
Daily maintenance--\$104,177,000

These claims include all Defense obligations for the refugee program except those related to sealift, airlift, medical, and camp closeout costs. Camp setup charges of \$12.9 million are for erecting facilities and establishing organizations at staging areas in the Pacific and reception centers in the United States early in the program. Daily maintenance costs of \$104.2 million represent the ongoing support to refugees and processing personnel at these facilities through November 21, 1975.

These costs as reported in Defense's weekly obligation reports include personnel overtime, temporary hires, transportation and travel, printing and reproduction, contracted services, refugee food, supplies, and equipment.

Camp closeout--\$1,375,000

Camp closeouts are costs identified as being directly related to the phaseout of reception centers. The closeout figure in the Task Force report is based on estimated costs received from reception centers at Guam, Eglin, Camp Pendleton, and Fort Indiantown Gap. Because only partial estimated total closeout costs have been received from Indiantown Gap and none from Fort Chaffee, the final camp closeout figure will be greater than presently indicated.

APPENDIX IV

APPENDIX IV

Medical--\$4,300,000

In the early stages of the refugee program, the Task Force and Department of Defense negotiated special rates to cover the cost of medical treatment for refugees at military installations. These rates were \$23.89 per patient day for inpatient care and \$2.76 per patient visit for outpatient care. All Defense installations were instructed to accumulate charges at these rates.

The special medical rates included allowances for standard medical supplies as well as basic medical treatment. In some cases, extraordinary items, such as the cost of temporary personnel, overtime, and special supplies and equipment, were billed in addition to the normal rates.

APPENDIX V

APPENDIX V

SUMMARY OF OBLIGATIONS FORADMINISTRATION, PROCESSING, AND SUPPORT SERVICES

These obligations are attributed to program services by the agencies and organizations other than Defense. The \$18,302,065 shown in the President's December 15, 1975, report to the Congress consists of the following amounts. (See pp. 17 and 32.)

FEDERAL AGENCIES--\$12,466,745Immigration and Naturalization Service--\$3,027,000

This agency's basic role in this program was to insure that all refugees met proper entry requirements and were processed in accordance with established immigration procedures. To do this, the agency used processing teams at Pacific staging areas and at the four reception centers in the United States. Incremental costs of these activities primarily involved overtime, travel, and temporary employees.

Customs Service--\$37,470

Early in the refugee program, Customs Service personnel were detailed to the staging area in Guam to process refugees entering the Indochina Refugee Program. This processing consisted of obtaining declarations on possessions, checking baggage, etc. These are normal Customs functions when performed in the United States; however, by dispatching personnel to Guam, Customs incurred nonbudgeted costs, such as overtime and travel, for which reimbursements from the State Department were due.

Bangkok-Canberra Refugee Care (State Department)--\$560,000

The Department of State allotted funds to the U.S. Mission in Geneva, Switzerland, for support of temporary refugee camps in Thailand and in Canberra, Australia, for Cambodians and Vietnamese who fled their countries by means other than the U.S. sealift and airlift. These camps served as short-term lodging for refugees in transit to U.S. reception centers.

APPENDIX V

APPENDIX V

U.S. Marshall Service--\$984,000

For various reasons, approximately 2,000 refugees who entered the system requested they be returned to their home countries. Some requestors of repatriation who had reached the United States were returned to Guam. The repatriates on Guam were segregated from other refugees and required special handling. A total of 176 U.S. Marshalls were used on a rotation basis from June 26 through October 16, 1975, to provide security for the areas where the repatriates were camped. Except for some temporary assistance in the reception center at Camp Pendleton, this was the extent of the Marshall Service participation in the refugee program.

National Advisory Committee--\$35,000

In May 1975, President Ford established a National Advisory Committee on Refugees to act in an advisory capacity on refugee matters. This 17-member council was composed of persons from various social, economic, and religious backgrounds. Most of the costs consisted of administrative and travel expenses.

Department of State (Interagency Task Force)--\$1,954,148

Department of State participation in the refugee program was quite extensive. Staffing as well as other support services were furnished to the Task Force by State. Specifically, the types of costs incurred include such items as rental of office space, office equipment, general administration, overtime, temporary employees, travel, and contract services.

Agency for International Development--\$4,505,653

One of the major difficulties in conducting the refugee program was obtaining qualified personnel to serve in management positions at staging areas, reception centers, and Task Force headquarters. This problem was alleviated significantly by AID's agreement to provide personnel returning from Indo-China assignments to the Task Force on an extended basis. AID provided the Task Force an average of 150 employees from April through December 1975. They provided services for the Task Force ranging from Civil Coordinators at centers in the United States and Guam to administrative work at the headquarters in Washington, D.C. AID's expenditures on this program covered salaries and such other items as overtime, personnel benefits, and travel.

APPENDIX V

APPENDIX V

U.S. Information Agency--\$71,050

Agency support of the refugee program primarily involved providing a small number of administrative personnel and contractual services of translators in the reception centers.

AID Disaster Relief--\$202,551

Although AID Disaster Relief stocks are normally used in natural disasters, some supplies and equipment (including tents, blankets, dining packets, and cots) valued at \$202,551 were drawn from warehouses on Guam for the western Pacific staging area. This was done as a matter of expediency, with the understanding that AID stocks would be quickly replenished.

Department of Labor--\$179,094

Support provided by Labor included job coding services and personnel at reception centers who acquainted refugees with procedures necessary to obtain employment. Labor expenditures were primarily related to travel and overtime pay.

Department of Health, Education, and Welfare--\$870,779

HEW received a special appropriation for the Indochina Refugee Program, but several HEW agencies provided services for refugees while they were in camps. Costs of these services were reimbursable by the Department of State. HEW's Office of Education awarded contracts to the California, Florida, and Pennsylvania Departments of Education for organizing and conducting English classes and cultural orientation programs at Camp Pendleton, Eglin, and Indiantown Gap. The Social and Rehabilitative Service revised and clarified policies on financial and medical assistance for Indochinese refugees. The Social Security Administration assisted refugees to obtain Social Security cards. The Public Health Service assisted in health screening of refugees at reception centers. Types of costs incurred by HEW included overtime pay, temporary employees, travel, transportation, and miscellaneous contracts.

Other Federal agencies--\$40,000

Some other Federal agencies that incurred costs in support of the refugee program are the Federal Bureau of Investigation, Department of Agriculture, Drug Enforcement Administration, Central Intelligence Agency, etc. The types of costs incurred were mainly limited to travel and overtime.

APPENDIX V

APPENDIX V

PRIVATE ORGANIZATION SERVICES--\$5,835,320American Red Cross--\$5,276,560

The Red Cross provided a variety of services at all U.S. reception centers and Guam, including locator, travel-related services, health, communication, distribution of clothing and comfort items, etc. The Red Cross also conducted family services programs which consisted of casework, counseling, family reunification, and verification of relatives of refugees who are U.S. citizens or permanent resident aliens.

National Council of YMCA in the United States--\$303,360

The YMCA established and coordinated recreation programs, child-care center operations, language classes, counseling centers, etc., at all U.S. reception centers.

Salvation Army, Guam, and Others--\$214,000

The Salvation Army organized and conducted English and vocational classes, provided counseling services, and distributed clothing to refugees at U.S. reception centers. The Salvation Army contract (\$184,000) primarily covered personnel and travel costs.

The remainder (\$30,000) represents the value of a contract with the Black Construction Company on Guam for temporary care of about 80 Koreans who fled South Vietnam during its downfall. The Black contract expired December 31, 1975, and was not renewed.

Baptist Committee for Refugee Relief--\$33,500

The Baptists provided various services at the U.S. reception centers, including conducting English classes, counseling, and cultural orientation programs. The types of costs incurred were limited mainly to personnel and travel.

Washington International Center--\$7,900

The Washington International Center was under contract to visit the four U.S. reception centers and to observe ongoing orientation and education programs for the ultimate purpose of making recommendations for improving such programs.

APPENDIX VI

APPENDIX VI

SUMMARY OF OBLIGATIONS FOR
REFUGEE PLACEMENT AND RESETTLEMENT

The refugee placement and resettlement obligations of \$86,847,080 incurred by the various organizations were reported on page 142 of the President's December 15, 1975, report to the Congress. This consists of the following breakdown. (See pp. 17 and 32.)

VOLUNTARY AGENCIES--\$65,030,000

In the early stages of the refugee program, it was determined that the resettlement of refugees would be coordinated by selected voluntary agencies experienced in such activities. The agencies were responsible for finding sponsors and overseeing resettlement and for providing followup support to facilitate the assimilation of the refugees into U.S. society to preclude sponsorship failures.

The Department of State negotiated contracts with each voluntary organization, guaranteeing a \$500 payment for each refugee resettled. The total value of the contracts was based on the total number of anticipated resettlements. However, it was recognized that adjustments would be necessary to reflect the number actually resettled under each contract.

The 111,160 refugees had been resettled through the closing of the center at Fort Chaffee on December 20, 1975. The Task Force is in the process of reconciling all contract amounts with the final number of refugees resettled by each agency. (See p. 19). After this reconciliation is completed, appropriate adjustments will be made.

STATE AND LOCAL RESETTLEMENT AGENCIES--\$3,455,000

The refugee sponsorship program was expanded to include certain State and local governments. Five States, Iowa, Maine, New Mexico, Oklahoma, and Washington, and two local governments (city of Indianapolis and Jackson County, Missouri) and three private nonprofit organizations offered resettlement programs. The arrangement made with these States and local organizations was consistent with the agreement made with the voluntary agencies.

As of December 19, 1975, these organizations had helped 4,663 refugees to resettle in the United States.

APPENDIX VI

APPENDIX VI

INLAND TRANSPORTATION (STATE DEPARTMENT)--\$6,832,080

After the refugees obtained offers of sponsorship in the United States, they were transported from reception centers to resettlement locations. Although the cost of the transportation was sometimes borne by the sponsor or the refugee (if either had the ability to pay), much of the inland transportation was paid by the Task Force. Generally, these payments were for standard fares billed by commercial carriers.

INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION--\$7,400,000

From the inception of the refugee program, the Task Force sought third-country resettlement for many refugees. In June 1975, the Task Force estimated that up to 15,000 refugees may resettle in other countries. As a part of this effort, the Intergovernmental Committee agreed to arrange and pay, on a reimbursable basis, for all international travel of refugees traveling to and from third countries. To make these payments to the Committee, the Department of State allotted \$7.4 million to the U.S. Mission in Geneva, Switzerland.

As of December 20, 1975, 6,632 refugees in the system had gone to other countries. The Committee has handled the travel of all Indochinese refugees both to and from third countries. This includes the Cambodians and Vietnamese leaving Thailand.

U.N. HIGH COMMISSIONER FOR REFUGEES--\$3,130,000

Funds were allotted to the U.S. Mission in Geneva to meet two types of costs incurred by the U.N. High Commissioner. First, it was allotted \$500,000 to aid in repatriating refugees already in the United States. This arrangement was made because the United States was unable to work directly with officials in Cambodia and Vietnam in resolving the repatriation problem.

As of December 30, 1975, the U.N. High Commissioner made two trips to Indochina to discuss repatriation of refugees and was providing temporary care for 116 refugees in a halfway house in Philadelphia. The High Commissioner will continue to attempt to arrange repatriation for those 116 as well as for 428 refugees located with U.S. sponsors but who wish to return to Indochina.

Second, a \$2,630,000 grant was authorized to the High Commissioner for temporary care of Vietnamese and Cambodians in refugee camps in Thailand. In recent months, the number

of Vietnamese and Cambodian refugees located there has risen to approximately 23,000.

OTHER PLACEMENT AND RESETTLEMENT
ASSISTANCE--\$1,000,000

Traveler's Aid--\$300,000

Traveler's Aid assisted refugees en route to U.S. sponsorship locations and reception centers. Travelers's Aid representatives met refugees at airport terminals or other public transit stations. This \$300,000 was obligated to cover reimbursable costs incurred by Traveler's Aid.

Repatriation Ship--(State Department)--\$700,000

This represents an estimate of costs incurred by the U.S. Navy for repairing and provisioning the Vietnamese freighter that transported 1,546 repatriates from Guam to Vietnam in October 1975. (See p. 8.)

APPENDIX VII

APPENDIX VII

PRINCIPAL OFFICIALS RESPONSIBLEFOR ACTIVITIES REVIEWED

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

PRESIDENT'S SPECIAL INTERAGENCY TASK FORCEFOR INDOCHINA REFUGEES

DIRECTOR:

Julia Vadala Taft	May 27, 1975	Dec. 31, 1975
Ambassador L. Dean Brown	Apr. 18, 1975	May 27, 1975

DEPARTMENT OF STATE

SECRETARY OF STATE:

Henry A. Kissinger	Sept. 1973	Present

COORDINATOR FOR HUMANITARIAN

AFFAIRS:

James M. Wilson	Apr. 1975	Present

DEPARTMENT OF DEFENSE

SECRETARY OF DEFENSE:

Donald H. Rumsfeld	Nov. 1975	Present
James R. Schlesinger	July 1973	Nov. 1975

DEPUTY ASSISTANT SECRETARY OF DEFENSE

(Indochina Refugee Program):

Roger E. Shields	Sept. 1975	Present
Eric F. von Marbod	Apr. 1975	Sept. 1975

Exhibit I



Project Title: Replacement Designee for the Unaccompanied Refugee Minor Program and Refugee School Impact Grant in Texas

Applicant: United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS)

Address: 3211 4th Street NE Washington, D.C. 20017-1194

Contact: Kristyn Peck, Associate Director of Children's Services, USCCB/MRS

Phone: 202-541-3039

E-mail: kpeck@usccb.org

www.usccb.org/mrs

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Abstract

The United States Conference of Catholic Bishops' department of Migration and Refugee Services (USCCB/MRS) has partnered with the U.S. Department of Health and Human Services' Office of Refugee Resettlement (HHS/ORR) and the U.S. Department of State's Bureau of Population, Refugees, and Migration (DOS/PRM) since the late 1970s to place unaccompanied refugee children in its network of community-based foster care programs, known as the URM (Unaccompanied Refugee Minor) program. The URM program has been the only program in the United States offering unique expertise in providing foster care to unaccompanied minors who are in the custody of the State or local entities yet with adapted services to meet the special needs of the foreign-born child with forced migration experiences. Through this same network, USCCB/MRS has partnered with HHS/ORR since 2003 to provide a continuum of residential services on a short and long-term basis for unaccompanied children who are in federal custody. Prior to 2003, USCCB/MRS worked with the former Immigration and Naturalization Service to provide community-based foster care for children in immigration proceedings. USCCB/MRS, through the Bridging Refugee Youth and Children's Services (BRYCS) Program, was also the national technical assistance provider for all Refugee School Impact Grant (RSIG) programs from 2009-2011. BRYCS continues to conduct outreach and provide technical assistance (TA) to these grantees as 20 percent of all incoming requests are school-related.

In response to the urgent need for an entity to take over the administration of the URM programs and the RSIG following the withdrawal of the State of Texas from administration of HHS/ORR-funded refugee programs on January 31, 2017, USCCB/MRS proposes to serve as the "Replacement Designee" for the URM program and RSIG in the State of Texas.

USCCB/MRS provides the components of a nationally administered program to ensure timely and quality services in compliance with funder requirements. Services provided through USCCB/MRS and its sub-recipients will comply with applicable State and HHS/ORR URM regulations for children in out-of-home care. In particular, USCCB/MRS will ensure parity in services to youth in this program that are

provided to children in state foster care through close cooperation and advance consultation with the state child welfare entities. In addition, USCCB/MRS must ensure that services provided under this application are not contrary to the authentic teaching of the Catholic Church, its moral convictions, or religious beliefs. In instances where a client's needs or circumstances may require services, including referrals, that USCCB/MRS cannot provide due to its religious convictions, USCCB/MRS will notify HHS/ORR. HHS/ORR will assume responsibility to ensure the client's needs are met.

USCCB/MRS has placed unaccompanied refugee minors with the two agencies in Texas that have URM Programs-- Catholic Charities of Fort Worth since 2009 and Catholic Charities of Galveston-Houston since 2003-- and would sub-grant directly with these two programs to ensure seamless delivery of services to unaccompanied refugee minors.

USCCB/MRS also proposes to provide services for school-age refugee children and their families that will promote the effective integration and education of this population in areas of the state that have a significant number of refugee school-age children enrolled in the school systems. Services will focus on refugee students between the ages of 5-18 that have been in the country for one year or less. Services will also be directed to refugee students who have been in the United States three years or less and continue to face persistent challenges in school. All services are inclusive of all refugee eligible students, including lesbian, gay, bisexual, and transgender (LGBT) populations. As the "Replacement Designee" for RSIG in Texas, USCCB/MRS will enter into Memorandums of Understanding (MOUs) with the agencies and school districts who anticipated participating in RSIG in FY 2017: Houston Independent School District (ISD), Catholic Charities Diocese of Ft. Worth, Catholic Charities of the Archdiocese of San Antonio, Austin ISD, and the Dallas ISD.

Organizational Capacity

The mission of USCCB/MRS is to carry out the commitment of the U.S. Catholic bishops to serve and advocate for immigrants, refugees, migrants, and people on the move. The Vision Statement of

USCCB/MRS is “*Creating a world where immigrants, refugees, migrants, and people on the move are treated with dignity, respect, welcome and belonging.*” USCCB/MRS is one of only two agencies authorized by the U.S. Department of State to resettle unaccompanied refugee minors. USCCB/MRS partners with the largest national network of Catholic social service agencies, which consists of more than 1,400 local organizations in every state and the U.S. territories. For more than 35 years, USCCB/MRS has provided services to thousands of unaccompanied foreign-born children through specialized and culturally appropriate licensed child welfare programs nationwide. In its role with its URM program network, USCCB/MRS provides national placement coordination to ensure quality placement matches of eligible children; capacity development of the network through coordination of peer exchanges, monthly webinars, and training; systems advocacy and coordination; and research and evaluation. USCCB/MRS also stays abreast of trends in migration flows and patterns, arrivals of unaccompanied alien children, numbers of unaccompanied refugee minors in the resettlement pipeline, and service needs of arriving children. USCCB/MRS incorporates this information in its strategic plan for the foster care unit to ensure that it is developing the expertise of its network to meet the emerging needs of newly referred children, that it is developing the capacity of its network to place all referred children, and that it is helping the network diversify placement options to ensure the best placement match.

USCCB/MRS placed 670 unaccompanied children in the URM program (both children referred by the Department of State as unaccompanied refugee minors and unaccompanied children who were in HHS/ORR custody that had no family reunification options and became eligible for the URM program as a survivor of human trafficking or legal relief through the T visa, U visa, Special Immigrant Juvenile Status (SIJS), or asylum) from January 1, 2013 – August 31, 2016.

In 2002, USCCB/MRS began working with foreign-born victims of human trafficking, including children. In 2006, USCCB/MRS was awarded the sole contract from HHS/ORR for the provision of services to pre-certified and certified victims of trafficking nationwide. The USCCB/MRS Anti-Trafficking Program

continues to provide technical assistance and training nationally and internationally, and its knowledge and expertise is an asset to the USCCB/MRS residential services network.

BRYCS, operational since 2001, has the nation's largest searchable online clearinghouse of resources related to refugee and immigrant children and families. With more than one million downloads annually, the BRYCS information hub increases staff knowledge, builds long-term capacity, promotes collaboration at the local, state, and national levels, and ultimately raises awareness about newcomer populations and migration issues. BRYCS documents new Promising Practices that are successfully meeting the needs of unaccompanied children and trafficking victims, and generates highlighted resource lists, monthly newsletters, and social media campaigns.

Due to its expertise in child welfare, migration, and community-based care for foreign-born children, USCCB/MRS was invited in 2013 by the Council on Accreditation (COA) to become a supporting organization. COA holds agencies to higher standards of services and quality assurance measures, including regular case file reviews. USCCB/MRS assisted COA with the development of accrediting standards for immigrant children in care.

URM Administration

Administrative Structure and Oversight

USCCB/MRS will be the Unaccompanied Refugee Minors Replacement Designee (URD) in Texas. As the URD, USCCB/MRS assumes responsibility for all aspects of the URM Program, including acting as the fiduciary agent and program reporting. USCCB/MRS plans to provide services to all URM-eligible populations through sub-recipient arrangements with Catholic Charities of Galveston-Houston and Catholic Charities of Fort Worth. Sub-recipient agreements will require Catholic Charities of Houston and Fort Worth to assume legal responsibility for the children assigned to their respective agencies and to provide the full range of assistance, care, and services to which these children are entitled, ensuring that they are not contrary to the authentic teaching of the Catholic Church, its moral convictions, or religious beliefs. In

instances where a client's needs or circumstances may require services, including referrals, that the sub-recipient cannot provide due to its religious convictions, the sub-recipient will notify HHS/ORR. HHS/ORR will assume responsibility to ensure the client's needs are met.

The administration of the URM program will be overseen by the Associate Director of Children's Services and Assistant Director of Foster Care, and a Children's Services Specialist who will be the primary point of contact for the URM programs. USCCB/MRS will be responsible for financial administration and oversight, case placement, monitoring, and technical assistance support of the URM sub-recipient programs.

