

<b>Question#:</b>	1
<b>Topic:</b>	Screening Sponsors
<b>Hearing:</b>	The Unaccompanied Children Crisis: Does the Administration Have a Plan to Stop the Border Surge and Adequately Monitor the Children?
<b>Primary:</b>	The Honorable Charles E. Grassley
<b>Committee:</b>	JUDICIARY (SENATE)

**Question:** Recent reports have highlighted numerous failings of the Department of Health and Human Services (HHS) in adequately screening sponsors and monitoring minors upon release to a sponsor. These problems include not fingerprinting parents, not conducting immigration checks of sponsors, and not tracking these minors when they do not show up for their immigration hearings. I know that the departments and agencies working with minors have coordinated and had discussions together on improving the Administration's response to the unaccompanied minor problems.

What suggestions have you made to HHS to improve its policies and procedures for screening sponsors and monitoring children? Would your suggestions improve the security of the minors and the community?

**Response:** The Homeland Security Act of 2002 (HSA) and the Trafficking Victims Protection Reauthorization Act of 2008 transferred responsibility for the care and placement of unaccompanied children to the Department of Health and Human Services' Office of Refugee Resettlement (ORR). U.S. Immigration and Customs Enforcement (ICE) coordinates extensively with ORR throughout the referral and transfer processes and has worked with ORR over the years to refine and improve shared processes and to resolve ongoing challenges. However, in accordance with the HSA, ORR has sole discretion regarding how and to whom it releases unaccompanied children.

An interagency working group, which includes ICE and ORR, has been established to review policies and procedures, share best practices, and ensure the security and well-being of unaccompanied children. This includes reviewing policies and processes for screening sponsors to ensure children are not victims of trafficking and are not being abused. The review is ongoing, and improvements may be made as appropriate.

**Question:** What do you think of fingerprinting?

**Response:** As an investigative law enforcement agency, ICE recognizes the potential value of fingerprint checks for purposes of verifying identity and checking criminal databases. The agencies are engaged in ongoing discussions to ensure that we are taking all appropriate measures to improve child safety and protect against human trafficking.

**Question:** What do you think of immigration checks of those who take custody of the children?

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**Response:** ORR has sole responsibility and control over the process by which unaccompanied children are placed with sponsors. ICE coordinates with HHS during the placement process and provides HHS with immigration status information for those sponsors receiving fingerprint background checks, including the parents in some instances.

<b>Question#:</b>	2
<b>Topic:</b>	UAC Population 1
<b>Hearing:</b>	The Unaccompanied Children Crisis: Does the Administration Have a Plan to Stop the Border Surge and Adequately Monitor the Children?
<b>Primary:</b>	The Honorable Charles E. Grassley
<b>Committee:</b>	JUDICIARY (SENATE)

**Question:** I'm interested in knowing more about the trends in who is coming across the border and how they are treated by immigration enforcement officers. According to the department's own statistics, 83 percent of those removed so far this fiscal year were between the ages of 15-17 when they were apprehended.

Can you tell us why these individuals, who often age out and do not show up for their court hearings, are not enforcement priorities?

**Response:** ICE enforces the law consistent with the Department of Homeland Security's enforcement priorities described in Secretary Johnson's November 20, 2014 memorandum entitled, *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants*. However, immigration proceedings on the non-detained docket, including those for UAC's ordered removed by an immigration judge, often take considerable time to conclude. ICE faces challenges in removing this population due to legal limitations related to the detention of juveniles, challenges in locating UAC's, difficulty in obtaining travel documents for UAC's, and the length of time involved in adjudicating applications for asylum or Special Immigrant Juvenile status. For unaccompanied children with a final order of removal issued by an immigration judge, ICE takes appropriate enforcement action in accordance with the above mentioned priorities, which cover recent border crossers, including those who enter as unaccompanied children.

**Question:** What about gang affiliations? Are these young people recruited by gang members, and are they trained to recruit others once they are here?

**Response:** ICE screens all unaccompanied minors for gang affiliation at the time of their arrest in addition to the screening required by HHS. ICE shares intelligence reports with HHS, as well as best practices for identifying potential gang affiliations. Historic trends suggest that most unaccompanied minors are not affiliated with gangs although DHS continues to monitor trends.

