

OFFICE OF REFUGEE RESETTLEMENT

An Office of the Administration for Children & Families

Sponsors and Placement

Release of Unaccompanied Alien Children to Sponsors in the U.S.

Since 2005, ORR has received immigration status information about potential sponsors and has had a policy in place providing for the release of unaccompanied alien children (“UAC”) to undocumented sponsors, in appropriate circumstances and subject to certain safeguards. ORR has published **guidance** (<https://www.acf.hhs.gov/programs/orr/resource/children-entering-the-united-states-unaccompanied-section-2>) on immigration status and the sponsor placement process for unaccompanied alien children. This document provides background and context to the development of this policy, and is intended to clarify the manner in which it is implemented.

The Trafficking Victims Protection Reauthorization Act of 2008 directs that UAC must “be promptly placed in the least restrictive setting that is in the best interest of the child.” See 8 U.S.C. § 1232(c)(2)(A). The settlement agreement in *Flores v. Reno*, which is binding on the U.S. Government, establishes an order of priority for sponsors with whom children should be placed, except in limited circumstances. The first preference for placement would be with a parent of the child. If a parent is not available, the preference is for placement with the child’s legal guardian, and then to various adult family members. ORR follows these requirements in making placement decisions.

As part of the determination of whether an individual is an appropriate sponsor, ORR requires case managers to verify a potential sponsor’s identity and relationship to a child before releasing a child to a sponsor. To meet this requirement, ORR requires case managers to complete (through a web-based portal system maintained by ORR) an assessment of the child’s past and present family relationships, and relationships to non-related potential sponsors. Case managers are also required to:

- interview prospective sponsors;
- require prospective sponsors to complete an “**Authorization for Release of Information** (<https://www.acf.hhs.gov/programs/orr/resource/unaccompanied-childrens-services>);”
- conduct background checks on all prospective sponsors;
- coordinate fingerprint checks of the FBI database for non-parental sponsors, or for parental sponsors where there is a documented risk to the safety of the child, the child is especially vulnerable, or the case is being referred for a mandatory home study; and
- coordinate a check of the immigration Central Index System in some cases.

In this determination process, immigration status information is requested of sponsors, and also may emerge through the background checks. Since January 2014, care providers have been required to enter this information into the ORR portal, a procedure that was optional until that time. Immigration status information, however, is not used to disqualify potential sponsors. Instead, it is used to ensure the safety and well-being of the child by making sure that there is an adequate care plan in place that takes all relevant aspects of the sponsor’s situation into consideration.

Additional Sponsor Resources

- Beware of **Fraud Schemes Targeting Families of Unaccompanied Alien Children** (<https://www.fbi.gov/sanantonio/press-releases/2014/new-fraud-schemes-targeting-families-of-unaccompanied-children>)
- View the number of unaccompanied children released to sponsors by **state** (<https://www.acf.hhs.gov/orr/resource/unaccompanied-alien-children-released-to-sponsors-by-state>) and by **county** (<https://www.acf.hhs.gov/orr/resource/unaccompanied-alien-children-released-to-sponsors-by-county>).

Listen (https://app.readspeaker.com/cgi-bin/rsent?customerid=7596&lang=en_us&readid=main&url=https%3A%2F%2Fwww.acf.hhs.gov%2Fforr%2Fabout%2Fucs%2Fsponsors)

Last Reviewed: June 30, 2017