The Associate Director of Children's Services and the Assistant Director of Foster Care are highly skilled and qualified professionals with expertise in the areas of child welfare and immigrant populations. If approved as the Replacement Designee, USCCB/MRS will recruit and hire a new Children's Services Specialist to serve as the primary point of contact for the URM grantees. All current and proposed staff for administration of URM and RSIG, as well as clear lines of authority and supervision, are illustrated in the Organizational Chart, which can be found in Appendix A. Position descriptions, including educational and professional experience requirements, can be found in the Budget Justification. Resumes of key USCCB/MRS staff can be found in Appendices B and C.

The Children's Services Specialist will be responsible for program monitoring and providing training and technical assistance to the two URM programs to ensure provision of services comply with current and revised HHS/ORR policies and procedures on the eligibility, placement, and services for unaccompanied refugee minors and best child welfare practices, to include trauma-informed care, working with refugee and immigrant populations, cultural competency, foster parent recruitment strategies, and best practice models for out-of-home care. The Children's Services Specialist will be responsible for the review of the ORR-3, ORR-4, and for drafting the ORR-6 for submission to HHS/ORR. The Children's Services Specialist will conduct on-site monitoring visits to the two URM programs on an annual basis, or more

frequently, if deemed necessary. The Texas URM Programs are also monitored annually by Residential Child Care Licensing (RCCL), a division of the Texas Department of Family and Protective Services.

USCCB/MRS will provide oversight responsibility for the delivery of service provision by its sub-recipient URM programs. Services provided through USCCB/MRS and its sub-recipients will comply with applicable State and HHS/ORR URM regulations for children in out of home care. In particular, USCCB/MRS will ensure services are in parity with State Title IV-B and Title IV-E plans, working in close cooperation and advance consultation with the state child welfare entities. USCCB/MRS will serve on the Replacement Designee Coordinating Body providing data trends and updates on activities impacting URM populations and services.

Weekly foster care staff meetings occur to discuss complex cases and sub-recipient program updates. Weekly supervision meetings, bi-weekly senior management meetings, and monthly Special Programs meetings assist with the coordination of cross-team activities.

The two sub-recipient URM programs, Catholic Charities of Galveston-Houston and Catholic Charities of Fort Worth, Texas are among twelve URM foster care programs within the USCCB/MRS network that provide child welfare services to foreign-born populations. Both agencies are State-licensed child placement providers that conduct services as required by 45 CFR 400.117, state licensing standards, and their own agency policies (See Appendices D and E). The sub-recipient URM programs have a 13-year history of providing child welfare and protection services to foreign-born children. The community-based programs have internal resources and established networks of community providers able to meet the needs of the children. The programs have demonstrated experience working with the target population, and are leaders in providing culturally competent and linguistically appropriate services.

USCCB/MRS Children's Services promotes a culture of learning and staff orientation and training is on-going. USCCB/MRS Children's Services has established a Training Policy and Procedure for staff and their supervisors. The MRS/Children's Services Training Policy and Procedure requires all MRS/Children's

Services staff who provide technical assistance and/or training to USCCB/MRS sub-grantees providing direct services to children, and/or who may encounter a child directly during an onsite visit or while facilitating a focus group, to obtain 40 training hours a year on topics relevant to the care of unaccompanied children. Training is provided both during the onboarding of new staff and is ongoing, as part of the individual staff's professional development plan. MRS/Children's Services supervisors help the employee develop a plan for completing 40 hours of training per year within the first month of the employee's start date and regularly review the employee's progress in meeting the training requirements during weekly supervision meetings. MRS/Children's Services staff are supported in attending national conferences and workshops on such topics as child welfare principles, evidenced-based practices, foster care case management, trauma-informed care models, culturally sensitive service provision, monitoring and evaluation, immigration, and independent living skills development. In particular, a number of USCCB/MRS and sub-recipient program staff annually attend the Foster Family-based Treatment Association National Conference, which is an excellent source of information on therapeutic foster care.

The sub-recipient programs adhere to their respective state licensing requirements for staff and foster parent training. Sub-recipient program staff and foster parents participate in trainings offered by their agency, community partners, USCCB/MRS, including BRYCS, and at national conferences. Training topics include child abuse and neglect, required reporting procedures, safety planning, family reunification procedures, effective behavioral management interventions, culturally sensitive service provision, screening and identification of victims of human trafficking, trauma-informed care models, and staff code of conduct.

USCCB/MRS and its URM sub-recipients will maintain the protection of sensitive and/or confidential information of clients and will make all efforts to safeguard the disclosure of client information in compliance with 45 CFR 400.27. Except for purposes directly connected with, and necessary to, the administration of the program, USCCB/MRS and its sub-recipients will ensure that no information about, or obtained from, children and youth enrolled in the URM program will be disclosed in a form identifiable with

the individual without the consent of the youth enrolled if they are over 18 or if the URM is younger than 18, the consent of the program as the legal custodian.

All personnel that interact with the URM program, including sub-recipients, will be trained on confidentiality procedures to ensure appropriate sharing of client-sensitive information. Hard-copy URM case files are stored on-site at sub-recipient facilities in secured locked locations only accessible to relevant staff, ensuring confidentiality of information. The sub-recipient programs retain URM case files indefinitely with on-site storage of a minimum of two years after URM's are discharged from the program. Electronic case information is secured through password-protected internal database systems and computers. Sub-recipient programs are monitored by USCCB/MRS for confidentiality procedures and maintenance of records in secure locations.

General Assurances

The URD will comply with the provisions of Title IV, Chapter 2 of the Act [8 U.S.C. § 1522] and official issuances of the Director (45 CFR 400.5(i)(1)). The URD will meet the requirements in 45 CFR Part 400 (45 CFR 400.5 (i) (2)). The URD will comply with all other applicable federal statutes and regulations in effect during the time that it is receiving grant funding (45 CFR 400.5 (i)(3)). The URD will modify activities to comply with ORR standards, goals, and priorities established by the Director, as needed (45 CFR 400.5(i)(4)). The URD will provide services to all refugees and other ORR-served populations without regard to race, religion, nationality, sex, or political opinion (45 CFR 400.5(g)). , USCCB/MRS as the URD, shall participate with the Regional Replacement Designees in meetings of public and private stakeholders at least quarterly, unless exempted by ORR (45 CFR 400.5 (h)). (The URD will share trends, challenges, and needs of current and incoming URM client populations.)

Legal Responsibility

The sub-recipient URM programs initiate obtaining legal responsibility of URM clients within 30 days of arrival into the program while adhering to the State's policies and timelines in the Texas Family Code, Title 5, Subtitle B, Chapter 153, Conservatorship, Possession, and Access in establishing conservatorship of youth in the URM program. Upon placement in the program, the sub-recipient's family law attorneys petition the family court for sole conservatorship; other options for legal responsibility may be explored as necessary. Once a court date is set, the case manager, family law attorney, and occasionally the youth and foster parents testify to the youth's circumstances that enable eligibility in the program. Conservatorship is then granted to the agency, if the court sees fit. Although the program strives to obtain conservatorship of each youth admitted to the program within 30 days of the youth's admission, the unpredictability of the time in which a conservatorship hearing may be scheduled does not always allow for this to occur. Given these circumstances, it is within the best interest for youth to enter the programs at least 45-90 days prior to their 18th birthday. After conservatorship is granted, the sub-recipient URM programs submit annual progress reports to the court until the youth's 18th birthday when conservatorship terminates. After legal responsibility ends, youth can remain in foster care on a voluntary agreement until 22 years old if they do not have a high school diploma or equivalent or until 21 years old if enrolled part-time in postsecondary programs; participating in a program that promotes employment; employed part-time; or has a documented medical condition limiting participation in the aforementioned activities pursuant to Texas Family Code §264.101 (a-1), (a-2).

URM Program Eligibility

USCCB/MRS will assure service provision to all URM-eligible populations in accordance with SL16-01 and the [ORR/URM Policy Guide](#) through placements with its sub-recipient agencies in the State of Texas.

URM foster care services are available to eligible populations in Texas until they turn 21 years old if they have a high school diploma or equivalent or 22 years old if they do not have a high school diploma or equivalent. Youth in the URM Program may “age out” at age 18 or continue in the URM program on a voluntary basis until the age of 21 or 22, depending on educational needs if they sign the Extended Voluntary Foster Care Agreement (EVFCA).

Terminations from the program will be handled in accordance with 45 CFR 400.113. There are no additional triggers that would terminate eligibility from the URM program in the State other than death, imprisonment, or emancipation without signing an EVFCA. Youth may remain in or return to the URM program beyond their 18th birthday if they sign an EFCVA and meet the requirements by age and activity as follows:

URM Eligibility for Independent Living Services or Educational Benefits		
Age requirement	Plus criteria	May remain eligible for or return to the URM Program until:
18-21 years of age	- Regularly attending high school or enrolled in a program leading to a high school diploma or a high school equivalency certificate (GED) - A youth who just completed his/her high school diploma or GED and is accepted into a higher educational program, or to post-secondary vocation or technical program with regular terms provided the youth begins taking the a minimum of six class hours per semester.	- He or she completes or withdraws from the program or the end of the month in which the youth turns 22 years old, whichever comes first
18-20 years of age	- Regularly attending an institution of higher learning or postsecondary vocational or technical	- He or she completes or withdraws from the program or the end of the month in which the youth

	program (minimum of six hours per semester); or - Participating in a program or activity that promotes or removes barriers to employment; or - Employed at least 80 hours a month	turns 21 years old, whichever comes first. - Youth no longer engaged in required activities will have a maximum of 30 days in which to begin participation in another education or work-related activity in order to remain continuously eligible for extended foster care.
18-20 years of age	- Incapable of performing the activities described above due to a documented medical condition - Acceptable documentation of eligibility criteria may include either of the following: - A statement from one or more medical doctors that documents the youth's medical condition, including the activities of daily living that the youth is incapable of doing as a result of that medical condition, - Determination of a disability from the Social Security Administration.	- He or she withdraws from the program or the end of the month in which the youth turns 21 years old (annual documentation required)

As the URD, USCCB/MRS will administer services specific for older URM eligible populations in accordance with relevant laws, regulations and policy, including providing the approvals necessary to receive certain Independent Living (IL) services, re-enrollment after voluntary discharge, and enrollment in the Education Training Vouchers (ETV) program. If early discharge occurs, URM's can re-enroll after agreeing to the program requirements up until 90-days from their voluntary discharge date. Re-enrollment placement

options for these youth will be based on available bed capacity, more likely traditional foster home settings. The program will support these youth to develop the capacities needed to obtain approval for Independent Living placement, if sought. URM's approved for Independent Living are eligible for monthly IL stipends until their 22nd birthday. URM's who are 18 and over and enrolled in post-secondary education services are eligible to receive Education Training Vouchers up to \$5,000 a year until their 23rd birthday.

Services and Case Review/Planning

USCCB/MRS will ensure URM services are in parity with state foster care plans under Title IV-B and IV-E of the Social Security Act. The principle goal of the USCCB/MRS administration of Texas URM services is to ensure that children and youth eligible for URM benefits attain self-sufficiency and permanency through provision of an array of services and placements that form an individualized case plan for each youth. At a minimum, USCCB/MRS assures the URM sub-recipients shall continue to conduct or facilitate activities and tasks necessary to achieve the program goal, to include all organizational expectations (outreach, staff development, quality assurance, etc.) and provision of services addressed in case plans and confirmed through monitoring activities (family reunification, placement, health screening and treatment, mental health needs, social adjustment, education/training, English language training, career planning, preparation for independent living, and preservation of ethnic and religious heritage). USCCB/MRS will ensure the URM sub-recipients will facilitate administrative reviews conducted to assess continued appropriateness of living arrangements and services that shall be completed by a third party at a minimum of every six months.

Current URM participants are covered by traditional Medicaid in Texas to meet medical needs through the age of 19. Working with Regional Replacement Designees and the Medical Replacement Designee (MRD), USCCB/MRS sub-recipient Medical Coordinators shall support newly URM youth to enroll in Medicaid upon arrival into the program. Prior to discharge from Medicaid at the age of 19, USCCB/MRS sub-recipient Medical Coordinators will ensure URM's that opt to remain in the program

transition from Medicaid to ORR-funded medical coverage. USCCB/MRS, in collaboration with the MRD, will establish procedures to ensure that eligible participants in the URM Program receive appropriate health coverage in accordance with relevant laws, regulations and policies. These procedures must include, but are not limited to: conducting initial and ongoing eligibility determinations, identifying terminations, and updating information, as appropriate. USCCB/MRS shall monitor eligibility verification, provide follow up, initiate termination, including through the regular reporting of data to ORR.

The URM sub-recipient programs have developed a continuum of care to meet the developmental needs of URM participants. There is a diverse pool of foster parents from multiple ethnicities, including former refugee families. These families make up the majority of the placements available for URM participants. Agency homes are available for URM participants assessed to fare better in group settings. These homes are staffed by professional foster parents and Youth Case Workers. For older youth that have demonstrated readiness for adulthood, Transitional Living and Independent Living placement options are available.

URM cases undergo supervisory level reviews that are completed monthly, at a minimum, to confirm provision of child welfare services, including appropriateness of living arrangements. Permanency Plan Reviews are completed a minimum of every six months to further access a full range of permanency options in addition to placement history and family and adult life-long connections. As URM cases in Texas do not require ongoing court oversight, an administrative review body comprised of staff and local community members shall review URM permanency plans to determine the appropriateness of the agencies' progress in establishing permanency. USCCB/MRS and its sub-recipient sites will follow the Interstate Compact on the Placement of Children requirements for all youth referred to or placed in the Texas URM programs transferring in and out of the state of Texas according to Rule §700.1901 of the Texas Administrative Code.

URMs that voluntarily remain in care after 18, shall have access to the same range of child welfare benefits as older youth in parity to those in the care of the state system, including Chafee benefits,

Transitional Living Allowances, Aftercare Room, Board, and Case Management, and Extended Care and Supervised Independent Living. Education Training Vouchers (ETVs) covered through Federal Chafee benefits will be coordinated through Baptist Child and Family Services (BCFS) a contracted sub-recipient knowledgeable on federal and state eligibility requirements. USCCB/MRS shall facilitate ETV enrollment, monitor eligibility, and initiate termination when program requirements are no longer met. USCCB/MRS shall ensure appropriate administration, including that the annual maximum of \$5,000 is not exceeded per each URM enrolled in the ETV program and that these funds are only used for allowable educational expenses. In addition, USCCB/MRS will ensure appropriate administration of other educational funds in sub-recipient budgets, through, for example, ensuring that youth first apply for financial aid and ETVs. In addition, USCCB/MRS will ensure that any funding requests which appear to supplement ETV funding will only be spent on allowable educational expenses; will not, when combined with other sources of funding, exceed the youth's total cost of attendance; and will only be used when there is a comparable source of funding for other foster youth in the state.

Reporting and Monitoring

USCCB/MRS's program performance evaluation framework is based on the child welfare principles of safety, permanency, and well-being, which are used to measure quantitative and qualitative performance and continuous programmatic improvement. Monitoring and quality assurance measures undertaken by USCCB/MRS ensure sub-recipients deliver the highest quality of care to children in parity with state child welfare. USCCB/MRS staff engage in a variety of activities to monitor processes, including annual on-site monitoring visits of each sub-recipient program entailing the collection of qualitative data through interviews with program staff, focus groups with foster parents and youth, foster home and group home visits, meetings with key stakeholders, and audits of file documentation (URM case files and foster parent licensing files). USCCB/MRS will ensure that the Ft. Worth and Houston programs' licensing are in compliance and up to date by checking the Texas Department of Family and Protective Services, Child Care

Provider, Compliance History website on an annual basis. Copies of most recent Child Care Licensing Reports will be requested if unavailable online.

Daily desk monitoring performed by USCCB/MRS staff tracks sub-recipient continuous performance. Ongoing desk audits assess quality and timeliness of information submitted by sub-recipients, including ORR-3 and ORR-4 reports. Deviations in regards to required information submission is communicated with the sub-recipient programs by phone, email, and during on-site visits. Progress on service provisions and program compliance is tracked through frequent communication with sub-recipients and HHS/ORR staff. USCCB/MRS sub-recipient programs utilize internal quality assurance processes as well as conduct quarterly audits to ensure provision of required services are provided to URM clients. URM case files are stored on-site at sub-recipient facilities in secure locations only accessible to relevant staff, ensuring confidentiality of information. USCCB/MRS will ensure the maintenance of records necessary for federal monitoring and submit reports as required by ORR (45 CFR 400.28).

The Children's Services Specialist will conduct on-site monitoring visits to the two URM programs at a minimum of on an annual basis to support program compliance with the delivery of child welfare services. USCCB/MRS shall communicate deviations from state child welfare requirements through issuance of corrective actions and recommendations presented in monitoring reports. USCCB/MRS will engage in monthly programmatic calls with sub-recipients to follow-up and provide support to address compliance concerns and implement best practices. Monitoring reports shall be submitted to ORR with submission of the ORR-6 trimester reports.

The Migration and Refugee Information System (MRIS) is a Web-based database system used by USCCB/MRS to maintain case records including programmatic and case level outcomes. USCCB/MRS will incorporate required forms for the URM programs into MRIS. MRIS statistical reports can be generated to evaluate program performance that informs performance reports and monitor sub-recipients program

compliance. The URM sub-recipient programs will be given access to the database via a secure portal site in order to request financial reimbursement for expenditures from USCCB/MRS.

Refugee School Impact Program

Administrative Structure and Oversight

USCCB/MRS will provide fiscal management and continual monitoring and tracking of the use of federal funds, to ensure program activities meet all related federal and state requirements and that expenditures comply with federal and state requirements. RSIG will be managed by the Associate Director of Children's Services and the Grants and Program Administrator. Reports from service providers will contain quantitative data regarding participation in the specific activities proposed under the program-such as academic and other school based achievements by students, participation of student parents and guardians in project related activities, and participation and knowledge acquisition among staff and other school personnel participating in project activities.

As the "Replacement Designee" for RSIG in Texas, USCCB/MRS would enter into MOU agreements with the agencies and school districts who anticipated participating in RSIG in FY 2017: Houston ISD, Catholic Charities Diocese of Ft. Worth, Catholic Charities of the Archdiocese of San Antonio, Austin ISD, and the Dallas ISD. The purpose of these services is to improve refugee student school performance and to enhance socio-cultural skills in order to assist refugee children and their families' transition into the public school systems in Texas. The RSIG program will address significant barriers refugee families face in adjusting to school and community in the United States. These barriers include limited English proficiency, interrupted education, and lack of familiarity with the educational system in this country.

The participating school districts and community organizations will continue to provide supplemental academic instruction to refugee students in the form of tutoring, classroom instructional support including

English as a Second Language (ESL) instruction and summer instruction. The program will provide supportive services to refugee students and parents that will engage and involve parents in their children's schooling through orientation to the school environment and requirements and the facilitation of direct communication between refugee parents and school personnel, to create positive relationships with parents and integrate them into their children's school and communities. It will further inform and educate school personnel about the needs unique to the refugee population.

Over the years, USCCB/MRS, through BRYCS, has handled hundreds of technical assistance requests from RSIG grantees, instituted quarterly teleconferences/Webinars for grantees, documented the work of dozens of school districts on BRYCS' "Promising Practices" map, worked on six tools for a school's toolkit (Refugee Children in U.S. Schools: A Toolkit for Teachers and School Personnel), collected and disseminated resources used by grantees, and maintained a webpage for grantees. Furthermore, BRYCS has established relationships with numerous offices within the federal Department of Education and its technical assistance provider networks and helped facilitate relationships between them and HHS/ORR. With 20 percent of BRYCS' current technical assistance requests related to education, USCCB/MRS knows that school districts continue to seek information on best practices for integrating refugee children and families into U.S. schools. RSIG grantees and sub grantees continue to seek information on "what works" and what other school districts are doing. They also need resources and a way to avoid reinventing the wheel. BRYCS remains in a position to disseminate "promising practices" and resources and has the necessary mechanisms in place to facilitate communication and collaboration among grantees.

As the fiduciary agent of the Texas RSIG Program, USCCB/MRS would assume program accountability for all aspects of the program, to include reimbursement of program-related expenditures, fiscal, and program reporting. The Associate Director of Children's Services will be responsible for the review of the quarterly and final annual reports, and for drafting the ORR-6 and the ORR-Annual form for submission to HHS/ORR. Through review of quarterly reports, USCCB/MRS will ensure that sub-grantees

meet scope of work requirements to achieve stated project goals and objectives. USCCB/MRS will ensure that all sub-grantees adhere to 45 CFR 400.155 and the Dear Colleague Letter #16-07 in their service delivery and program activities, to ensure that refugees and their families are provided appropriate referrals and services and that among the eligible refugee students, “all children with disabilities have meaningful access to a State’s challenging academic content standards that prepare them for college and careers. Consistent with these goals, the Individuals with Disabilities Education Act (IDEA) entitles each eligible child with a disability to a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet the child’s unique needs.”

If awarded, USCCB/MRS will immediately contact all potential sub-grantees by phone and email, to initiate the MOU sub-agreement awards. Sub-grantees will be asked to submit a detailed budget and scope of work plan. Sub-awards will be effective upon signature. USCCB/MRS will host quarterly calls with RSIG sub-grantees through the award period, to share information, gather trends, and prepare for transition at the end of the award period.