In those infrequent instances where an unaccompanied minor is discovered to have gang affiliations subsequent to their entry to the United States, ICE determines whether the minor was predisposed to gang activity prior to coming to the United States or if the activity was U.S. based to further investigations. In some cases, ICE discovers that a minor was recruited into a gang while in the United States.

<b>Question#:</b>	3
<b>Topic:</b>	Efforts to Stop the Surge
<b>Hearing:</b>	The Unaccompanied Children Crisis: Does the Administration Have a Plan to Stop the Border Surge and Adequately Monitor the Children?
<b>Primary:</b>	The Honorable Charles E. Grassley
<b>Committee:</b>	JUDICIARY (SENATE)

**Question:** Minors face several dangers when they leave their home country and cross the border. For example, they face temperatures as high as 110 degrees Fahrenheit, threats of robbery, extortion, rape, and even murder. The Administration's first priority should be to discourage these minors from making the trip in the first place.

However, on January 13, Secretary Kerry announced that the refugee program would be expanded to help people living in the Northern Triangle, including El Salvador, Guatemala, and Honduras. Some may question this program's legality. Some say that this announcement is sending the wrong message to minors and families in these countries, and will only encourage more illegal migration.

What actions do you think need to be taken to send a very strong signal that those who enter will ultimately be removed?

**Response:** The Administration has taken a number of actions in collaboration with our foreign partners to discourage unaccompanied children and families from making the dangerous journey to the United States.

Since the summer of 2014, we have removed and repatriated migrants to Central America at an increased rate, averaging about 14 flights per week. Most of those returned are single adults, but U.S. Immigration and Customs Enforcement (ICE) has more recently engaged in concerted, nationwide enforcement operations targeting both individuals who entered the country as unaccompanied children who have since turned 18, as well as family units apprehended crossing the border after January 1, 2014, who are the subject of a final removal order, and who have exhausted their legal remedies and have no outstanding appeal or claim for asylum or other humanitarian relief under our laws. These operations are an important part of our messaging efforts to ensure that individuals who constitute enforcement priorities, including families and unaccompanied children, understand that our border is not open to illegal immigration.

Finally, an important piece of addressing regional migration flows is that we must work to address the underlying conditions driving migration from the region. To that end, the Administration is pleased that Congress, in the FY 2016 omnibus spending bill, included \$750 million in funding in support of the U.S. Strategy for Engagement in Central America, the U.S. government's comprehensive strategy to address the region's security, governance, and economic challenges.

<b>Question#:</b>	10
<b>Topic:</b>	UAC Removals
<b>Hearing:</b>	The Unaccompanied Children Crisis: Does the Administration Have a Plan to Stop the Border Surge and Adequately Monitor the Children?
<b>Primary:</b>	Senator David Vitter
<b>Committee:</b>	JUDICIARY (SENATE)

**Question:** Mr. Homan, according to the most recent data from the Executive Office of Immigration Review (EOIR) in adjudications from July 18, 2014 to December 29, 2015 indicates that of the 41 percent of all UAC cases that have been completed, 46 percent have received final removal orders.

Of the 46 percent, what percentage of unaccompanied alien children (UACs) have been physically removed from the United States?

**Response:** Based upon a review of data from July 18, 2014 through March 31, 2016 provided by the Executive Office for Immigration Review (EOIR), 11,326 unaccompanied children are subject to final orders of removal. Of those, 9 percent, or 1,001 individuals, have been physically removed from the United States.<sup>1</sup>

**Question:** What, if any, impediments does Immigration and Customs Enforcement face when attempting to remove a UAC?

**Response:** U.S. Immigration and Customs Enforcement (ICE) enforces the law consistent with the DHS enforcement priorities described in Secretary Johnson's November 20, 2014 memorandum entitled, *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants*. However, immigration proceedings on the non-detained docket, including those for unaccompanied children ordered removed by an immigration judge, often take considerable time to conclude. ICE also faces challenges in removing unaccompanied children due to legal limitations related to the detention of juveniles, challenges in locating unaccompanied children, the difficulty in obtaining travel documents for unaccompanied children, and the length of time involved in adjudicating applications for asylum or Special Immigrant Juvenile status.

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<sup>1</sup> Removal counts are based on the designation of unaccompanied children at the time of initial book-in and may not be under the age of 18 at the time of removal.