Outcomes Expected

Outcomes expected from this project include:

- Increase in the academic performance of participating refugee students;
- increase in school attendance by participating refugee students;
- increase in parent’s knowledge of school policies and norms.
- Increase in knowledge on the part of refugee service providers of the school system and its requirements
- increase in the knowledge on the part of school personnel of particular refugee needs, trends, and populations.

Conclusion

Over the last few decades, USCCB/MRS has developed rich institutional expertise in administering national programs that provide residential and community-based services to migrating children. The URM program has been recognized internationally as a promising practice in serving unaccompanied, foreign-born children. USCCB/MRS is committed to a smooth administrative transition of Texas URM program and will work to develop relationships with the Texas State Department of Family and Protective Services for ongoing communication on State policy changes to ensure parity of URM services. Providing safety, well-being, and a path to permanency for unaccompanied migrating children is a key priority of USCCB/MRS, and it looks forward to serving this population through partnership with HHS/ORR. USCCB/MRS will ensure that RSIG activities are again available in Texas, through sub-recipient arrangements with Catholic Charities of Diocese Fort Worth, Houston ISD, Austin ISD, and Dallas ISD, and Catholic Charities of the Archdiocese of San Antonio, to meet the ultimate goals of enhanced psychosocial adjustment and successful engagement of refugee students.

Exhibit N

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FATMA MAROUF, *et al.*,

Plaintiffs,

V.

ALEX AZAR, in his official capacity as
Secretary of the UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, *et al.*,

Defendants.

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) Case No. 1:18-cv-378 (APM)
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FEDERAL DEFENDANTS' OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST REQUESTS FOR ADMISSION

Defendants United States Department of Health and Human Services (“HHS”); Administration for Children and Families (“ACF”); Office of Refugee Resettlement (“ORR”); Alex Azar, in his official capacity as Secretary of HHS; Lynn Johnson, in her official capacity as Assistant Secretary for ACF; and Jonathan Hayes, in his official capacity as Director of ORR (collectively, “Federal Defendants”), hereby submit their objections and responses to Plaintiffs’ First Requests for Admission.

OBJECTIONS TO DEFINITIONS

1. As specifically noted below, Federal Defendants object to Plaintiffs’ definition of “Relevant Period,” set forth in paragraph M of the First Requests For Production. Plaintiffs’ definition extends back to at least 2003. Conducting an inquiry extending back that far—across multiple administrations, numerous personnel changes, and long before the facts alleged in the complaint—is not reasonable or proportional to the needs of this case and it would be unduly

burdensome. Federal Defendants have conducted an inquiry with respect to the period covering the grants in place in February 2017, to the present.

2. Federal Defendants object to Plaintiffs' definition of "Federal Defendants" stated in footnote one of the First Requests for Production to the extent it purports to require Federal Defendants to obtain information concerning third party entities not in their possession, custody, or control. Without limitation, Federal Defendants object to Plaintiffs' definition to the extent it includes the United States Conference of Catholic Bishops ("USCCB") or Catholic Charities of Fort Worth ("CCFW").

3. Federal Defendants object to any definition or instruction that purports to impose burdens or requirements on Federal Defendants additional to or inconsistent with the Federal Rules of Civil Procedure or the local rules of the Court.

SPECIFIC OBJECTIONS AND RESPONSES

REQUEST NO. 1:

Admit that Plaintiffs Fatma Marouf and Bryn Esplin are a married same-sex couple, and were a married same-sex couple in February of 2017, when they sought to submit an application to be foster parents under the Unaccompanied Alien Children ("UAC") or Unaccompanied Refugee Minor ("URM") program through Catholic Charities of Fort Worth ("CCFW").

RESPONSE TO REQUEST NO. 1:

After making a reasonable inquiry, Federal Defendants lack information that they know or can readily obtain sufficient to admit or deny this RFA, except to admit that in February 2017, an employee of USCCB informed ORR that CCFW told Fatma Marouf that it does not recruit or assist with licensure of same-sex foster parents for religious reasons. Federal Defendants further admit that at that time, USCCB was a grantee of ORR with respect to long term foster care in the UAC and URM programs and CCFW was a sub-grantee of USCCB as to those grants.

REQUEST NO. 2:

Admit that Federal Defendants awarded UAC and URM program grants to Defendant United States Conference of Catholic Bishops (“USCCB”) for the UAC and URM program grant periods encompassing the time period when Plaintiffs Marouf and Esplin sought to apply to be foster parents under the UAC or URM program through CCFW.

RESPONSE TO REQUEST NO. 2:

Admitted as to the time period encompassing February 2017, except that Federal Defendants lack information that they know or can readily obtain through a reasonable inquiry sufficient to admit or deny the last part of this RFA concerning Plaintiffs’ intentions; as to the portion of the RFA concerning Plaintiffs, Federal Defendants also incorporate herein their response to Request No. 1.

REQUEST NO. 3:

Admit that, during the process by which USCCB applied for the UAC and URM program grants for the UAC and URM program grant periods encompassing the Relevant Period, USCCB conveyed to Federal Defendants that it and its UAC and URM sub-grantees would administer the UAC and URM grants, if awarded, consistent with its religious beliefs.

OBJECTIONS TO REQUEST NO. 3:

Federal Defendants object to Plaintiffs’ definition of “Relevant Period,” which extends back to at least 2003. Conducting an inquiry extending back that far—across multiple administrations, numerous personnel changes, and long before the facts alleged in the complaint—is not reasonable or proportional to the needs of this case and it would be unduly burdensome. Federal Defendants have conducted an inquiry with respect to the period covering the grants in place in February 2017, to the present.

Federal Defendants also object to this request as irrelevant to the extent it seeks information about USCCB’s applications for funding as to services in the UAC and URM programs other than long term foster care in Texas, which is the type of service at issue in this lawsuit.

Federal Defendants also object to the use of the terms “process” and “conveyed” as vague and ambiguous. It is unclear whether, for example, Plaintiffs’ request extends beyond the written application materials submitted by USCCB for each grant and whether it encompasses information beyond that which was directly stated to Federal Defendants.

RESPONSE TO REQUEST NO. 3:

Subject to the foregoing objections, Federal Defendants admit that USCCB stated—in applications for funding that led to grants for long term foster care in the UAC and URM programs in Texas during February 2017—that USCCB and its sub-grantees would administer UAC and URM grants consistent with USCCB’s religious beliefs. As to earlier time periods or other grants in the UAC and URM programs, Federal Defendants stand on their objections.

REQUEST NO. 4:

Admit that USCCB’s religious beliefs include a religious belief that placing a child in the care of a same-sex couple would deprive that child of that which best serves his or her interests – a mother and a father.

RESPONSE TO REQUEST NO. 4:

After making a reasonable inquiry, Federal Defendants lack information that they know or can readily obtain sufficient to admit or deny this RFA, which concerns the religious beliefs of another entity.

REQUEST NO. 5:

Admit that it would be inconsistent with USCCB’s religious belief regarding the placement of a child in the care of a same-sex couple to accept an application to be foster parents under the UAC or URM program from such a couple.

RESPONSE TO REQUEST NO. 5:

After making a reasonable inquiry, Federal Defendants lack information that they know or can readily obtain sufficient to admit or deny this RFA, which concerns the religious beliefs of another entity.

REQUEST NO. 6:

Admit that USCCB's religious belief regarding the placement of a child in the care of a same-sex couple was publicly posted before, during, and after the process by which it applied for the UAC and URM program grants for the UAC and URM program grant periods encompassing the Relevant Period.

OBJECTIONS TO REQUEST NO. 6:

Federal Defendants object to Plaintiffs' definition of "Relevant Period," which extends back to at least 2003. Conducting an inquiry extending back that far—across multiple administrations, numerous personnel changes, and long before the facts alleged in the complaint—is not reasonable or proportional to the needs of this case and it would be unduly burdensome. Federal Defendants have conducted an inquiry with respect to the period covering the grants in place in February 2017, to the present.

Federal Defendants object to this request's use of the terms "publicly posted" as vague and ambiguous. Federal Defendants are unable to reasonably investigate this statement and its reference to publicly posted materials with no citation or reference.

Federal Defendants also object to this request as vague and ambiguous because it is unclear whether this request is intended to encompass the beliefs of sub-grantees of USCCB, the beliefs of the Catholic Church, or anything beyond the approach that USCCB and its sub-grantees take to administering funds as to long term foster care in the URM and UAC programs in Texas.

RESPONSE TO REQUEST NO. 6:

Incorporating the foregoing objections, Federal Defendants lack information that they know or can readily obtain through a reasonable inquiry sufficient to admit or deny this RFA, which concerns the religious beliefs of a third party entity and unidentified documents.

REQUEST NO. 7:

Admit that, on or about February 22, 2017, CCFW, acting as a UAC and URM program sub-grantee of USCCB, declined to accept an application to be foster parents under the UAC or URM program from Plaintiffs Marouf and Esplin solely on account of religious beliefs regarding the placement of a child in the care of a same-sex couple.

RESPONSE TO REQUEST NO. 7:

After making a reasonable inquiry, Federal Defendants lack information that they know or can readily obtain sufficient to admit or deny this RFA, except to admit that (1) CCFW was receiving federal funds as a sub-grantee of USCCB for purposes of the UAC and URM programs in February 2017, and (2) an employee of USCCB informed ORR that CCFW told Fatma Marouf on or about February 22, 2017, that it does not recruit or assist with licensure of same-sex foster parents for religious reasons.

REQUEST NO. 8:

Admit that all other UAC and URM program sub-grantees of USCCB, including Catholic Charities of Dallas (“CCD”), would decline to accept a UAC or URM foster parent application from Plaintiffs Marouf and Esplin on account of USCCB’s religious belief regarding the placement of a child in the care of a same-sex couple.

OBJECTIONS TO REQUEST NO. 8:

Federal Defendants object to this request as it does not seek admission of a matter within the scope of Federal Rule of Civil Procedure 36(a)(1). This request asks Federal Defendants to speculate about the possible outcome of future events—not to admit the truth of matters relating to “facts, the application of law to fact, or opinions about either.” Fed. R. Civ. P. 36(a)(1)(A).

RESPONSE TO REQUEST NO. 8:

Incorporating the foregoing objection, Federal Defendants lack information that they know or can readily obtain through a reasonable inquiry sufficient to admit or deny this RFA, which concerns a hypothetical assertion about the reaction of third party entities to future events.

REQUEST NO. 9:

Admit that on or about February 22, 2017, Plaintiff Marouf notified Federal Defendants by electronic mail that CCFW would not accept an application to be foster parents from

Plaintiffs Marouf and Esplin under the UAC or URM program solely because they did not “mirror the holy family.”

RESPONSE TO REQUEST NO. 9:

Admitted that Fatma Marouf emailed ORR on February 22, 2017, stating that during an “initial interview” with CCFW concerning “Refugee Foster Care programs,” she was informed by CCFW that she and her wife, Plaintiff Esplin, “were not eligible because we did not ‘mirror the holy family.’” To the extent the RFA is inconsistent with the foregoing response, denied.

REQUEST NO. 10:

Admit that there is no valid basis in social science or child welfare principles for the government categorically to prefer different-sex couples over same-sex couples when considering or approving would-be foster or adoptive parents or making foster or adoptive placement decisions.

OBJECTIONS TO REQUEST NO. 10:

Federal Defendants object to this RFA as outside the scope of discovery set forth in Fed. R. Civ. P. 26(b)(1). This request is not “relevant to any party’s claim or defense” or “proportional to the needs of the case” because Federal Defendants agree not to raise any defense in this litigation that there is a “valid basis in social or child welfare principles for the government categorically to prefer different-sex couples over same-sex couples when considering or approving would-be foster or adoptive parents or making foster or adoptive placement decisions.” Federal Defendants further object to this request’s reference to “social science or child welfare principles,” which is vague and ambiguous; Plaintiffs do not specify any sources for the RFA or define or explain what these principles are.

REQUEST NO. 11:

Admit that the scientific community has reached consensus that children reared by lesbian or gay parents are just as likely to be well-adjusted as children reared by heterosexual parents.

OBJECTIONS TO REQUEST NO. 11:

Federal Defendants object to this RFA as outside the scope of discovery set forth in Fed. R. Civ. P. 26(b)(1). This request is not “relevant to any party’s claim or defense” or “proportional to the needs of the case” because Federal Defendants agree not to raise any defense in this litigation regarding the comparative welfare of children raised by lesbian or gay parents and heterosexual parents. Federal Defendants further object to this request’s references to “scientific community” and “well-adjusted,” which are vague and ambiguous terms. These terms are undefined and lack an ordinary meaning that would permit Federal Defendants to admit or deny.

REQUEST NO. 12:

Admit that there is no basis in social science or child welfare principles for categorically barring same-sex couples from being foster or adoptive parents.

OBJECTIONS TO REQUEST NO. 12:

Federal Defendants object to this RFA as outside the scope of discovery set forth in Fed. R. Civ. P. 26(b)(1). This request is not “relevant to any party’s claim or defense” or “proportional to the needs of the case” because Federal Defendants agree not to raise any defense in this litigation that there is a “basis in social science or child welfare principles for categorically barring same-sex couples from being foster or adoptive parents.” Federal Defendants further object to this request’s reference to “social science or child welfare principles,” which is vague and ambiguous; Plaintiffs do not specify any sources for the RFA or define or explain what these principles are.

REQUEST NO. 13:

Admit that Federal Defendants did not implement or enforce safeguards adequate to prevent USCCB and its UAC and URM program sub-grantees, including CCFW and CCD, from using federal funds under the UAC and URM programs to advance its religious beliefs regarding the placement of a child in the care of a same-sex couple.

OBJECTIONS TO REQUEST NO. 13:

Federal Defendants object to this RFA's use of "safeguards" as vague and ambiguous. This term is undefined and Plaintiffs provide no additional details that would permit Federal Defendants to determine what kind of regulatory provisions, policies, or agency actions this RFA is intended to cover. For similar reasons, Federal Defendants also object to this RFA's use of "implement or enforce."

RESPONSE TO REQUEST NO. 13:

Subject to the foregoing objections, denied, except to admit that Federal Defendants do not prohibit USCCB from administering grant funds provided under the UAC and URM programs consistent with its religious beliefs to the extent doing so is consistent with all relevant constitutional, statutory, and regulatory provisions.

Dated: November 4, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Objections and Responses to Plaintiffs' First Requests for Admission upon the following counsel of record by email.

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Exhibit O

EXHIBIT

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COOPERATIVE AGREEMENT

BETWEEN

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,

ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF),

OFFICE OF REFUGEE RESETTLEMENT (ORR)

DIVISION OF UNACCOMPANIED CHILDREN'S OPERATIONS (DUCO)

AND

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

SECTION I: Summary

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

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

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

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

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

Pursuant to the aforementioned laws, United States Conference of Catholic Bishops , hereinafter called United States Conference of Catholic Bishops has submitted an application and has been approved for funding to provide residential services for UC.

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

This Cooperative Agreement and the Terms and Conditions, listed in United States Conference of Catholic Bishops Notice of Award (NoA), establish the requirements and responsibilities for implementing United States Conference of Catholic Bishops residential services for UC.

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

SECTION II: Purpose and Objective

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

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

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

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

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

SECTION III: Authority

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

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

SECTION IV: Description of Activities

A. Residential and Other Services

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

Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices; administration of prescribed medication and special diets; appropriate mental health interventions when necessary.

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

short term objectives, and addressing both the developmental and crisis-related needs of each child.

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

B. Organizational Capacity and Structure

1. **United States Conference of Catholic Bishops** must have the infrastructure and organizational capacity (governance structure, procedures, standards, and accountability controls) to meet all ORR program requirements and to properly manage all program resources (finances, personnel, physical plant structures, technology) and other provisions within the scope of this agreement.
2. Unless waived by ORR, **United States Conference of Catholic Bishops** should be accredited by a nationally recognized accreditation organization, at ORR's discretion.³
3. **United States Conference of Catholic Bishops** must have an effective program management structure that designates clear lines of authority and responsibility and promotes the effective use of organizational resources and positive outcomes, including the safe and timely release of unaccompanied children.
4. **United States Conference of Catholic Bishops** must have internal policies and procedures in place for monitoring and evaluating their program and conducting ongoing quality assurance activities to identify areas in need of improvement and/or modification.
5. **United States Conference of Catholic Bishops** must provide services in a culturally sensitive and knowledgeable manner. The majority of staff responsible for direct service delivery must be bilingual in English and Spanish. Staff who routinely work with unaccompanied children who speak other languages must be proficient in that language. Care providers must have access to interpreters for other languages that unaccompanied children in their care may speak.
6. **United States Conference of Catholic Bishops** must maintain internal policies and procedures in electronic and hard copy form and readily accessible for all care provider and ORR staff. Internal policies and procedures are subject to ORR approval and must

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

comply with all applicable federal law, regulations, and ORR's policies and procedures. The care provider's internal policies and procedures must address the following:

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

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

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

- Relationships with key external stakeholders; and,
 - “Drug Free Workplace” policies.
7. **United States Conference of Catholic Bishops** must maintain or attempt to enter into memoranda of understanding (MOUs) or other agreements with local child advocacy centers, rape crisis centers, immigrant victim service providers, and/or other community service providers to provide services to victims of sexual abuse and sexual harassment that occurred at the care provider facility. If local service providers are not available, **United States Conference of Catholic Bishops** must maintain or attempt to enter into MOUs or other agreements with national service provider organizations. All agreements must have provisions that require the community or immigrant service provider to report any allegations of mistreatment or abuse to ORR. Care provider facilities must maintain copies of its agreements or documentation showing attempts to enter into such agreements and provide copies to ORR upon request.

C. Management of Personnel and Volunteers

1. **United States Conference of Catholic Bishops** must develop, implement, and document a staffing plan based on the populations served, the scope and type of provided services, anticipated requirements, current and projected staff vacancies, and project budgets. The staffing plan must:
 - a. Include staffing ratios in accordance with State licensing requirements, and as required by ORR’s policies and guidelines;
 - b. Include a UC to Case Manager ratio of 8:1, unless waived by ORR; and,
 - c. Include a UC to Clinician ratio of 12:1, unless waived by ORR.
2. **United States Conference of Catholic Bishops** must complete background investigations on all staff, contractors, and volunteers prior to hire to ensure the candidate is suitable for employment to work with minors in a residential setting. Background

checks must be completed in accordance with ORR's minimum standards and State licensing requirements. The results must be included in the employee's personnel file. If State licensing requirements do not require a national criminal history fingerprint check, **United States Conference of Catholic Bishops** must complete the check using a public or private vendor. If there is an additional cost associated with this fingerprint check, the cost may be included in **United States Conference of Catholic Bishops**'s budget plan.

3. Requirements for all hired staff. All staff must:

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

4. **United States Conference of Catholic Bishops** may not hire, continue employment, or enlist the services of any contractor or volunteer who:

- Has engaged in any form of child abuse or neglect, including domestic violence;
- Has been convicted of engaging or attempting to engage in sexual abuse facilitated by force, overt or implied threats of force, coercion or if the victim did not consent or was unable to consent or refused; and/or,
- Is undergoing civil or administrative adjudication or has been civilly or administratively adjudicated for engaging in an activity listed above.

5. **United States Conference of Catholic Bishops** must consider incidents of sexual harassment in determining whether to hire anyone or to enlist the services of any contractor or volunteer. **United States Conference of Catholic Bishops** must ask all applicants about previous misconduct in written applications or interviews for hiring. Applicants or employees must disclose any misconduct, whether the conduct occurs on or off duty. **United States Conference of Catholic Bishops** personnel policies and

procedures must provide that material omissions regarding such misconduct or providing materially false information will be grounds for termination.

6. **United States Conference of Catholic Bishops** must have job descriptions and selection criteria for all staff positions that state the qualifications, performance standards, and responsibilities for each position. (Each job description must include a section on Essential Functions as mandated by the Americans with Disabilities Act).
7. **United States Conference of Catholic Bishops** must obtain prior approval for the positions noted in the table below. The table also includes job descriptions and minimum qualifications for positions that require ORR approval as well as those that do not. Exceptions to the minimum qualifications require ORR's explicit written approval prior to hire and ORR may require supervision plans and additional training.

Positions Requiring ORR Prior Approval		
Position	Job Description	Minimum Qualifications
Program Director	Overall management of the programmatic, administrative, financial, and operational systems related to the provision of care and services; provision of regular and timely reports to ORR regarding operations, services, and finances; establishing a respectful and supportive workplace environment; elevating any issues or concerns to ORR.	Master's degree in social work or an equivalent degree in education, psychology, sociology, or other relevant behavioral science degree or bachelor's degree plus 5 years' experience in child welfare administration, child protective services; and, 2 years of experience in program management or as director of a licensed child care program. Possess the administrator's license for the care provider's facility.

Assistant Program Director	Serves as secondary liaison with ORR. The need for an Assistant Program Director will vary depending on the number of unaccompanied children served at a care provider facility.	Bachelor's degree in education, psychology, sociology or other relevant behavioral science plus 5 years of progressive employment experience with a social services or childcare agency or organization.
Clinician	Conducts mental health assessments; provides ongoing individual and group counseling services, screens for human trafficking concerns, and provides crisis intervention services.	Master's degree in social work with clinical experience in the program, or Master's degree in psychology, sociology, or other relevant behavioral science in which direct clinical experience is a program requirement, or a bachelor's degree plus 5 years clinical employment experience. Must be licensed or eligible for licensure.
Lead Clinician	Coordinating clinical services, training new clinicians, and supervising the clinical staff.	Master's degree in social work, 2 years of postgraduate direct service delivery experience or a Master's degree or Ph.D. in psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement, plus 2 years of postgraduate direct service delivery experience/or bachelor's degree plus 5 years clinical employment experience in the behavioral sciences. Must have supervisory experience and be licensed to provide clinical services in the State where the care provider is located.
Lead Case Manager	Responsible for coordinating case management and safe and timely release services, training new case managers, and supervising the work of other case manager.	Master's degree in the behavioral sciences, human services or social services fields or bachelor's degree and at least 3 years progressive employment experience that demonstrates supervisory and case management experience.

Prevention of Sexual Abuse (PSA) Compliance Manager	Oversees implementation and ongoing compliance with the Interim Final Rule on UC Sexual Abuse and Sexual Harassment standards at care provider facilities.	Bachelor's degree in behavioral sciences, human services, or social service fields and at least 1 year experience working with child welfare standards, best practices, and compliance issues.

Positions NOT Requiring ORR Prior Approval		
Position	Job Description	Minimum Qualifications
Case Manager ⁶	Assesses the needs of unaccompanied children in care, develops Individual Service Plans, screens for human trafficking concerns, facilitates the safe and timely release or discharge of children and youth, documents the provision of services in case files.	Bachelor's degree in the behavioral sciences, human services or social services fields. Child welfare and/or case management experience is strongly encouraged.
Medical Coordinator	Arrange or partners with other health professionals regarding health and safety standards for out-of-home child care, child care licensing requirements, disease reporting requirements for care providers, immunizations for children, injury prevention for children, medication management and knowledge of community health and mental health resources for children. If the size of the program does not justify hiring a full time Medical Coordinator, the responsibilities may be combined with another position.	High school diploma or equivalent degree and a minimum of 1 year employment experience in the child welfare field working with children and/or adolescents in a social service setting.

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

Teacher	Provides educational services and assessments, including curriculum building meeting Flores standards for education requirements.	Bachelor's degree; certification by the relevant governing authority, Teaching English as a Second Language/Teaching English to Speakers of Other Languages certification or other appropriate accrediting body and additional training to meet the special needs of unaccompanied children.
Trainer	Conduct trainings, select or develop training materials; maintain records on training program attendance, trainings offered, and evaluation measures. This position does not have to be full time and the responsibilities may be combined with another position.	Bachelor's degree.
Youth Care Worker	Provide direct supervision of children in care, and maintain line-of-sight at all times	High school diploma or equivalent degree and a minimum of 1 year employment experience in the child welfare field working with children and/or adolescents in a social service setting.

8. **United States Conference of Catholic Bishops** must maintain a personnel file for each employee, whether part-time or full-time, that documents the employee's credentials, competencies, and performance, and provide access to ORR upon request. The employee personnel file must be up-to-date and must include the criteria for the employee's selection, hiring, suspension, or termination.

a. Personnel files must include at the minimum:

- Resume;
- Job Description
- Employment application;
- Professional references;

- Educational records/diploma;
 - Professional licensure (if applicable);
 - Form I-9, Employment Eligibility Verification, and appropriate identification documentation;
 - Results of medical examination (as required by State licensing, including results of TB tests and immunization records);
 - Child Abuse Mandated Reporter agreement (signed);
 - Confidentiality policy acknowledgement;
 - Most recent performance review (signed);
 - Child abuse and neglect record check results (for all jurisdictions lived in for the past 5 years);
 - National FBI criminal background check and State repository check results (for all jurisdictions lived in for the past 5 years);
 - Driver's Record and Clearance (if transporting children and youth); and,
 - Record of completion of mandated trainings and required acknowledgements.
- b. **United States Conference of Catholic Bishops** must have policies and procedures for using and managing volunteers and interns (this includes those working in foster care).⁷ This includes:
- Establishing requirements for their selection;
 - Ensuring that each volunteer and intern complete pre-service and annual training, if applicable;

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

- Using paid staff to supervise all volunteers and interns;
- Requiring authorization for any volunteers or interns to accompany unaccompanied children and care provider staff outside the facility for trips, medical appointments, or other visits;
- Requiring all volunteers and interns to complete a volunteer application, provide disclosures, and references; and,
- Conducting background checks on all volunteers and interns.

D. Code of Conduct and Conflict of Interest Requirements

1. Code of Conduct

- a. **United States Conference of Catholic Bishops** must create and implement a Code of Conduct that reflects the ethical standards of a reputable professional organization, such as the National Association of Social Workers, Child Welfare League of America, or the American Public Health Human Services Association. The Code of Conduct must specifically address the employee's obligations with respect to interactions and interventions with unaccompanied children, staff, and external stakeholders.
- b. **United States Conference of Catholic Bishops** must train all employees on the Code of Conduct and have a "whistleblower policy" that provides staff an opportunity to report suspicious unethical, inappropriate or illegal activities without negative consequence. **United States Conference of Catholic Bishops** must include proof in the employee's file that the employee has received training in the Code of Conduct. **United States Conference of Catholic Bishops** must have policies and procedures for the discipline or termination of personnel who violate the Code of Conduct.
- c. The Code of Conduct is required to indicate that staff must:

- Respect the boundaries inherent in the relationship between unaccompanied children and care provider staff both while in ORR care and after release (for example staff should not take an unaccompanied child to his or her home (with the exception of community-based foster care parents) or the home of the employee's personal acquaintances);
- Enforce zero tolerance and other policies to prevent, detect and respond to sexual abuse and harassment by not engaging in any kind of sexual activity or personal relationship with unaccompanied children, or former unaccompanied children; or parents, guardians, or sponsors of unaccompanied children;
- Not provide legal advice to UC;
- Only provide therapeutic counseling if properly licensed and authorized;
- Maintain professional standards and manner when dealing with children and youth, visitors or fellow employees by dressing appropriately and refraining from giving money or gifts, using inappropriate language, proselytizing religion or making unauthorized disclosures of confidential information, or campaigning on behalf of a political party, politician or interest group;
- Not discriminate against any person on the basis of race, color, religion, national origin, or sex; lesbian, gay, bisexual, transgender, questioning or intersex status; veteran status, age, or disability;
- Employ strength-based behavior management approaches and never hit, harass, humiliate or degrade an unaccompanied child or other staff member;
- Cooperate with official investigations (Child Protective Services, State licensing, etc.) as well as other legally sanctioned investigations, such as those conducted by law enforcement;
- Report any criminal or inappropriate conduct of other staff and never participate in the activities of a criminal gang; and,

- Protect fellow care provider staff and unaccompanied children from retaliation if they disclose or threaten to disclose the existence of an illegal or unsafe practice.
2. **United States Conference of Catholic Bishops** staff are required to timely report to care provider management any misconduct (on or off duty). Failure to report misconduct or reporting false information will be grounds for termination.
- a. Misconduct may include but is not limited to:
 - Any criminal arrests and/or convictions;
 - Any child abuse and/or neglect allegations, adjudications, or convictions (whether criminal, civil or administrative); and,
 - Any engagement or attempt to engage in sexual activities facilitated by force, overt or implied threats of force or coercion; or if the victim did not consent or was unable to consent or refuse.
 - b. Timely reporting is defined as no later than 24 hours from when a subject has knowledge of an arrest, conviction, or allegation, or earlier if the subject has unsupervised access to unaccompanied children. Other unethical conduct may also be the basis for disciplinary action and/or termination. Program Directors or other care provider management officials must report any disciplinary action and/or termination of any employee to ORR.
3. **Conflict of Interest**
- a. **United States Conference of Catholic Bishops** staff are prohibited from taking unfair advantage of any professional or personal relationship or from exploiting their position to further their personal, religious, political, financial, or business interests.
 - b. **United States Conference of Catholic Bishops** must establish and maintain a written Conflict of Interest policy applicable to all staff, board members, contractors,

sub-contractors, sub-grantees, volunteers, and other internal stakeholders. The policy must:

- Identify and define conduct that creates a conflict of interest or a potential conflict of interest;
- Prohibit employees from having any direct or indirect financial interests in the transactions of services of the program;
- Require staff to recuse themselves from the decision-making process if there is a conflict of interest or a potential conflict of interest;
- Require staff to disclose any conflicts of interest prior to their involvement in a decision related to or affected by the conflict; and,
- State that failure to disclose conflicts of interest or potential conflicts of interest may result in discipline or termination of employment.

E. Training

1. **United States Conference of Catholic Bishops** must ensure all prospective employees meet all required educational and professional experience qualification and demonstrate that ability to provide culturally competent services and all employees, contractors, and volunteers complete pre-service training prior to having direct contact with UC and complete the required annual training.
2. Newly hired employees must complete pre-service training prior to having direct contact with unaccompanied children. **United States Conference of Catholic Bishops** must provide pre-training on the following:
 - ORR's Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment involving Unaccompanied Children;
 - All State and local licensing requirements; and,

- State license required trainings (for example, CPR, first aid, mandatory reporting).
3. Staff who are required to have professional certifications must abide by continuing education requirements necessary to maintain licensure. In addition, all care provider staff must complete 40 hours of training annually of which 2 hours must involve training on the Flores settlement agreement, the HSA of 2002, the TVPRA of 2008, the Perez-Olano settlement agreement, and 10 hours on ORR policies and procedures. Foster care providers and foster families are subject to all ORR training and documentation requirements. In addition, the foster care providers must ensure that foster parents meet the competencies required at the time of licensing and focus the foster parent pre-service and ongoing training on developing these competencies.
4. **United States Conference of Catholic Bishops** must develop annual staff trainings based on the following areas⁸:
- State licensing requirements, laws, regulations, and policies relevant to the ORR UC Program;
 - ORR operational policies and relevant guidance⁹;
 - The Safe and Timely Release process;
 - Cultural competency, including awareness of and sensitivity to different cultural backgrounds;
 - Prohibition against providing legal advice or counsel;
 - Strength-based behavior management approaches, such as using conflict resolution, problem solving skills, using rewards and consequences and de-escalation techniques and helping children and youth learn accountability and self-control;
 - Prohibition against conflicts of interest;

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

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

- Crisis/intervention procedures and techniques;
- Immigration and child welfare systems (local, national, international);
- Child development theory;
- Issues related to loss and family separation;
- Common health and mental health issues;
- First aid and cardiopulmonary resuscitation (CPR);
- Medication management;
- Infection control procedures and Occupational Safety and Health Administration (OSHA) or equivalent course that covers blood borne pathogens, airborne pathogens, and employee safety;
- Working with victims of human trafficking and other crimes;
- Mandatory child abuse and neglect reporting requirements: prevention, signs, and reporting;
- Professional boundaries;
- Emergency and disaster preparedness;
- Code of Conduct and Conflicts of Interest;
- Grievance policies and procedures; and,
- Incident reporting.

5. **United States Conference of Catholic Bishops** must provide training to all new contractors and volunteers, where the level and type of training provided is based on the services they provide and the level of contact they have with unaccompanied children. Contractors hired for a term that is expected to last one year or more must undergo the standard 40 hours of training required for all care provider employees. All contractors

and volunteers must undergo pre-service training prior to having direct contact with UC.

6. United States Conference of Catholic Bishops must document all trainings completed by staff and place a copy in the staff's personnel file, including:

- The date, number of hours, and subject-matter of the employee's orientation training;
- The date and number of hours of in-service training completed by the employee in each topic area listed above;
- A confirmation that the employee understood each training that he/she completed; and,
- The name of the individual and/or entity providing the training.

F. Grant Administration

1. **United States Conference of Catholic Bishops** must submit a detailed project plan of the approach, activities, staffing, and timelines which is approved by ORR and is in compliance with respective State residential care licensing requirements, the Flores settlement agreement, applicable federal laws and regulations, and the ORR policies and procedures. Any modifications must be discussed with the ORR Project Officer prior to implementation.
2. **United States Conference of Catholic Bishops** must submit a program budget for ORR and ACF's Office of Grants Management (OGM) approval that accurately reflects proposed activities as described in the project plan.
3. **United States Conference of Catholic Bishops** must notify the ORR Project Officer of any significant delays or issues regarding implementation of grant activities.
4. **United States Conference of Catholic Bishops** must regularly consult with the ORR Project Officer and other ORR staff while implementing grant activities during each

phase of the project. Consultation shall include, but is not limited to, participation in status meetings by telephone to review project implementation or as required by ORR.

5. **United States Conference of Catholic Bishops** must provide ORR with unrestricted access to clear, timely, and accurate information about all aspects of the program. This access includes, but is not limited to: activities, policies, and financial information; documentation on individual UC and provided services; and unrestricted physical access to **United States Conference of Catholic Bishops** 's premises, buildings, staff and UC in the programs physical custody; and any physical property on the premises, such as video monitoring equipment and footage.
6. **United States Conference of Catholic Bishops** must ensure that all Sub-Recipients comply with respective state residential care licensing requirements, the Flores settlement agreement, pertinent federal laws and regulations, and the ORR policies and procedures, unless otherwise expressly waived (in writing) by authorized ORR staff.
7. **United States Conference of Catholic Bishops** must submit the following documents to the ORR Project Officer:
 - a. All applicable State and local licensures, incorporations, and/or authorizations for **United States Conference of Catholic Bishops** and any Sub-Recipient at the beginning of each Federal fiscal year.
 - b. A description of responsibilities and activities of all organizations, individuals, or Sub- Recipients providing services to UC within 30 days of ORR's award date. All Sub- Recipients are subject to approval by the ORR Project Officer and must include the following considerations:
 - o Memoranda of Understanding (MOU) or similar instrument, with organizations or individuals selected for receipt of sub-awarded funds;

- A detailed description of the Sub-Recipients' activities, if not adequately described in the MOUs (or similar instrument) or project plan (may include a monitoring tool jointly developed by Project Officer and Grantee);
 - Complete budget for each Sub-Recipient;
 - Schedule for monitoring Sub-Awardees with respect to location, dates, and agenda will be reported in **United States Conference of Catholic Bishops** quarterly reports to ORR;
 - Reports following monitoring visits of sub-awardees and immediately notifies the ORR Project Officer of any serious concerns and will submit the final report within 30 days following the monitoring visit; and,
 - Prompt notification to ORR Project Officer of any changes regarding Sub-Recipient.
- c. Report of all State defined residential care placement restrictions to be submitted within 7 days of date of ORR award.
- d. Notify the ORR Project Officer immediately but no later than 24 hours after the care provider, service provider/contractor or Sub- Recipient receives a revocation or suspension of a license, incorporation or authoritation to provide services.
- e. Notify the ORR Project Officer immediately but no later than 24 hours after the care provider, service provider/contractor or Sub-Recipient receives any citation from a State or local licensing agency or other accrediting agency and any citation for health, safety or enviornemental code violations violaitons.
- f. List of all State mandated staff trainings, including required timeline for completion dates within 30 days of date of ORR award.
- g. All materials (e.g., forms and other tools) used or created for residential services for UC. Materials are subject to approval by ORR Project Officer and must be submitted to the Project Officer 30 days prior to being implemented.

- h. Quarterly performance and financial reports are to be uploaded into GrantSolutions unless otherwise directed by OGM or ORR..

8. United States Conference of Catholic Bishops also agrees:

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

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

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

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

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

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

H. Responsibilities of ORR

ORR hereby agrees to the following:

1. To confirm project plan (which includes approach, activities, timelines, and results expected) and budget, and discuss minor modifications;
2. To submit and/or review FFR SF-425 to be sure it accurately reflects proposed activities;

3. To participate in status meetings by telephone to review project implementation (monthly, or as required by the ORR Project Officer or other ORR staff);
4. To keep United States Conference of Catholic Bishops informed of policy, regulatory and legal developments as they affect the implementation of the project;
5. To review and approve United States Conference of Catholic Bishops Sub-awards of organizations providing residential services;
6. To review and approve additions or hiring of key personnel, including those of Sub-Awardee of organizations providing residential services, in a timely manner;
7. To review all internal policies, procedures, and protocols used or created for the residential services for DUCO in a timely fashion;
8. To provide training and technical assistance, as needed, regarding project implementation, and residential service delivery; and,
9. To promptly review written requests for prior approval of deviations from the project plan or approved budget. Any changes that affect the terms and conditions of the grant award or revisions/amendments to the Cooperative Agreement or to the approved scope of activities will require prior approval by the ORR Project Officer and the Grants Management Specialist in the Office of Grants Management (OGM).

SECTION V: Budget and Financial Arrangement

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

The Government shall not be obligated to reimburse the recipient for costs incurred in excess of the total amount allotted to this project, and the recipient shall not be obligated to continue performance under the Agreement (including actions under the termination clause) or otherwise to incur costs in excess of the amount allotted to this Agreement unless and until ORR and the OGM have notified the recipient in writing that additional funds have been awarded. No notice, communication, or representation from any person other than the Grants Management Specialist

shall authorize the expenditure of additional funds. The United States Government will not be obligated for any excess costs in the absence of a written notice of authorization from the Grants Management Officer. Changes issued pursuant to this Agreement shall not be considered an authorization to the recipient to exceed the allotted amount of this Agreement unless specifically stated by the Grants Management Officer.

SECTION VI: Monitoring

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

Performance and compliance measures are reflected in:

- The grant application, as funded;
- Program requirements contained in the authorizing statutes;
- Program regulations and guidelines incorporated in the grant award;
- Program grant and administrative requirements contained in regulations and policy;
- Relevant public policy requirements (assurances, certifications);
- This agreement;
- The ORR Policy Guide and relevant procedures; and,
- Special programmatic terms and conditions, if any .

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

- Costs and Total Support – high cost projects
- Complexity – projects with multiple service components;

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

ORR will provide United States Conference of Catholic Bishops with a monitoring report following formal monitoring visits or if required site visits, that will include citations for noncompliance, recommendations, a corrective action plan if needed, timelines for reporting, and consequences for not responding.

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

SECTION VII: Continuation Applications

United States Conference of Catholic Bishops must submit an ORR provided continuation application by June 1, or a later date determined by ORR. For continuation applications, United States Conference of Catholic Bishops will provide the following information:

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

United States Conference of Catholic Bishops must use the current version of all standard applications and reporting forms.

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

SECTION VIII: Applicable Regulations

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

SECTION IX: Records and Reports

For quarterly performance reports, United States Conference of Catholic Bishops will use the ACF Performance Progress Report ACF-OGM SF-PPR form. Performance Reports are due quarterly based on the project period start date.

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

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

United States Conference of Catholic Bishops must use the current version of all reporting forms. Current versions of the forms are available at: <https://www.grants.gov>

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

SECTION X: Project Contacts

United States Conference of Catholic Bishops designates the following person as project contact for this cooperative agreement:

Name: Kristyn Peck

Title: Associate Director, Children's Services

Address: 3211 4th Street, NE, Washington, DC 20017

Telephone: (202) 541-3039

Fax:

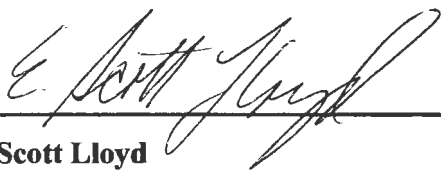
Email: kpeck@uscgb.org

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

Name: Sathya Acevedo
Address: 330 C Street, SW, Washington, DC 20201
Telephone: (202) 401-5737
Fax: (202) 401-1022
Email: Sathya.Acevedo@acf.hhs.gov

SECTION XI: Duration of Agreement

This agreement will be effective February 1, 2017- January 31, 2020. Annual continuations will be entertained on a non-competitive basis, subject to availability of funds, satisfactory performance of the project, capacity needs and a determination that continued funding is in the best interest of the Federal Government.



E. Scott Lloyd **Date** 1/16/18
Director
Office of Refugee Resettlement



Anthony Picarello **Date** 4/26/17
Associate General Secretary & General Counsel
United States Conference of Catholic Bishops

Exhibit P

PROJECT SUMMARY/ABSTRACT

Project Title: ***Safe Passages I – Residential (Long Term Foster Care) Services for Unaccompanied Children***

Applicant: United States Conference of Catholic Bishops/Migration and Refugee Services

Address: 3211 4th Street NE Washington, D.C. 20017-1194

Phone: 202-541-3039 Fax: 202-722-8747 E-mail: Kristyn Peck, kpeck@usccb.org

www.usccb.org/mrs

The United States Conference of Catholic Bishops' department of Migration and Refugee Services (USCCB/MRS) has partnered with the Office of Refugee Resettlement's Division of Children's Services (ORR/DCS) to provide placement and care to unaccompanied children (UC) since ORR/DCS' inception. As one of ORR's longest-standing partners, USCCB/MRS proposes to continue and expand long-term foster care services for UC who are in federal custody in Federal Fiscal Year (FY) 2017 through its residential program, called *Safe Passages I*. USCCB/MRS *Safe Passages I* currently provides long-term foster care for UC with potential immigration relief for whom repatriation to their home country or family reunification in the United States is not possible. Long-term foster care settings range from foster families in the community to therapeutic group homes.

USCCB/MRS will implement *Safe Passages I* through seven Unaccompanied Refugee Minor (URM) programs, which have more than 30 years of experience in providing community-based and culturally sensitive foster care services for migrating and refugee children and a new partner that will specialize in providing long-term foster care for parenting and pregnant youth. The sub-recipient programs are located in seven different states; each has established relationships with community partners to provide culturally and linguistically appropriate services to UC. All services provided through USCCB/MRS and its sub-recipients will comply with ORR/DCS Policies and Procedures (ORR/DCS P&P), the Flores Settlement Agreement, the Perez-Olano Settlement Agreement, the Trafficking Victims Protection Act, as amended, and all pertinent federal and state regulations, guidelines, laws, and instructions. In addition, USCCB must ensure that services provided under this application are not contrary to the authentic teaching of the Catholic Church, its moral convictions, and religious beliefs in an approach that is consistent with the ACF Policy on Grants to Faith-Based Organizations.¹

USCCB/MRS provides the components of a nationally administered program to ensure timely and quality services, to include: foster care placement matching and program development, training and technical assistance to sub-recipient providers to improve knowledge and services, on-site monitoring and desk audits to ensure quality services and compliance with applicable policies and procedures, and analysis of data and trends to inform ORR/DCS about national program and client implications. Lastly, USCCB/MRS will continue to develop and maximize relationships with partners with national presence and recognized expertise in legal and social services to UC.

¹ <http://www.acf.hhs.gov/acf-policy-on-grants-to-faith-based-organizations> See also subheading **Medical and mental health services** on page 9; heading **Subrecipient Program Profile, Structure and Staffing** on page 18.

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 SF-P/PSL – Project/Performance Site Location
 Certification Regarding Lobbying
 Maintenance of Effort (MOE) Certification
 SF-424 Key Contact Form

PROJECT DESCRIPTION

Approach

The Flores Settlement Agreement establishes minimum standards of care for unaccompanied children (UC) in the custody of the Office of Refugee Resettlement/Division of Children's Services (ORR/DCS), and requires that UC be placed in the least restrictive setting that meets their needs. While many of the UC in ORR/DCS custody are served in large shelters, those who do not have reunification options, either in their home country or in the United States, and are pursuing immigration relief are better served in less-restrictive foster care settings. The Homeland Security Act of 2002 encourages the use of the Unaccompanied Refugee Minor (URM) programs for foster care services for UC.² USCCB/MRS's *Safe Passages I* project implemented through state-licensed foster care agencies provides long-term foster care and continuity of care for UC currently in, and exiting, ORR/DCS custody. The sub-recipient programs provide individualized, community-based care to ensure every UC experiences safety, well-being, and a path toward permanency.

USCCB/MRS will implement its *Safe Passages I* project through eight sub-recipient programs, each with expertise and longevity in providing trauma-informed and culturally sensitive foster care services. The eight sub-recipient programs include: Bethany Christian Services of Modesto, California; Catholic Charities Community Services of Phoenix, Arizona; Catholic Community Services in Tacoma, Washington; Catholic Charities in Houston, Texas; Catholic Charities in Fort Worth, Texas; Commonwealth Catholic Charities in Richmond, Virginia; Catholic Family Center in Rochester, New York; and Bethany Christian Services in Grand Rapids, Michigan.

² Public Law 107–296, Sec. 462. Children's Affairs. November 25, 2002.

As the direct grantee USCCB/MRS will provide a number of unique and essential benefits to ORR/DCS:

- National placement coordination that includes proactive identification and response to case trends, resulting in flexible and responsive capacity
- Sub-recipient program monitoring and oversight activities to ensure compliance with ORR/DCS policy and procedures (P&P) and support continuous quality improvement
- Superior training and technical assistance to sub-recipient programs to increase staff knowledge, promote promising practices, and foster high quality service provision
- Centralized location for program information, client data, and outcomes; trends and concerns are communicated to ORR/DCS in a timely manner

One common challenge in providing community-based foster care is the retention of existing foster families and the recruitment, training, and licensing of new foster homes. Placement matching—matching the needs of a child with the best possible placement within the *Safe Passages I* network—is another challenge. USCCB/MRS will address both issues by working with its sub-recipient programs to help set licensing goals, utilize case trends in the development of recruitment plans, and provide technical assistance on the ongoing training of foster families to ensure they are equipped to meet the needs of the UC placed in their homes.

Program Design

Providing a continuum of care that allows for the various and ever-changing needs of a child to be met within a single community and service agency is a primary objective of USCCB/MRS and its sub-recipient network. A variety of placement and service options allows a child to remain in his or her community if a placement transfer to a higher level of care is needed. The child does not have to change schools, can maintain connections to peers, and has

continuity of adults supporting him or her. Placement and service settings in the *Safe Passages I* network offered to UC of all ages and gender vary by intensity of services and level of supervision, and include:

- Basic Foster Care – placement with a family in the community that has completed the minimum required training for licensure in that State. Youth that fare well in this least restrictive care setting have minimal mental health, behavioral, and supervision needs.
- Therapeutic Foster Care – placement with a family in the community that has completed advanced training and competencies, allowing them to foster youth with mild to moderate-level mental health or behavioral needs. Youth in this care setting have more program staff and foster parent engagement than their counterparts placed in basic foster care.
- Therapeutic Group Home – placement in a group home setting with trauma-focused mental health treatment planning and a higher level of supervision, care, and services provided by 24 hour staff. This setting is more intensive, structured, and routine than other care options, and is appropriate for youth with moderate to severe mental health and behavioral needs.

Service Provision

USCCB/MRS's sub-recipient programs have been successfully serving and meeting the needs of UC for more than 10 years by maximizing their internal resources and external partnerships. The programs offer individualized, culturally sensitive services and have a record of serving UC with the most complex needs in the ORR/DCS system. ORR/DCS acknowledges that not all services will be provided directly by the long-term foster care programs as many of the child's needs are met in a family or community-based setting. Services provided by USCCB/MRS's long-term foster care sub-recipient programs are detailed below.

Foster Parent Training: State regulations require foster families to undergo pre-service training, such as Parent Resources for Information, Development and Education (PRIDE), Model Approach to Partnerships in Parenting (MAPP), or Caregiver Core Training, prior to becoming a licensed foster parent. In addition to the state mandated pre-service training, the sub-recipient programs also incorporate trauma-informed approaches when training foster parents, such as People Places, National Child Traumatic Stress Network's Trauma Informed Parenting Skills, Responsible and Prudent Parenting Standards and Medical Storage, and Administration, Trust-Based Relational Intervention, and Right Response. Once foster parents are licensed, the sub-recipient programs provide ongoing training to foster parents that address the unique needs of UC including: understanding the impact of family separation on a child, responding to children who have experienced sexual abuse or witnessed horrific crimes, cultural competency, recognizing victims of human trafficking, and strengths-based behavior management. All foster parents who have UC in their homes also receive training on ORR/DCS P&P and required training on preventing, detecting, and reporting sexual abuse and sexual harassment.

Orientation: Within 48 hours of arriving to long-term foster care, the sub-recipient program provides the UC a comprehensive orientation that includes client rights, such as right to privacy, right to be free from sexual abuse/harassment, and right to practice one's own religion. Also discussed during orientation is the agency's grievance procedure, program rules and expectations, the agency's zero tolerance policy on sexual abuse and sexual harassment, and the availability of free legal assistance. All information is provided both verbally and in writing, in the child's native language.

Individualized Needs Assessments and Individual Service Plan: As part of the orientation process upon a UC's arrival into LTFC, the sub-recipient program conducts an initial

intakes assessment to determine the various service needs—immediate and long term—of the child. Case managers work closely with each child, his/her foster parents, and therapist to create a comprehensive Individual Service Plan (ISP) that addresses the service areas required by ORR/DCS. The case manager continues to assess the child's individual needs and progress in meeting those needs throughout the duration of the child's stay in long-term foster care. All UC, regardless of race, age, native language, culture, religion, sexual orientation or gender identity, are treated with respect and dignity by USCCB/MRS and its sub-recipient program.

An important part of the needs assessment process includes screening for human trafficking. USCCB/MRS has trained its sub-recipient programs in trauma-informed, culturally and developmentally appropriate screening techniques, and provided instructions for contacting HHS's Office of Trafficking in Persons (OTIP) to request assistance for potential child victims of trafficking. Case managers employ trafficking screening tools to assess UC for indicators of trafficking, both at the time of arrival into LTFC and throughout their stay in the program. USCCB/MRS sub-recipient staff have access to trainings on trafficking and other relevant subject matters through the USCCB/MRS's network resource website.

Case Management Services and Maintenance of Case Files: Case managers visit the foster homes monthly at a minimum, and have phone contact with both the UC and foster parents in between home visits to ensure the child is doing well in the foster home and that his/her needs are being met. Case managers and foster parents are responsible for transporting UC to various appointments in the community, such as medical, mental health, legal, and religious services.

In addition to working with the child and foster family, case managers are responsible for completing all assessments and reports in the UC Portal system within the required timeframes. USCCB/MRS sub-recipient programs have extensive experience utilizing the UC Portal to

complete ORR/DCS required reports and submit other case information. This includes but is not limited to UC Assessment, Assessment for Risk, Individual Service Plans, UC Case Review, Significant Incident Reports, and transfer and release requests. Sub-recipient programs also maintain complete hard copy case files in addition to the electronic records in the UC Portal. Sub-recipients maintain the protection of sensitive and/or confidential information of clients. Case information is secured through password-protected internal database systems and computers, as well as locked file cabinets. Sub-recipient programs are monitored by USCCB/MRS for receipt of individual service provisions, documentation submission timeliness, confidentiality procedures, and maintenance of records in secure locations.

Acculturation and Adaptation Services: As community-based programs, USCCB/MRS's sub-recipient programs foster an environment where a child's ethnic and religious background can be embraced and shared with others, while helping the child integrate into the new culture. The programs support UC in the strengthening and preservation of their cultural beliefs and practices by: encouraging peer relationships with other youth in the program from similar backgrounds; hiring diverse staff to reflect the linguistic and cultural background of the youth served; foster parent recruitment and licensing within immigrant communities; and fostering connections between UC and immigrant communities.

Accordingly, the sub-recipient programs assist UC with acculturation and adjustment to life in the United States by developing their independent living skills through monthly classes and experiential learning opportunities such as professional internships and college tours. Programs offer life skills trainings that cover topics such as: banking and financial management, healthy relationships, nutrition and cooking, and vocational preparation. Foster parents also play a crucial role in helping UC acculturate and adjust to their new lives in the United States by

providing opportunities for them to participate in U.S. customs and holidays while celebrating their heritage culture.

Recreational activities in the community or with foster families are an important part of acculturation and adjustment, and include vacation trips with the foster families, soccer, music lessons, school clubs/organizations, outdoor activities, and parades. The programs also organize recreational events for UC including trips to public libraries, movie theaters, amusement parks, shopping malls, roller skating rinks, bowling alleys, baseball games, and cultural activities in ethnic communities.

Medical and mental health services: Many UC have experienced trauma in their home countries and/or during their migration journeys. Due to their multi-layered trauma, UC often have mental and physical health concerns, behavioral manifestations of their trauma, and are particularly vulnerable to future victimization. These significant needs require intensive, trauma-focused, and culturally sensitive interventions. The USCCB/MRS *Safe Passages I* network has expertise and longevity in providing this type of specialized care.

The programs actively engage community service providers to meet the medical, dental, mental and behavioral health needs of UC. The programs have established in-house services and/or strong working relationships with community providers to ensure high quality service delivery in weekly individual and group counseling as well as medical screenings and follow-up care. In all areas of medical health, program services will be consistent with Catholic Doctrine. Consistent with the approach outlined in the ACF Policy on Grants to Faith-Based Organizations, if a UC requests a service that is contrary to the authentic teaching of the Catholic Church, USCCB or its sub recipient will notify ORR/DCS of this fact. Neither USCCB nor its sub recipients will have responsibility for taking or facilitating further action on that matter.

Rules/Behavior Management: Sub-recipient programs utilize an integrated approach to manage UC behaviors. Before admission into the foster care program, sub-recipient treatment teams consisting of licensing, case managers, and clinical staff review UC case information to determine the best available foster family suited to meet the needs of the UC. Prior to transfer into foster care, UC and potential foster parents complete phone interviews helping to reduce anxieties associated with the new environment. Program and foster home rules are reviewed with UC upon intake along with a complete orientation outlining UC rights and responsibilities.

Some UC exhibit challenging behaviors that are often a product of the trauma they have suffered, in combination with normal child and adolescent behavior. The sub-recipient programs are skilled in addressing behaviors of the UC through strengths-based trauma-informed approaches, such as through the Sanctuary Model, an organizational culture approach where child trauma is understood at all levels (from children to administration) allowing all individuals involved to engage in solution-focused responses. Behavioral intervention specialists may also provide support to the foster parents, redirect youth and help them find ways to behave successfully in the community, school, and the home. Behaviors are also addressed during weekly individual and group counseling sessions.

In foster home settings, foster parents establish house rules, daily routines, and work with program staff to manage a child's behavior in a positive and safe way. To manage behaviors in group home settings, programs provide initial orientation to the youth on rules, responsibilities and behavioral expectations. As positive behaviors are exhibited, youth move up in "levels" and gain increased freedoms, including opportunities for independent outings in the community. A primary goal of group care is to stabilize children's behaviors and emotions to support transition to more traditional foster home settings.

Safety Planning: Safety planning is a useful tool for UC who may be at risk of harming themselves or others. Program staff work with the UC and their foster parents to create safety plans for children who may be at risk. The sub-recipient program has also effectively used safety planning to minimize unauthorized absences and appropriately monitor children.

In addition, sub-recipient program staff and foster families are well prepared for emergencies. UC have access to a case manager 24 hours a day. Program staff and foster parents are trained and know who to call in a medical or mental health emergency to address a child's needs. Programs also have access to in-house clinical staff or to a crisis response team in the community at all times. Finally, all staff and children are trained in what to do in an emergency, including evacuation procedures in the event of a crisis situation or natural disaster.

Educational and Vocational Services: UC in long-term foster care are enrolled in public schools in the communities where they live. Case managers and foster parents advocate to ensure that UC are enrolled in the appropriate classes and have the supports they need. A majority of UC are enrolled in English as a Second Language classes and are provided tutorial assistance after school. In addition to the academic curriculum many school programs have vocational education or volunteer opportunities so UC can gain practical skills in preparation for adulthood.

Safe and Timely Release Services: For UC referred to long-term foster care, there is usually no viable adult relative in the U.S. that is willing or able to care for the child. However, as family reunification is in the best interest of the child, it remains a key priority for USCCB/MRS and its sub-recipients. Program staff work diligently with each child to identify family members and/or foster a relationship with a potential sponsor to facilitate the child's safe and timely release from ORR/DCS custody. Upon intake, case managers review previous ORR/DCS care provider case documentation and complete interviews with children to obtain

information about the whereabouts of potential adult sponsors (biological parent/legal guardian; relative; or non-relative sponsors). These individuals are contacted to determine the nature of the relationship with the child and assess their willingness and ability to provide for the child, if released to their care. A family reunification packet is then sent to the potential sponsor's address. While the sponsor is completing the required family reunification paperwork, the program is continuously assessing the sponsor's suitability, including through the completion of public records checks.

USCCB/MRS long-term foster care programs foster relationships with potential sponsors through regular phone calls, email and written communication, and in-person visits when safe and possible. The sub-recipients are able to provide UC and sponsors telephonic family counseling to address suspected and potential family dynamic issues. During the family reunification process, the program is in continuous communication with ORR/DCS staff. If any concerns arise during the family reunification process, the program can make a referral for a home study and/or post-release services. The program recommends release once the sponsor and placement are assessed to be safe and appropriate.

When reunification is not possible, programs arrange safe opportunities for UC to visit with relatives, and provide children the opportunity to call relatives who are back in the home country or in the U.S. to maintain family connections. For children with no reunification options, maintaining placement in the same foster home provides a level of permanency. USCCB/MRS staff monitors sub-recipients' sponsor assessments during regular case staffings, case consultations, and desk audits to determine the appropriateness of sponsor engagement and re-engagement if the sponsor is previously deemed unviable for reunification.

Legal Services: Ensuring each child is connected with legal services is a priority of USCCB/MRS sub-recipient programs. The sub-recipient programs collaborate closely with the Vera Institute-funded legal service providers in their area to ensure UC receive Know Your Rights orientations, legal case screenings, and that all UC are assigned pro bono attorneys to represent them in immigration court. The majority of UC who apply for immigration relief while in long-term foster care receive legal status and designate to the URM program. The sub-recipient programs play a critical role in liaising with the attorneys and ORR/DCS regarding the child's legal case, including adjudication of immigration relief.

Program Management

USCCB/MRS Organizational Profile

The mission of USCCB/MRS is to carry out the commitment of the U.S. Catholic bishops to serve and advocate for immigrants, refugees, migrants, and people on the move. The Vision Statement of USCCB/MRS is *“Creating a world where immigrants, refugees, migrants, and people on the move are treated with dignity, respect, welcome and belonging.”* USCCB/MRS is the largest refugee resettlement agency in the world and is one of only two agencies authorized by the U.S. Department of State to resettle unaccompanied refugee children. USCCB/MRS partners with the largest national network of Catholic social service agencies which consists of more than 1,400 local organizations in every state and the U.S. territories.

For more than 35 years, USCCB/MRS has provided services to unaccompanied foreign-born children through specialized and culturally appropriate child welfare programs nationwide. Specifically, USCCB/MRS has provided services for UC, including foster care placements and family reunification services for almost 20 years. Between October 1, 2010 and September 30, 2015 (FYs 2011-2015), USCCB/MRS served through its residential services network nearly

2,666 UC in ORR/DCS custody. USCCB/MRS has also collaborated with ORR/DCS by drafting the first ORR/DCS P&P manual, creating child trafficking screening and assessment tools, and providing technical assistance and training on the prevention of child maltreatment (including mandatory CPS reporting) for every residential facility in the ORR/DCS network.

In 2002, USCCB/MRS began working with foreign-national victims of human trafficking, including minors. USCCB/MRS published a study promising practices in serving child victims of human trafficking in the URM program in a paper titled, “Child Victims of Human Trafficking: Outcomes and Service Adaptation within the U.S. Unaccompanied Refugee Minor Programs.”³ From 2006-2011, USCCB/MRS administered HHS/ORR’s national per capita services contract program for foreign-national victims of human trafficking in the United States. The USCCB/MRS Anti-Trafficking Program continues to serve victims of trafficking in addition to conducting outreach and education on the subject, and its knowledge and expertise is an asset to the USCCB/MRS *Safe Passages I* network.

USCCB/MRS’s Bridging Refugee Youth and Children’s Services (BRYCS), operational since 2001, has the nation’s largest searchable online clearinghouse of resources related to refugee and immigrant children and families. With more than 1 million downloads annually, the BRYCS information hub increases staff knowledge, builds long-term capacity, promotes collaboration at the local, state, and national levels, and ultimately raises awareness about newcomer populations and migration issues. BRYCS documents new Promising Practices that are successfully meeting the needs of UC and trafficking victims, and generates highlighted resource lists, monthly newsletters, and social media campaigns.

³ “Child Victims of Human Trafficking: Outcomes and Service Adaptation within the U.S. Unaccompanied Refugee Minor Programs.” USCCB. July 2015.

Due to its expertise in child welfare, migration, and community-based care for foreign-born children, USCCB/MRS was invited in 2013 by the Council on Accreditation (COA) to become a supporting organization. COA holds agencies to higher standards of services and quality assurance measures, including regular case file review. In 2015 USCCB/MRS assisted COA with the development of accrediting standards for UC in shelter and kinship care.

A complete list of all Federal grants and contracts received by USCCB/MRS can be found in Appendix A-1.

USCCB/MRS Organizational Structure and Staffing

The USCCB/MRS national agency staff members are responsible for oversight, case placement, monitoring, and technical assistance support of the *Safe Passages I* sub-recipient programs. Each staff member is a highly skilled and qualified professional that has expertise in the areas of child welfare and immigrant populations. Clear lines of authority and supervision are illustrated in the Organizational Chart, which can be found in Appendix A-2. The organizational chart illustrates all current and proposed staff for FY2017. Position descriptions, including educational and professional experience requirements, can be found in the Budget Justification. Resumes of key USCCB/MRS staff can be found in Appendix A-3.

Weekly foster care staff meetings occur to discuss complex cases and sub-recipient program updates. USCCB/MRS national agency staff communicate on a regular basis with ORR/DCS federal field staff addressing case and programmatic matters concerning UC. Weekly supervisors and senior management meetings, and bi-monthly Special Programs meetings, assist with the coordination of cross-team activities. Each team is responsible for carrying out objectives to achieve MRS strategic goals and progress towards meeting these goals is discussed during weekly supervision meetings and bi-monthly Special Programs meetings.

Sub-recipient Program Profile, Structure and Staffing

The long-term foster care providers in USCCB/MRS's *Safe Passages I* network are state licensed child-placing agencies, and in most cases, are also accredited by COA. They comply with requirements issued by ORR/DCS P&P, state licensing standards, COA, and their own agency policies. The sub-recipient URM programs have a 35-year history of providing child welfare and protection services to foreign-born children. The community-based programs have internal resources and established networks of community providers able to meet the needs of the children. The programs have demonstrated experience working with the target population, and are leaders in providing culturally competent and linguistically appropriate services.

Sub-recipient program staffing includes, at a minimum, a Program Director and a Case Manager. For key positions such as the Program Director, USCCB/MRS ensures the candidate meets ORR/DCS staffing requirements. Most sub-recipient staff members are experienced child welfare professionals, many with master's level degrees in social work or related fields. Program Directors, Case Managers, and Clinicians have demonstrated effective collaboration to serve children in care. Program staff possess knowledge, skills, and abilities to address the following core competencies: immigration and migration, permanency planning, out-of-home care, transitional youth services, and trauma and attachment. Many staff are bilingual (primarily Spanish speakers), multicultural, and experienced working with the target population. All case management staff are proficient in navigating the Internet to support provision of services, including family reunification. These qualifications enable the programs to deliver services that are sensitive to the culture, native language, sexual orientation, and special needs of the UC.

If sub-recipient programs do not employ clinicians on staff, UC receive individual counseling from mental health professionals in the community. The Program Director

coordinates activities through regularly-scheduled meetings, both internally and with external partners; on-going clinical supervision, and regular oversight. Furthermore, each agency has a structure that creates clear lines of reporting and supervision.

All sub-recipient programs have assigned a Prevention of Sexual Abuse (PSA) Compliance Manager to ensure full implementation and compliance with ORR/DCS policies around preventing, detecting, responding to, and reporting suspected sexual abuse/harassment of UC while in federal custody, consistent with Catholic Doctrine. As stated in the preamble to the interim final rule (“IFR”), it is not ORR’s intention to require any faith-based organization to provide education or information about, or to facilitate access to, any item or procedure to which such organization has a moral or religious objection. See, e.g., 79 Fed. Reg. 77768, 77784-85 (Dec. 24, 2014). ORR is “committed to finding ways for organizations to partner with us [i.e., ORR], even if they object to providing specific services on religious grounds.” Id. at 77784. Accordingly, the USCCB/MRS and its sub recipients are deemed to have complied with the requirements of 45 CFR 411.92(a) and 411.93(d), published in 79 Fed. Reg. at 77798, provided that, if a particular unaccompanied child has requested a service that is contrary to the authentic teaching of the Catholic Church, USCCB/MRS or its sub recipient notifies ORR of this fact. Neither USCCB/MRS nor its sub recipients will have responsibility for taking or facilitating further action on that matter.

Implementation of ORR’s Sexual Abuse and Sexual Harassment Policies

Prior to hire, all potential employees of USCCB/MRS and its sub-recipient programs are asked during the application and/or interview phase about any previous misconduct related to children. In addition, newly hired USCCB/MRS staff and sub-recipient program staff are provided education on ORR’s policies related to preventing, detecting, responding to and

reporting sexual abuse and sexual harassment. All staff sign a Mandated Reporter form acknowledging their responsibility to report any suspected sexual abuse or harassment of a child in ORR/DCS custody.

Background Checks: The USCCB Office of Human Resources uses an on-line background investigation company to conduct criminal background checks on prospective USCCB/MRS employees. These checks are used as an additional means of objectively evaluating a job candidate's qualifications, and to identify potential hiring risks for safety and security reasons. The type of information collected in the background checks includes driving records, credit records, criminal records (federal and state), social security number, education records, court records (federal and state), bankruptcy, military records, licensing records (federal and state), past employers, and sex offender lists (national). Many of the sources are public records created by government agencies.

In addition to the standard background screenings, all USCCB/MRS Children's Services staff undergo a Child Abuse and Neglect (CAN) check. Prospective employees complete a form requesting home addresses for the past seven years, and the form is then forwarded to a third party investigation agency. The agency contacts each prospective employee, and requests that they complete the necessary state form based on the address(es) provided. After the process is completed the investigation agency contacts the USCCB Office of Human Resources with the final results. USCCB/MRS may hire employees pending CAN check results for a probationary period. Employment is rescinded for any prospective or current employee with a substantiated claim of child abuse or neglect.

USCCB/MRS staff who may have access to UC during on-site visits to its sub-recipient programs also undergo an FBI fingerprint check. These results, along with the CAN and other background check information, are maintained in staff personnel files at USCCB.

At a minimum, sub-recipient program staff, contractors and volunteers are screened through state-regulated background checks on child and sexual abuse and criminal history along with FBI fingerprint checks prior to access to UC. USCCB/MRS reviews sub-recipient program staff personnel files during on-site monitoring visits to ensure compliance with ORR/DCS background check requirements. All human resources documents for sub-recipient staff, including employment application and background check results, are maintained by the program's agencies.

Comprehensive Staff Training

USCCB/MRS Children's Services promotes a culture of learning and staff orientation and training is on-going. Coaching and consultation between each staff member and their direct supervisor occurs on a regular basis, ranging from weekly to bi-weekly, depending on the need, and during weekly team meetings in which both case and programmatic issues are discussed. USCCB/MRS Children's Services has established a Training Policy and Procedure for staff and their supervisors. The MRS/Children's Services Training Policy and Procedure requires all MRS/Children's Services staff who provide technical assistance and/or training to MRS sub-grantees providing direct services to UC, and/or who may encounter a UC directly during an onsite visit or while facilitating a focus group, to obtain 40 training hours a year on topics relevant to the care of UC. Training is provided both during the onboarding of new staff and should be ongoing, as part of the individual staff's professional development plan. MRS/Children's Services supervisors, as part of the orientation and onboarding process for

new staff, review training requirements and help the employee develop a plan for completing 40 hours of training per year within the first month of the employees start date. MRS/Children's Services supervisors ensure that new employees are trained on the following topics, at a minimum, within the first 30 days of employment:

- ORR Policies and Procedures and guidance
- Legal Frameworks guiding the work with UC
- Flores Settlement Agreement
- Perez-Olano Settlement Agreement
- Homeland Security Act
- Trafficking Victims Protection Reauthorization Act of 2008
- Violence Against Women Reauthorization Act of 2013
- Child Abuse Reporting Requirements (including mandated reporting)
- Confidentiality
- PREA/Interim Final Rule

MRS/Children's Services supervisors regularly review the employee's progress in meeting the training requirements during weekly supervision meetings. MRS/Children's Services staff are supported in attending national conferences and workshops on such topics as child welfare principles, evidenced-based practices, foster care case management, trauma-informed care models, culturally sensitive service provision, monitoring and evaluation, immigration, and independent living skills development. In particular, a number of USCCB/MRS and sub-recipient program staff annually attend the Foster Family-based Treatment Association National Conference, which is an excellent source of information on therapeutic foster care.

The sub-recipient programs adhere to their respective state licensing requirements for staff and foster parent training and are committed to attending trainings as required by ORR/DCS. Sub-recipient program staff and foster parents participate in trainings offered by their agency, community partners, USCCB/MRS, including BRYCS, and at national conferences. Training topics include child abuse and neglect, required reporting procedures, safety planning, family reunification procedures, effective behavioral management interventions, culturally sensitive service provision, screening and identification of victims of human trafficking, trauma-informed care models, and staff code of conduct. As part of its monitoring activities, USCCB/MRS annually reviews training logs completed by the sub-recipient program staff and foster parents to verify adherence to ORR/DCS requirements and standards.

Administrative and Service Environment

The USCCB/MRS long-term foster care sub-recipient programs are located in eight different metropolitan regions. The programs are located near airports and in close proximity to immigration courts. Furthermore, they have demonstrated feasibility in working in their communities, and have access to significant community partners such as medical and mental health providers, immigration attorneys, local police, or other emergency responders. The programs are co-located near sites that offer refugee resettlement programming, where the local ethnic communities provide for a variety of linguistically and culturally diverse resources. Finally, the programs have security and safety measures in place to minimize runaways, which includes 24/7 supervision by program staff and foster parents.

The sub-recipient programs are licensed as child-placing agencies in their respective states, which regulate and oversee the programs for compliance with state child welfare regulations. Copies of each program's licenses can be found in Appendix A-4. Capacity and age

limit vary by state, but the programs' licenses allow placement of children of either gender, until the age of emancipation. Sub-recipient licensing teams ensure facilities and foster homes follow local residential licensing standards upon initial licensing and recertification. Video surveillance systems are installed in common areas of group homes to monitor activities of those entering and exiting the facilities.

UC are placed in privately owned foster homes or agency operated group homes. UC are assigned bedrooms based on state regulations relative to age and gender; each youth is provided his/her own bed and place to store their belongings. The nutritional needs of UC are met in the foster home or group home and all efforts are made to accommodate the child's cultural and personal preferences in addition to adhering to any dietary restrictions.

Letters of support from various national and local partners of USCCB/MRS and its sub-recipient programs can be found in Appendix 5.

Project Timeline and Milestones

Please go to page 28 for USCCB/MRS's *Safe Passages I* project timeline and milestones.

Program Performance Evaluation Plan

USCCB/MRS's program performance evaluation framework is based on the child welfare principles of safety, permanency and well-being, which are used to measure quantitative and qualitative performance and continuous programmatic improvement. Monitoring and quality assurance measures undertaken by the USCCB/MRS national agency staff ensures sub-recipients deliver the highest quality of care to children in ORR/DCS custody. The following highlights the outcomes expected and measurements to evaluate program performance. The Logic Model can be found on page 29.

Outcomes Expected

- UC: UC receiving long-term foster care placement and services from USCCB/MRS's sub-recipient programs are safe, thriving, and are on a path towards permanency.
- USCCB/MRS Sub-recipient Programs: Sub-recipient program capacity is enhanced enabling them to serve complex cases, and provide the highest quality of culturally sensitive, trauma-informed, community-based care.
- USCCB/MRS: USCCB/MRS case placement, training and technical assistance, and monitoring to its sub-recipients expands implementation of evidence-informed, promising practices in child welfare and other issues related to serving migrating children and ensures compliance with ORR/DCS P&P.

Activity: Foster Care Placement and Capacity Development

FY17 Output Measures:

- 95% of new LTFC referrals have placement status notifications sent within 10 business days
- 160 UC served by USCCB/MRS's LTFC sub-recipient programs⁴
- 55% of UC national capacity served youth with therapeutic needs
- 95% of UC served by USCCB/MRS LTFC sub-recipient programs that become eligible for the URM program are provided continuity of care upon discharge from ORR/DCS custody
- 12 UC that become eligible for the URM program while in an ORR/DCS facility external to the USCCB/MRS sub-recipient network are provided continuation of care in the USCCB/MRS affiliated URM foster care programs
- 100% percent of UC released to sponsors will have a follow-up safety and well-being call conducted 30 days after the child's release date

⁴ Based on a daily capacity of 105 beds by the end of FY17

- 100% percent of follow-up safety and well-being calls that indicate the sponsor and/or child would benefit from additional support or services is referred to the ORR National Call Center

Activity: Technical Assistance and Training

FY17 Output Measures:

- 90% of sub-recipient program staff report in the annual satisfaction survey that technical assistance needs are met by the USCCB/MRS national agency staff
- 90% of sub-recipient program staff that participate in on-site trainings and webinars report or demonstrate increased knowledge on ORR/DCS P&P or other service related topics
- 90% of sub-recipient program development goals are accomplished with USCCB/MRS technical assistance

Activity: Sub-recipient Program Monitoring

FY17 Output Measures:

- 20% of UC case files are reviewed for quality assurance and ORR/DCS P&P compliance
- Quarterly UC Portal audits are completed for 20% of UC served to ensure thorough completion and timely submission of ORR/DCS reports
- Sub-recipients are scored at least 85% on service delivery and compliance with ORR/P&P on the USCCB/MRS monitoring scorecard

USCCB/MRS staff engage in a variety of activities to monitor processes and progress towards goals. To ensure compliance with ORR/DCS P&P, annual on-site monitoring visits of each sub-recipient program entailing the collection of qualitative data through interviews with program staff, focus groups with foster parents and UC, foster home and group home visits, meetings with key stakeholders, and audits of file documentation (UC case files, foster parent licensing files, personnel files) are conducted. Results of information gathered from on-site

monitoring are integrated into a scorecard that measures program performance and informs the sub-recipient program development needs and technical assistance provided by USCCB/MRS.

Daily desk monitoring performed by USCCB/MRS staff tracks sub-recipient continuous performance. Ongoing desk audits assess quality and timeliness of information submitted by sub-recipients. Sub-recipient programs are experienced in utilizing the UC Portal to document case information and updates and will receive continued training and technical assistance from USCCB/MRS on using the UC Portal. At a minimum USCCB/MRS staff complete audits of UC Portal information ensuring timeframes for submission of UC Assessments, Case Reviews, Individual Services Plan, Assessment for Risk, Initial Medical Exams, among other information is submitted expeditiously and appropriately. Deviations in regards to expected UC Portal information submission is communicated with the sub-recipient program. Progress on service provisions and program compliance, including Corrective Action Plan implementation, is tracked through frequent communication with sub-recipients and ORR/DCS staff.

USCCB/MRS sub-recipients programs utilize internal quality assurance processes as an additional level of accountability to ensure programmatic objectives are met. Sub-recipient program staff conduct UC case file audits on a minimum of on a quarterly basis. UC case files are stored on-site at sub-recipient facilities in secure locations only accessible to relevant staff, ensuring confidentiality of information. Generally, sub-recipient programs retain UC case files indefinitely but at a minimum of three years after UC are discharged from ORR/DCS custody.

Monthly case staffing that USCCB/MRS sub-recipients programs participate in with ORR/DCS staff, mental health service providers, and USCCB/MRS staff are conducted to assess the safety, well-being, and timeliness of release for each individual UC in care. Special attention is given to UC that require additional supports to meet service plan goals and timely discharge,

including family reunification. In between monthly case staffings, sub-recipients staff participate in supervisory level reviews of individual cases and communicate with ORR/DCS and USCCB/MRS staff on progress and barriers in achieving service goals for individual UC.

Data management and tracking program performance

The Migration and Refugee Information System (MRIS) is a Web-based database system used by USCCB/MRS to maintain case records including programmatic and case level outcomes. USCCB/MRS staff utilize MRIS to inform performance reports and monitor sub-recipients implementation of the Flores Settlement Agreement, federal requirements, and ORR/DCS policies and procedures. MRIS tracks case and program consultations, including UC Portal audit and monitoring findings. Statistical reports can be generated to evaluate program performance, such as timeliness of case placements, the number and type of consultations to sub-recipient programs, length of stay in care and release categories, legal case outcomes, and sub-recipient program compliance in completing ORR-required reports. The system has the capability to trigger individual UC cases that need special attention to ensure timely release from ORR/DCS care. MRIS can also provide demographic data on UC served. In addition, each sub-recipient program accesses the database via a secure portal site in order to request financial reimbursement for expenditures from USCCB/MRS.

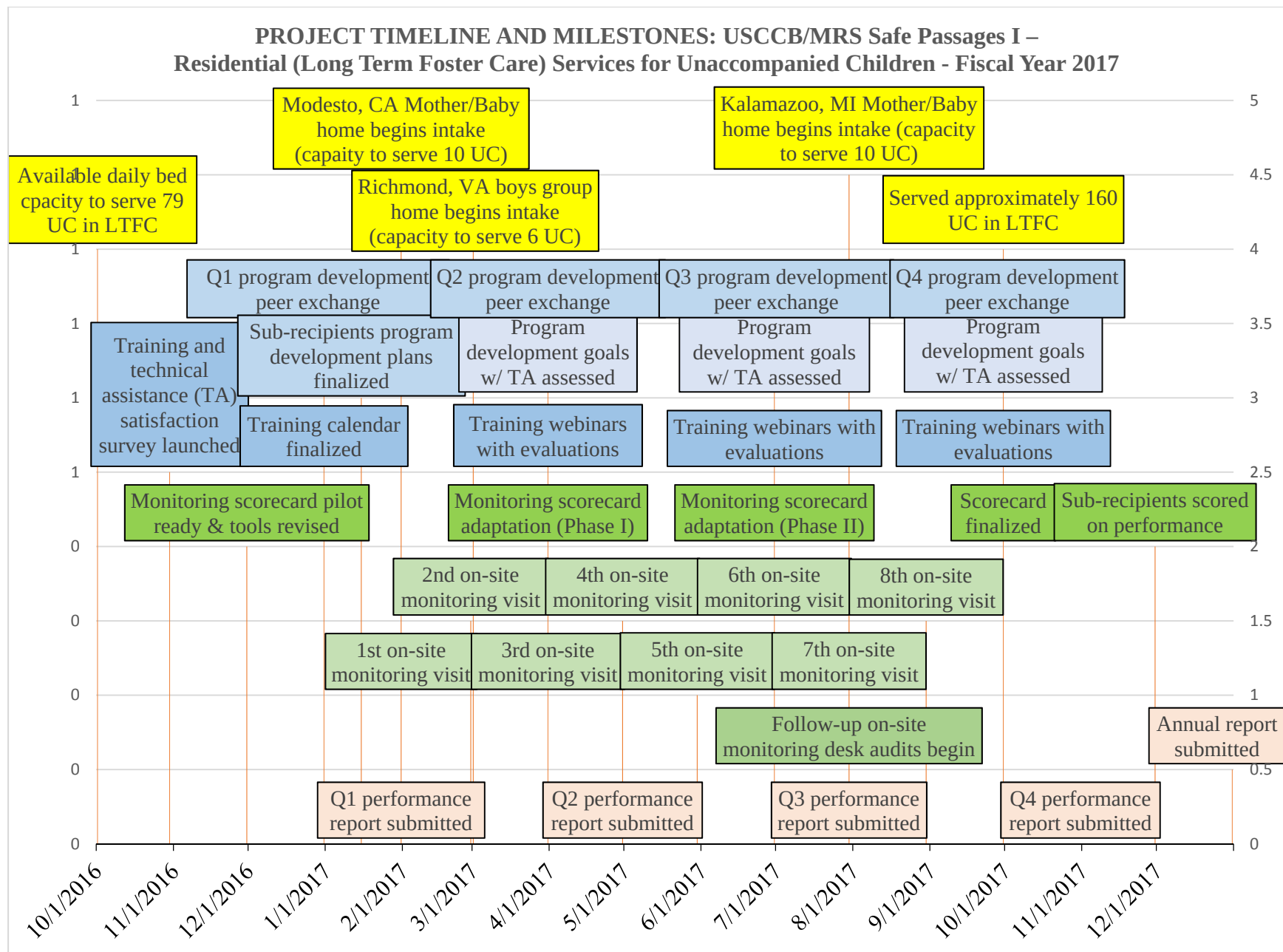
Geographic Location

The USCCB/MRS national office is located in Washington, DC. The foster care services proposed are delivered through eight sub-recipient programs located in seven states and consists of Bethany Christian Services in Modesto, California; Catholic Charities Community Services of Phoenix, Arizona; Catholic Community Services in Tacoma, Washington; Catholic Charities in Houston, Texas; Catholic Charities in Fort Worth, Texas; Commonwealth Catholic Charities in

Richmond, Virginia; Catholic Family Center in Rochester, New York; and Bethany Christian Services in Grand Rapids, MI. The Child Placement License of each of the sub-recipients authorizes the geographical boundaries where the agencies can license foster families and operate group homes.

Conclusion

Over the last few decades, USCCB/MRS has developed rich institutional expertise in administering national programs that provide residential and family reunification services to migrating children. USCCB/MRS's sub-recipient network, through which it proposes to continue providing long-term foster services for UC, has been recognized internationally as a promising practice in serving unaccompanied, foreign-born children. USCCB/MRS has the infrastructure in place to provide the key national functions for management of long-term foster care services for UC. These key national functions include timely placement matching; quality training and technical assistance to the *Safe Passages I* network to build the professional capacity of direct service staff to meet the unique needs of UC; sub-recipient program monitoring to ensure compliance with ORR/DCS policy and procedures and continuous quality improvement; fiscal management; tracking and analyzing case and programmatic trends; and statistical and program reporting. Providing safety, well-being, and a path to permanency for unaccompanied migrating children is a key priority of USCCB/MRS, and it looks forward to continuing to serve this population through partnership with ORR/DCS.



Safe Passages I – Residential (Long Term Foster Care) Services for Unaccompanied Children Logic Model – FY 2017			
Population Served: We serve unaccompanied children in the custody of ORR/DCS that do not have viable U.S. sponsors and need long-term foster care placement and services		Program Vision: Creating a world where immigrants, refugees, migrants, and people on the move are treated with dignity, respect, welcome and belonging.	
Inputs	Activities	Outputs	Proximal Outcomes
• UC in the custody of ORR/DCS without viable U.S. sponsors and in need of LTFC placement and services • Eight sub-recipient programs trained in serving UC with varying levels of need and that have established relationships with medical, mental health, legal, education, religious services and other various local community providers • Sub-recipient Unaccompanied Refugee Minor (URM) programs with expertise in providing culturally sensitive trauma-informed child welfare services for over 30 years • Multi-cultural, multi-lingual national agency staff with advanced degrees and extensive experience in providing culturally-sensitive child welfare services	• Manage referral and placement of UC into LTFC and URM foster care • Provide case management support and coordination of mandatory services for individual UC, including family reunification • Deliver satisfaction survey to the sub-recipient network • Deliver webinar trainings to sub-recipient program staff on relevant UC service provision subjects identified from annual needs assessment and other training topics required per ORR/DCS Policy and Procedures (P&P) • Conduct monthly USCCB/MRS sub-recipient network calls to review newly issued and/or pertinent ORR/DCS P&P in addition to sharing promising practices	• 95% of new LTFC referrals have placement status notifications sent within 10 business days • 150 UC served by USCCB/MRS LTFC sub-recipient programs • 55% of UC national capacity served youth with therapeutic needs • 100% percent of UC released to sponsors have follow-up safety and well-being calls conducted 30 days after released from ORR/DCS care • 100% percent of follow-up safety and well-being calls that indicate the sponsor and/or child would benefit from additional support or services is referred to the ORR National Call Center • 95% of UC served by USCCB/MRS LTFC sub-recipient programs that become eligible for the URM program are provided continuity of care upon discharge from ORR/DCS custody • 12 UC that become eligible for the URM program while in an ORR/DCS facility external to the USCCB/MRS sub-recipient network are provided continuity of	• Children are stable in foster care placements and receive mandatory services in the areas of case management, education, mental health, medical, legal, recreation, acculturation, and access to religious services • Timeliness of family reunification processing for children with viable sponsors • Diversification of LTFC placements to accommodate UC with complex needs • Sub-recipient program staff have increased knowledge of ORR/DCS P&P and service provision • LTFC services provided are in compliance with ORR/DCS P&P
			Distal Outcomes

• National agency staff expertise in providing, training, programmatic technical assistance and case consultation • National agency staff expertise in carrying out monitoring and quality assurance processes • National agency staff expertise in developing and sustaining program capacity • A web-based information system with capabilities to report program and case level outcomes • Access to internal resources: The largest refugee resettlement network in the world; Over 200 family reunification providers that provide home study and post-release services for ORR/DCS; On-site Anti-Trafficking Program; On-site technical assistance provider, Bridging Refugee Youth and Children's Services • Funding from the Office of Refugee Resettlement	• Make ongoing contact with sub-recipients and ORR/DCS staff to communicate individual UC case needs, progress on service provisions, and program compliance • Provide program development support addressing sub-recipient placement barriers and implementation of promising practices • Adapt national monitoring tools and develop sub-recipient scorecard • Complete on-site monitoring visits for eight sub-recipient programs that includes staff interviews, focus groups with foster parents and UC, foster home and group home visits, key stakeholder meetings, and file audits • Perform ongoing desk audits to review quality and timeliness of information submitted by sub-recipients including in the UC Portal	care in USCCB/MRS URM foster care program network • 90% of sub-recipient program staff report in the annual satisfaction survey that technical assistance needs are met by the USCCB/MRS national agency staff • 90% of sub-recipient program staff that participate in on-site trainings and webinars report or demonstrate increased knowledge on ORR/DCS P&P or other service related topics • 90% of sub-recipient program development goals are accomplished with USCCB/MRS technical support • 20% of UC case files are reviewed for quality assurance and ORR/DCS P&P compliance • Quarterly UC Portal audits are completed for 20% of UC served to ensure thorough completion and timely submission of reports • Sub-recipients are scored at least 85% on service delivery and compliance with ORR/P&P on the USCCB/MRS monitoring scorecard	• Children receiving long-term foster care placement and services from USCCB/MRS sub-recipient programs are safe, thriving, and are on a path towards permanency. • Sub-recipient program capacity is enhanced enabling them to serve complex cases, and provide the highest quality of culturally sensitive, trauma-informed, community-based care. • USCCB/MRS case placement, training and technical assistance, and monitoring to its sub-recipients expands implementation of evidence-informed, promising practices in child welfare and other issues related to serving migrating children and ensures compliance with ORR P&P.
Service Assumptions: Unaccompanied foreign-born children in need of foster care placement are best served with specialized child welfare services that considers their unique needs, including linguistic, cultural, parental separation and trauma associated with forced migration and that offers continuum of care upon discharge from ORR/DCS custody.			

Exhibit S

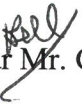


ADMINISTRATION FOR
CHILDREN & FAMILIES

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

William Canny
Executive Director
Migration and Refugee Services
United States Conference of Catholic Bishops
3211 Fourth Street NE
Washington, DC 20017

JAN 13 2017


Dear Mr. Canny:

Thank you for your application to be the Replacement Designee for the Unaccompanied Refugee Minors (URM) Program in Texas. Your application included a proposal for services, an ORR-1 Cash and Medical Assistance Program Estimate Form for fiscal year (FY) 2017, and an Annual Service Plan.

As you know, the regulations at 45 CFR 400.301 allow the Director of the Office of Refugee Resettlement (ORR) to authorize replacement designees (RDs) to administer the provision of assistance and services to refugees when a state withdraws from the refugee resettlement program. I am pleased to inform you that based on our review of your application the United States Conference of Catholic Bishops (USCCB) has been approved as the URM RD for Texas. USCCB will assume the role of URM RD for Texas on January 13, 2017, and begin operations for the URM Program on February 1, 2017.

Your FY 2017 proposal for services for the URM Program in Texas is in compliance with the ORR regulations at 45 CFR Part 400 and is therefore approved. Please note that your ORR-1 is an estimate of costs and adjustments may be necessary during the year.

Please direct any questions about this letter to Carl Rubenstein, Director of the Division of Refugee Assistance, at Carl.Rubenstein@acf.hhs.gov or (202) 205-5933.

Thank you for accepting the critical responsibility of administering child welfare benefits and services in Texas through the URM Program. I look forward to our partnership.

Sincerely,



Kenneth Tota
Deputy Director
Office of Refugee Resettlement

Exhibit U

Message

From: Bill Canny [WCanny@usccb.org]
Sent: 10/31/2016 7:40:26 PM
To: Carey, Bob (ACF) [bob.carey@acf.hhs.gov]
CC: Kristyn Peck [KPeck@usccb.org]; Tota, Kenneth (ACF) [kenneth.tota@acf.hhs.gov]; Mullooly, Anne (ACF) [anne.mullooly@acf.hhs.gov]; Rubenstein, Carl (ACF) [carl.rubenstein@acf.hhs.gov]
Subject: URM and RSIG for the State of Texas
Attachments: LetterofIntent_URM.pdf

Importance: High

Mr. Robert Carey
Director for the Office of Refugee Resettlement (ORR)
Administration for Children and Families
U.S. Department of Health and Human Services

Dear Director Carey:

The United States Conference of Catholic Bishops department of Migration and Refugee Services (USCCB/MRS) would welcome the opportunity to submit a proposal to the Office of Refugee Resettlement (ORR) to serve as the "Replacement Designee" for the Unaccompanied Refugee Minor (URM) Program and the Refugee School Impact Grant (RSIG) for the State of Texas.

As we discussed in a phone call on Friday, October 28th, 2016, ORR has decided that designating a national agency with the administration of the URM Program and RSIG in Texas would ensure that vital services provided by these two programs would continue following the withdrawal of the State of Texas from the administration of ORR-funded refugee programs on January 31, 2017.

USCCB/MRS believes it is well-positioned to assume the role of administering the URM Program and RSIG in Texas due to its long-standing partnership with ORR and the U.S. Department of State's Bureau of Population, Refugees, and Migration (DOS/PRM) since the late 1970s to place unaccompanied refugee children in its network of URM Programs throughout the United States. USCCB/MRS has placed unaccompanied refugee minors with the two agencies in Texas that have URM Programs-- Catholic Charities of Fort Worth since 2009 and Catholic Charities of Galveston-Houston since 2003-- and would sub-grant directly with these two programs to ensure seamless delivery of services to unaccompanied refugee minors.

USCCB/MRS, through the Bridging Refugee Youth and Children's Services (BRYCS) Program, was also the national technical assistance provider for all RSIG programs from 2009-2011. BRYCS continues to conduct outreach and provide TA to these grantees as 20% of all incoming requests are school related.

Letter attached

Sincerely,

William Canny
Executive Director
Migration and Refugee Services
Phone: 202.541.3169
Email: wcanny@usccb.org



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**Migration and Refugee Services
Office of the Executive Director**

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3065 • FAX 202-722-8755
WEBSITE: www.usccb.org/mrs

October 31, 2016

Mr. Robert Carey
Director for the Office of Refugee Resettlement (ORR)
Administration for Children and Families
U.S. Department of Health and Human Services

Dear Director Carey:

The United States Conference of Catholic Bishops department of Migration and Refugee Services (USCCB/MRS) would welcome the opportunity to submit a proposal to the Office of Refugee Resettlement (ORR) to serve as the “Replacement Designee” for the Unaccompanied Refugee Minor (URM) Program and the Refugee School Impact Grant (RSIG) for the State of Texas.

As we discussed in a phone call on Friday, October 28th, 2016, ORR has decided that designating a national agency with the administration of the URM Program and RSIG in Texas would ensure that vital services provided by these two programs would continue following the withdrawal of the State of Texas from the administration of ORR-funded refugee programs on January 31, 2017.

USCCB/MRS believes it is well-positioned to assume the role of administering the URM Program and RSIG in Texas due to its long-standing partnership with ORR and the U.S. Department of State’s Bureau of Population, Refugees, and Migration (DOS/PRM) since the late 1970s to place unaccompanied refugee children in its network of URM Programs throughout the United States. USCCB/MRS has placed unaccompanied refugee minors with the two agencies in Texas that have URM Programs-- Catholic Charities of Fort Worth since 2009 and Catholic Charities of Galveston-Houston since 2003-- and would sub-grant directly with these two programs to ensure seamless delivery of services to unaccompanied refugee minors.

USCCB/MRS, through the Bridging Refugee Youth and Children’s Services (BRYCS) Program, was also the national technical assistance provider for all RSIG programs from 2009-2011. BRYCS continues to conduct outreach and provide TA to these grantees as 20% of all incoming requests are school related.

USCCB/MRS has the infrastructure in place to provide the components of a nationally administered program to ensure timely and quality URM services. USCCB/MRS, as one of two national agencies authorized by DOS/PRM to place unaccompanied refugee minors in the URM Program, and one of two agencies that places unaccompanied children referred by ORR into the URM Program, already provides timely placement matching of referred children into URM programs. Through cooperative agreements with ORR for residential and family reunification services for unaccompanied children, USCCB/MRS provides case and programmatic consultation, case and program quality assurance, on-site monitoring and desk audits to ensure quality services and compliance with applicable policies and procedures, web-based and on-site training to improve knowledge and services, program evaluation to identify continued areas for

improvement, and analysis of data and trends to inform HHS/ORR about national program and client implications. USCCB/MRS proposes to conduct these activities with Catholic Charities of Houston and Catholic Charities of Galveston-Houston if selected as the administrator of the URM Program in the State of Texas.

USCCB/MRS would also ensure services provided through the URM Program would comply with applicable State and HHS/ORR URM regulations for children in out of home care. In particular, USCCB/MRS would ensure parity in services to youth in this program through close cooperation and advance consultation with the state child welfare entities. In addition, USCCB/MRS would ensure that services provided under this application are not contrary to the authentic teaching of the Catholic Church, its moral convictions, and religious beliefs. Over the years, USCCB/MRS, through Bridging Refugee Youth and Children's Services (BRYCS), has handled hundreds of technical assistance requests from RSIG grantees, instituted quarterly teleconferences/Webinars for grantees, documented the work of dozens of school districts on BRYCS' "Promising Practices" map, worked on six tools for a school's toolkit (Refugee Children in U.S. Schools: A Toolkit for Teachers and School Personnel), collected and disseminated resources used by grantees, and maintained a webpage for grantees.

Furthermore, BRYCS has established relationships with numerous offices within the federal Department of Education and its technical assistance provider networks and helped facilitate relationships between them and ORR. With 20 percent of BRYCS' current technical assistance requests related to education, USCCB/MRS knows that school districts continue to seek information on best practices for integrating refugee children and families into U.S. schools. RSIG grantees and subgrantees continue to seek information on "what works" and what other school districts are doing. They also want resources and a way to avoid reinventing the wheel. BRYCS remains in a position to disseminate "promising practices" and resources and has the necessary mechanisms in place to be the "glue" to facilitate communication and collaboration among grantees.

By working directly with USCCB/MRS to administer the URM Program and RSIG, HHS/ORR would have a cost-effective model with strong accountability of client outcomes and expenditures and a streamlined approach to fiscal and program administration of these two programs.

We are prepared to move quickly with submission of a formal proposal upon invitation to do so. We look forward to continuing our collaboration to provide services to refugee and immigrant populations and appreciate our partnership.

Sincerely,


William Canny
Executive Director

cc: Ken Tota, Deputy Director of ORR
Carl Rubenstein, Director of the Division of Refugee Assistance
Anne Mullooly, Supervisory Program Specialist (URM Supervisor)

Exhibit V

Message

From: Kristyn Peck [KPeck@usccb.org]
Sent: 11/27/2016 11:15:55 PM
To: Veeraraghavan, Ms. Mimi (ACF) [mimi.veeraraghavan@acf.hhs.gov]
CC: Tosin Ogunyoku-King [TOgunyoku-King@usccb.org]; Ann Franken [AFranken@usccb.org]; Colon, Mr. Ramon L (ACF) [ramon.colon@acf.hhs.gov]; Mahar-Piersma, Colleen (ACF) [colleen.mahar-piersma@acf.hhs.gov]
Subject: Re: URD proposal - policy on faith based organizations

Hi Mimi,

Thanks for this. We will ensure its included.

Best,
 Kristyn

Sent from my iPhone

On Nov 25, 2016, at 12:04 PM, Veeraraghavan, Ms. Mimi (ACF) <Mimi.Veeraraghavan@acf.hhs.gov> wrote:

Hi Kristyn,

As mentioned in a message on Wednesday, ORR is still working on USCCB's request for more time for the URM portion of the proposal. I expect to get back to you early next week. In the meantime, please focus on your revisions for the RSIG component of your submission. The purpose of the remainder of this message is convey a need for the proposal to recognize/follow ACF's policy on faith based organizations.

Faith-based organizations have long been and will continue to be partners in our work and we are mindful that religious objections to providing certain kinds of services, including referrals may arise. We have developed policies that allow for organizations to partner with us even if they object to providing specific services on religious grounds while still providing the full range of legally permissible services to people who need them in a timely fashion. The entire policy on grants to faith-based organizations can be accessed here: <http://www.acf.hhs.gov/acf-policy-on-grants-to-faith-based-organizations>. **In accordance with that policy we recommend adding additional language to page 4 of your Texas URM and RSIG proposal:**

In addition, USCCB/MRS must ensure that services provided under this application are not contrary to the authentic teaching of the Catholic Church, its moral convictions, or religious beliefs. In instances where a client's needs or circumstances may require services, including referrals, that USCCB/MRS cannot provide due to religious conviction, USCCB/MRS will notify ORR of the client's needs. ORR will assume responsibility to ensure the client's needs are met including, if appropriate, transferring the case to another provider.

I am getting ready to send Tosin and Ann another message with some responses to their questions and notes on USCCB's URD submission, most of which we have discussed verbally.

I hope you are having a great holiday,

Mimi

From: Kristyn Peck [mailto:KPeck@usccb.org]
Sent: Tuesday, November 22, 2016 2:31 PM

To: Veeraraghavan, Ms. Mimi (ACF)
Cc: Tosin Ogunyoku-King; Ann Franken
Subject: RE: Information for revision of URD proposal, planning, etc.

Hi Mimi,

Sounds good—I sure will let you know.

With regards to contact info for RSIG sub-recipients—we have it and have been communicating with all of them except Amarillo, for whom no contact information was provided to us, and the chart indicated that they were not providing services.

Best,
Kristyn

From: Veeraraghavan, Ms. Mimi (ACF) [<mailto:Mimi.Veeraraghavan@acf.hhs.gov>]
Sent: Tuesday, November 22, 2016 2:30 PM
To: Kristyn Peck <KPeck@usccb.org>
Cc: Tosin Ogunyoku-King <TOgunyoku-King@usccb.org>; Ann Franken <AFranken@usccb.org>
Subject: RE: Information for revision of URD proposal, planning, etc.

Hi Kristyn,

Thank you for letting me know about your Director's call to Ken. I understand the complexity of the URM program and that not only is there a learning curve here, but that some elements are under development. I understand the timing concern; this all feels very fast to me too. I'll await an internal update re: any modifications to the deadline, and will circle back with you. If Ken provides your Director with a different target date, can you let me know? (With the holiday this week, I am not sure when I will be able to connect with Ken.)

Also — I was planning to send Tosin and Ann some bullets on items that we discussed plus a couple of additional items, but I won't be able to do so until the morning due to another deadline. Sorry for the delay. If they are out tomorrow, the message will be waiting for them on Monday morning.

Re: Contact information for RSIG sub-recipients — let me look into that and get back to you. Makes sense for you to get the contact information for all of them, not just Amarillo.

Thanks,

Mimi

Mimi Kleiner Veeraraghavan
URM Analyst
Office of Refugee Resettlement
Tel: 202-401-5860
Em: mimi.veeraraghavan@acf.hhs.gov

From: Kristyn Peck [<mailto:KPeck@usccb.org>]
Sent: Tuesday, November 22, 2016 1:18 PM
To: Veeraraghavan, Ms. Mimi (ACF)

Cc: Tosin Ogunyoku-King; Ann Franken

Subject: RE: Information for revision of URD proposal, planning, etc.

Hi Mimi,

Thank you for taking the time to talk through the requested changes to the proposal with Ann and Tosin this morning. They briefed me on your call and we are beginning to incorporate changes. We are also waiting for the remainder of the changes ORR is requesting which I understand you are sending by email today. We appreciate your patience with us as we navigate this new territory.

I have two areas for follow up:

- First, the communication we've received from ORR about RSIG does not include whether Amarillo plans on continuing (it says N/A in the "will services continue in FY17" column) and therefore, we assumed they were not participating. We will follow up with them to confirm that, however, we don't have their contact information. Do you mind sending that to us?
- Secondly, I wanted to let you know that Bill Canny, our Executive Director, left a message for Ken Tota about the submission deadline of Tuesday, November 29th. We are able to provide ORR the information requested for the RSIG grant, including the revisions to the ORR-1 form, the sub budgets, and the Annual Service Plans by next Tuesday at noon, however, we will need more time to make the revisions to the URM proposal. Given that the need to approve the URM piece of the proposal is less urgent, Bill is asking Ken if ORR is able to conditionally approve the proposal to allow it to process RSIG next week while allowing us more time to review and respond to the changes to the URM proposal. Tosin and I are out tomorrow through the rest of the week due to the Thanksgiving holiday so our time this week to work on this is limited.

Thank you again for your assistance and support. Knowing the full extent of what administering this program entails and our role as the replacement designee will allow us to successfully implement this program. We look forward to working with ORR as the Replacement Designee for the URM Program and RSIG.

Best regards,
Kristyn

Kristyn Peck, MSW
Associate Director, Children's Services
Migration and Refugee Services' Office of Special Programs
United States Conference of Catholic Bishops
3211 4th Street, NE
Washington, DC 20017

Office: 202-541-3039
Cell: 202-578-2844
Email: kpeck@uscgb.org

Follow MRS! Blog: <image001.gif> Twitter: <image002.png>

<IMAGE003.JPG>

MRS VISION STATEMENT: "Creating a world where immigrants, refugees, migrants, and people on the move are treated with dignity, respect, welcome, and belonging."

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From: Ann Franken
Sent: Tuesday, November 22, 2016 12:05 PM
To: Kristyn Peck <KPeck@usccb.org>
Cc: Tosin Ogunyoku-King <TOgunyoku-King@usccb.org>
Subject: FW: Information for revision of URD proposal, planning, etc.

From: Veeraraghavan, Ms. Mimi (ACF) [mailto:Mimi.Veeraraghavan@acf.hhs.gov]
Sent: Tuesday, November 22, 2016 9:02 AM
To: Tosin Ogunyoku-King <TOgunyoku-King@usccb.org>; Ann Franken <AFranken@usccb.org>
Subject: Information for revision of URD proposal, planning, etc.

Good Morning Tosin and Ann,

Here are some additional documents to assist with your URD application revision and program planning:

1. Texas Replacement Designee refugee program flowchart
2. FY16 3rd Trimester report for Texas; schedule D
3. FY17 Texas ORR1 Submission with narrative
4. Texas FY16 approved Refugee State Plan

I will call you in a couple of minutes.

Mimi

Mimi Kleiner Veeraraghavan
URM Analyst
Office of Refugee Resettlement
Tel: 202-401-5860
Em: mimi.veeraraghavan@acf.hhs.gov

Exhibit W



Migration and Refugee Services

Office of Special Programs

3211 4th Street NE, Washington, D.C. 20017-1194

Tel: (202) 541-3081/3357 • Fax: (202) 722-8747/3323

June 27, 2019

Mr. Bernard Morgan, Grants Manager
Office of Grants Management
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW
Washington, DC 20201

Dear Mr. Morgan:

This letter is to inform you that the United States Conference of Catholic Bishops, Migration and Refugee Services (USCCB/MRS) is submitting a Change in Scope request for Grant #90ZU0163. Due to a change in mission focus of subrecipient Catholic Charities Diocese of Fort Worth, programming will be transferred to Catholic Charities of Dallas with a proposed transition date of July 1, 2019.

The only line item affected as a result of the Change in Scope is the contractual line item, splitting the annual cost of the program between the two subrecipients. USCCB is requesting an FY 2019 budget increase of \$36,640 to accommodate start up and transition costs of the new sub-recipient. The total approved Federal funding for the budget period being requested is \$5,990,117.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Kuennen".

Kathryn Kuennen

USCCB/MRS

Director, Children's Services

Exhibit X

4. USCCB and its subgrantees no longer provide long-term foster care (“LTFC”) services in the UC program in the Dallas-Fort Worth (“DFW”) area. Effective July 1, 2019, Catholic Charities of Fort Worth (“CCFW”) ceased providing long-term foster care services in the UC program, transferring its programming to Catholic Charities of Dallas (“CCD”). CCD has also since ceased providing long term foster care services in the UC program in DFW. At present, USCCB receives no funds from ORR to provide LTFC in the DFW area.

5. Baptist Child and Family Services (“BCFS”) receives funding from ORR to provide LTFC services in the DFW area in the UC program. BCFS has a location for UC program LTFC in Grand Prairie, TX which is located within Dallas County, between Dallas and Fort Worth. BCFS has a 24-bed LTFC capacity in the UC program in DFW.

6. In 2018 and 2019, during their efforts to establish an alternative foster care provider in the DFW area with which Plaintiffs may work, ORR staff inquired about any potential objections BCFS may have had. In response to ORR questions, BCFS stated to ORR that they have no objection to placing children with same-sex foster parents.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 27, 2022.



Sarah Viola
Central Branch Supervisor, UC program
Office of Refugee Resettlement
Administration for Children and Families
Department of Health and Human Services

Exhibit CC

Dallas/Fort Worth, DFW Texas URM Consortium Charter

The Dallas/Fort Worth (DFW), Texas Unaccompanied Refugee Minors (URM) Consortium, henceforth referred to as the “DFW Texas URM Consortium,” is a collaboration between Lutheran Immigration and Refugee Services (LIRS), the U.S. Conference of Catholic Bishops (USCCB) and the U.S. Committee for Refugees and Immigrants (USCRI), at the request of and under the initial guidance of the Office for Refugee Resettlement (ORR). The DFW Texas URM Consortium specifically relates to the work of the URM provider agencies in the recruitment of prospective URM foster parents (PFPs). The content of the Charter, Conflict of Interest Plan and Intake and Referral Procedures will be incorporated into the agreements between the URDs and their respective subrecipients, the URM provider agencies. As such, the URM provider agencies are also accountable to this Charter through their agreements with the URDs.

The DFW Texas URM Consortium serves to maintain communication and facilitate licensing of prospective foster families seeking to serve the unaccompanied refugee minors population in Dallas/Fort Worth, Texas, utilizing USCRI as a neutral third-party determinant to support recruitment efforts by LIRS and USCCB’s URM provider agencies, Upbring and Catholic Charities Dallas Children’s Services, respectively. Nothing in this Charter or in the Consortium’s engagements shall be construed to require any individual organization to engage in any conduct that violates that organization’s religious beliefs or moral convictions.

Roles of the Consortium members:

- USCRI: will establish and maintain communication mechanisms for prospective foster parent referrals; hire staff and operate intake functions; respond to inquiries from PFPs and conduct initial intake; refer PFPs to URM provider agencies; maintain all data collected during the intake process; provide summaries on data points as outlined in the “Intakes and Referral Procedures” document.
- USCCB and LIRS: will develop agreements with URM provider that address the functions and procedures of the Consortium; provide oversight and monitoring of the URM provider agencies’ adherence to the process and timeframes outlined in the “Intake and Referral Procedures” document.
- All Replacement Designees: will continuously collaborate, coordinate, contribute to procedures and shared documents to ensure the functioning of the intake and referral process; communicate regularly, including to address concerns with the process; ensure that all PFPs have an opportunity to work with a URM provider agency to determine their eligibility to be licensed to provide foster care for URMs; ensure requested information is reported to ORR in a timely manner.
- Upbring and Catholic Charities Dallas Children’s Services: will refer all PFPs to USCRI; respond to referrals from USCRI within the established timeframes; hold recruitment events for PFPs; make trainings available per licensing requirements; license all PFPs that meet Texas state licensing, agency, accreditation, and home study requirements.

USCRI will establish and operate a centralized phone number and email inbox, as well as an online URM Prospective Foster Parent Intake form to be utilized by URM provider agencies in both their web-based and hard copy promotional materials as a means of receiving prospective foster parent inquiries and allocating prospective foster parent referrals to one of the two URM provider agencies in Dallas/Fort

Worth, Texas. Regardless of the method of initial communication, all prospective URM foster parents will be referred to USCRI for the initial intake process. For example, this would include:

- if a prospective foster parent were to attend a recruitment event held by a URM provider agency and have initial contact with said agency
- if the prospective foster parent were referred by an existing, licensed foster parent with one of the URM provider agencies
- if the prospective foster parent expressed interest in working specifically with one of the URM provider agencies
- and all other scenarios in which a prospective foster parent may initially come into contact with the URM provider agency.

The URM provider agencies will commit to referring all prospective URM foster families in the Dallas/Fort Worth area to the centralized phone number, inbox and/or online intake form. LIRS and USCCB will liaise with their respective provider agencies in Dallas/Fort Worth, Texas to ensure compliance with the utilization of a third-party affiliate and monitor the URM provider agencies for the implementation of the USCRI prospective foster parent intake procedures in their recruitment and referral efforts. In instances when conflicts of interest arise, LIRS, USCCB and USCRI will reference the pre-determined and agreed upon Conflict of Interest plan for addressing conflicts of interest to seek a resolution.

LIRS and USCCB will independently communicate with staff and URM provider agencies in Dallas/Fort Worth, Texas and will engage in joint training opportunities to address alterations to marketing and recruitment materials and review the third-party recommender process and program expectations. LIRS, USCCB and USCRI will conduct regular DFW Texas URM Consortium planning meetings to discuss progress, address concerns, and ensure productive communication and relationship-building efforts. LIRS, USCCB and USCRI will also maintain regular communication with ORR to ensure program and agency compliance and provide situational awareness regarding URM service provision and foster parent licensure in Texas. USCRI will provide ORR with the data on the following: the number of inquiries received; referral sources by percentage; the number of intakes completed; the number of referrals sent to each consortium member and URM provider agency.

Intake and Referral Procedures

The purpose of this document is to outline the procedures for the Dallas/Fort Worth Texas URM Prospective Foster Parent Intake within the Dallas/Fort Worth Texas URM Consortium. The U.S. Committee for Refugees and Immigrants (USCRI) is responsible for conducting intake and referring prospective foster parents, within the Dallas/Fort Worth, Texas area to consortium partners, the United States Conference of Catholic Bishops (USCCB) and Lutheran Immigration and Refugee Service (LIRS). *(Please see the Dallas/Fort Worth, Texas URM Consortium Charter for a full description of the scope of the consortium and its members.)*

- 1) Prospective Foster Parents (PFP) contacts consortium partners or local URM provider agencies regarding their interest in becoming a foster parent for the URM program in Dallas/Fort Worth, Texas. Any individual responding to an inquiry will provide a description of the consortium, its purpose, and the intake process. The PFP shall be directed to the Dallas/Ft. Worth URM Prospective Foster Parent Intake by any of the following means: Weblink: <https://refugees.org/dfw-urm/> Email: DFW-URM@uscrimail.org, Phone: 703-214-1073.
- 2) The PFP completes and submits the online intake form to USCRI. If the PFP calls and would like to complete the intake over the phone, USCRI will collect the same information listed on the online form.
- 3) USCRI staff will go through the intake form and ensure that all required information is collected from the PFP. If additional information or clarification is necessary for online submissions, USCRI staff will contact the PFP to collect additional information over the phone.
- 4) Within 5 business days of the inquiry, USCRI will make a determination to refer the PFP to the most appropriate consortium partner. The determination will be based on information collected during the intake process, including the following:
 - a) Information regarding PFPs
 - i) Demographic information, household and background information including any religious preferences, language(s) spoken, family composition, age, and country of origin preferences for foster children.
 - b) Requirements of consortium partner and URM provider agency
 - i) Established criteria for foster parents' eligibility of consortium partners and/or URM provider agencies.
 - c) Referral source
 - i) Where the PFP learned about the URM program
 - ii) Any existing ties to a local URM provider agency
- 5) Immediately upon making a determination, USCRI will send the information collected to the selected local URM provider agency and copy the associated consortium partner (LIRS or USCCB).

- 6) The URM provider agency will contact the PFP within 10 business days of receiving an applicant's information. If the selected provider does not accept the referral, the PFP inquiry will be remanded to USCRI for reconsideration. USCRI will send the inquiry to the alternate URM provider agency within two business days.
 - a) A URM provider agency cannot decline a referral because it appears, based on the information collected by USCRI, that the PFP will not meet TX licensing requirements. The URM provider agency must gather additional information and determine the PFP's eligibility under state licensing standards. In instances where a URM provider agency determines that a PFP does not meet eligibility requirements, they will document the decision, notify the PFP and inform USCRI. Ineligible PFPs should not be referred to the alternate URM provider agency.
 - b) In any scenario where a URM provider agency decides, for reasons unrelated to Texas licensing requirements, they can no longer work with a PFP, they will notify the PFP and provide their information to the alternate URM provider agency, with the PFP's consent. The URM provider agency will also notify USCRI of the change. If the PFP does not consent to have their information shared, they will be referred back to USCRI.
 - c) In any instance where a PFP is already licensed by a URM provider agency, or after the intake function launches, is licensed by the URM provider agency solely for another non-URM purpose (TFC for UCs, domestic foster care) and later becomes interested in serving URM, that PFP will not need to be referred to USCRI to complete the intake process. The URM provider should document such occurrences for their URD, which should notify USCRI and LIRS.

Data Collection and Information Sharing

1. USCRI will maintain all data collected during the intake process and will provide, at a minimum, the following summaries to consortium members and ORR:
 - a. Number of inquiries received
 - b. Referral sources by percentage
 - c. Number of intakes completed
 - d. Number of referrals sent to each consortium member and URM provider agency
2. Consortium members can request data for a specific inquiry or intake in writing at any time. USCRI will provide the information within three business days.

In any case of conflict or dispute, consortium members will adhere to the Conflict of Interest Plan for the Dallas/Fort Worth, Texas URM Consortium.

Script Describing the DFW, TX URM Consortium- for URM provider staff

There are two URM provider agencies in the Dallas/Fort Worth area: Catholic Charities Dallas Children's Services and Upbring. In order to ensure an equitable distribution of prospective foster parent (PFP) inquiries, a neutral third party (the U.S. Committee for Refugees and Immigrants) operates a centralized intake process to collect basic information from all PFPs. USCRI uses the information collected during the intake process to determine the most appropriate URM provider agency for a PFP. Upon selecting the appropriate URM provider agency, USCRI will provide the PFP's information to the provider, who will contact the PFP within 10 business days. The URM provider agency is then responsible for determining a PFP's eligibility to become a foster parent and completing the licensing process.

Script Describing the URM Program for USCRI Staff

The Unaccompanied Refugee Minors Program (URM) provides foster care and supportive services to some of the most vulnerable minors in the world - those fleeing persecution, violence, or abuse, who enter the United States without a parent or custodian. Minors and youth in the program represent about 50 nationalities, including *[insert top countries of origin, currently: Guatemala, Honduras, Eritrea, Democratic Republic of Congo, and Afghanistan]*. Some minors are resettled into the U.S. by the State Department as refugees. Others arrive in the U.S. on their own and first receive care through the Unaccompanied Children's (UC) program before meeting federal criteria for the URM program, with eligibility determined by Office of Refugee Resettlement (ORR). Most minors who enter the URM program are males between 15-17 years of age. The program helps unaccompanied refugee minors develop appropriate skills to enter adulthood and to achieve self-sufficiency. Foster parents are an essential part of the URM program, as they provide long-term care for minors and help prepare them for adulthood.

To become a foster parent for the URM program in the Dallas/Fort Worth area, an interested individual or family must become licensed with a child-placing agency licensed through Texas Health and Human Services (HHS) Child Care Regulation. In order to be licensed, an individual or family must, at a minimum:

- Meet all eligibility requirements
- Complete a thorough background check (this includes all household members age 14 and older)
- Complete a home study
- Complete pre-service training (Additional specialized training is required to become a foster parent for the URM program)

On average it takes three to six months to complete the licensing process. The two agencies who operate the URM program in the Dallas/Fort Worth area are Catholic Charities Dallas Children's Services and Upbring. *(Begin the script describing the consortium and intake process)* The selected URM provider will provide more information on the URM program, the youth served, and details about the licensing process in follow up communications.

Dallas/Fort Worth, Texas Unaccompanied Refugee Minor Foster Parent Inquiry Form

Thank you for your interest in becoming a foster parent for the [Unaccompanied Refugee Minors Program](#) in the Dallas/Fort Worth area. There are two local URM provider agencies: Catholic Charities Dallas Children's Services and Upbring. In order to ensure an equitable distribution of prospective foster parent inquiries, the U.S. Committee for Refugees and Immigrants operates a centralized, neutral intake process to collect basic information from all prospective foster parents. USCRI will use the information collected in this form to determine the most appropriate URM provider agency to provide more information about the URM program and work with you further. Please complete the entire form to the best of your ability and contact us with any questions at 703-214-1073 or DFW-URM@uscrimail.org.

Applicant Information

Full Name

Date of Birth

Address City State Zip

Email Address

Phone Number

Gender (*Dropdown: Male, Female, Transgender Male, Transgender Female, Non-conforming, Not Listed (Other), Prefer Not to Answer*)Religious Affiliation (*If listed, then prompt for religious institution*)Languages Spoken (*Multiple check box*)**Household information**- Please list information for all individuals living in the home.

Name

Date of Birth

Gender (*Same Dropdown*)Relationship to Applicant (*Spouse, Domestic Partner, Child (own), Child (Step/adopted), Child (foster), Parent, Sibling, Grandchild, Grandparent, Roommate, Other (please specify)*)Languages Spoken (*Multiple check box*)**Fostering Interest**

1. How did you hear about the Unaccompanied Refugee Minor (URM) program?
 - Catholic Charities Dallas Children's Services
 - Upbring
 - Family or friend
 - Internet search
 - Lutheran Immigration and Refugee Service
 - U.S. Conference of Catholic Bishops
 - Other
2. How did you become interested in becoming a URM foster parent?
3. Please describe any previous foster care experience.
4. What experience do you have with diverse communities?
5. Please share anything else you would like to share as it relates to fostering unaccompanied refugee youth.
6. Do you have any children or godchildren? *If yes, dropdown menu for number of children and age(s).*

Dallas/Fort Worth, Texas Unaccompanied Refugee Minor Foster Parent Inquiry Form

Restrictions or Preferences

1. Do you have any restrictions or preference regarding age? If so, please list.
2. Do you have any restrictions or preference regarding gender? If so, please list.
3. Are you willing to accept children with a different religious affiliation?
4. Are you willing to accept children who identify as lesbian, gay, bisexual, transgender, or queer?
5. Do you have any other restrictions or preferences regarding a potential child?

Eligibility Requirements

The following questions are to initially assess your eligibility to become a foster parent. These criteria are established by Texas licensing requirements.

1. Do you currently have a stable income?
2. Do you have access to reliable transportation?
3. If married, have you been married for at least one year?
4. If divorced, have you been divorced for at least one year?
5. Have you had a major life change in the past 12 months (i.e. death of a spouse, adoption, job loss, etc.)? Please explain:
6. Are you currently licensed with another Child-Placing Agency for foster care/adoption? (If yes, indicate which agency)
7. Have you been convicted of any crimes? If yes, please describe below.
8. Do you have any physical or mental health conditions that may impact your ability to care for a child?
9. Are you willing to complete the following requirements to become a licensed foster parent? (Check all that apply)
 - Complete a criminal background check, including Child Abuse and Neglect Registry check, for everyone ages 14 and above in the household
 - Complete a home fire and health inspection
 - Attend pre-service training (Approx. 40 hours)
 - Complete a home study
10. May we share your contact information and the information collected in this form with a foster care program near you?

Thank for completing this form. Your information will be provided to a designated URM provider agency that will contact you within 15 business days. The URM provider agency will be available to answer your questions and is responsible for determining your eligibility to become a foster parent, as well as completing the licensing process.

CONFLICT OF INTEREST PLAN: DALLAS/FORT WORTH, TEXAS URM CONSORTIUM

Section I: Conflict of Interest

The Dallas/Fort Worth (DFW), Texas Unaccompanied Refugee Minor (URM) Consortium, henceforth referred to as the “DFW Texas URM Consortium”, is a collaboration between Lutheran Immigration and Refugee Services (LIRS), the U.S. Conference of Catholic Bishops (USCCB) and the US Committee for Refugees and Immigrants (USCRI), at the request of and under the initial guidance of the Office for Refugee Resettlement (ORR). The DFW Texas URM Consortium partners will adhere to the procedures established by the Consortium group, as outlined in the DFW Texas URM Consortium Charter, this Conflict of Interest Plan, and the Intake and Referral Procedures Plan.

Purpose: To ensure ethical practices and relationships between all parties, LIRS, USCCB, and USCRI and to strive to make the operations of the DFW Texas URM Consortium open and transparent.

Conflict: This Conflict of Interest Plan applies to LIRS, USCCB, and USCRI and by extension, the subrecipient URM provider agencies of USCCB and LIRS in the operation of the DFW Texas URM Consortium. The DFW Texas URM Consortium Team works to ensure URM service providers are committed to ethical, business, and lawful conduct. This includes but is not limited to referral, recruitment events, collaboration, families being referred to each agency, and understanding licensing standards and compliance for foster homes. If a conflict arises regarding conflict of interest within the DFW Texas URM Consortium, it will be resolved by the DFW Texas URM Consortium Team, and if necessary, by the Children’s Services Directors of USCRI, USCCB, and LIRS identifying a resolution within 7 calendar days and/or elevating to the Executive leadership of their respective agencies.

Section II: Stakeholders

The DFW Texas URM Consortium Team includes representatives from LIRS, USCCB, and USCRI. LIRS, USCCB, and USCRI agree on the roles, responsibilities, and relationships outlined in the DFW Texas URM Consortium Charter.

Section III: Activities and Principles

Communication: The DFW Texas URM Consortium Team will enable effective communication and coordination by adhering to the following activities and principles:

1. Encourage transparency and accountability by making full and accurate information available to the extent possible without violating, each stakeholder’s confidentiality.

2. Act in the best interests of the group. Members cannot use information obtained as a member for personal gain or for the advantage of the member's local and/or national resettlement agency.
3. Take a position on behalf of the consortium.
4. Participate actively in the planning processes and working groups to ensure continuity of the consortium and completion of tasks.
5. Activities shall be characterized by cooperation, coordination, mutual support, and open communication when discussing program planning, problem solving, and certain joint service operations.
6. Encourage programs to address the cultural and linguistic needs of refugees.
7. Support flexible utilization of all available resources.
8. Support partner agencies to implement client-focused services.
9. Respect the right of clients to self-determination.
10. Support public engagement efforts on behalf of refugees and refugee programs.

A link will serve to track all inquiries to the USCRI website for third-party review and referral to Catholic Charities Dallas Children's Services and Upbring. (Link will be included later)

Section IV: Communication

Office of Refugee Resettlement: Members of the DFW Texas URM Consortium Team have a responsibility to share information when it has the potential to impact the statewide consortium group. To the extent possible, questions and communication to ORR that might impact the DFW Texas URM Consortium Team should be discussed within the group and an agreed upon approach to ORR should be decided. Being separate agencies, performance reports will be submitted individually to ORR.

Internal: Members of the DFW Texas URM Consortium Team have a responsibility to ensure collaboration and communication. Members are expected to cooperate, contribute feedback, provide input to shared documents/reports, provide accurate information, ensure confidentiality, and abide by the principles in this document.

Section V: Accountability and Agreement

Members of the DFW Texas URM Dallas Consortium Team are required to openly communicate and collaborate, to use appropriate decision-making techniques, and to resolve disagreements. When the DFW Texas URM Dallas Consortium Team makes decisions that impact the group, the consortium group will use the following tools:

- Working group recommendations
- Consortium discussions
- Evidence-based practices
- Subject matter experts

If the DFW Texas URM Consortium is unable to come to an agreement, the issue will be raised to the Children's Services Directors of USCCB, USCRI, and LIRS and/or elevated to the Executive Leadership of the respective agencies.

Nothing in this policy shall be construed to require any individual organization to engage in any conduct that violates that organization's religious beliefs or moral convictions.

Section VI: Confidentiality and Information Sharing

Members shall not discuss or disclose information about the DFW Texas URM Consortium Team and its discussions, nor any specifics regarding Texas resettlement activities to any person or entity unless such information is already a matter of public knowledge, such person or entity has a need to know, or the disclosure of such information is in furtherance of the groups purposes or can reasonably be expected to benefit the group. In addition, Members shall not share any individual level or provider level data with any external entity without prior knowledge and approval of the member, except for the reasons stated above.

Section VII: Data Sharing

The DFW Texas URM Consortium Team shall abide by 45 CFR 400.27 -28, and ORR Policy Letter "Data Sharing" 17-02 to ensure the safeguarding and sharing of information. Data shared across the group will be submitted through encrypted emails. The aim to data sharing is to assist with providing the group with data to support efforts in the coordination and administration of program services across Texas.

Section VIII: Acknowledgement

Modification of this Conflict of Interest Plan may be necessary, among other reasons, due to changes in the refugee program and/or member organizations. All members agree to review the Conflict of Interest Plan annually in January, or as needed. Any modifications to this Plan must be in writing and agreed upon unanimously.