



# Privacy Notice

## **Sponsors, their Adult Household Members, and Adult Caregivers**

This notice is provided by the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), Office of Refugee Resettlement (ORR). Any privacy questions or complaints should be submitted to [UCPolicy@acf.hhs.gov](mailto:UCPolicy@acf.hhs.gov).

The biographical and biometric information we collect from sponsor-applicants is authorized under 6 U.S.C. § 279 and 8 U.S.C. § 1232. Providing the information and documents is voluntary, but if you do not provide all of the information, we may not be able to approve the application to sponsor an unaccompanied child. ORR collects the requested information to decide about suitability to serve as a sponsor for the child or children identified in your application, as well as to coordinate the release of the child or children into sponsor custody and the delivery of post-release services, as needed.

ORR may disclose the information about sponsors, adult household members, and caregivers to the following non-HHS parties, as summarized below:

- To HHS contractors, grantees, consultants, or volunteers who perform work to assist HHS (for example, HHS discloses fingerprints to the U.S. Department of Justice, Federal Bureau of Investigation (DOJ/FBI), which assists HHS in conducting fingerprint-based background checks, including criminal history checks);
- To an attorney or other person representing you or the child in immigration, state court dependency, or juvenile or criminal court proceedings;
- To a child protection and advocacy organization to enable it to advocate effectively for the best interests of the child;
- To a state refugee coordinator arranging placement and services for the child;
- To federal, state, local, tribal, or foreign law enforcement agencies where relevant to violations or potential violations of civil or criminal law, for enforcement or investigation.
- To an appropriate governmental agency if necessary to protect child welfare, or to safely repatriate a child to the country of origin;
- To state or local health authorities for information affecting public health and safety;
- To any person from whom we need information relevant to an HHS decision concerning public benefits from a federal, state, or local government agency;
- To DOJ to facilitate sponsors' participation in Legal Orientation Programs (LOPCs) for custodians under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 section 235(c)(4), 8 U.S.C. 1232(c)(4);

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- To DOJ when the U.S. Government is in litigation or other adjudicatory or administrative proceedings or settlement discussions involving HHS;
- To plaintiffs' counsel as required under the settlement agreement in *Flores v. Reno*, Case No. CV85-4544-RJK (C.D. Cal. 1996) and *Perez-Olano v. Holder*, Case No. CV 5-3604 (C.D. Cal.2010);
- To DHS to adjudicate or decide immigration relief and to provide required notifications<sup>1</sup>;
- To a congressional office in responding to a request initiated by you as a constituent;
- To OMB in connection with private relief legislation as set forth in OMB Circular A-19;
- To the National Archives and Records Administration in records management inspections;
- To DHS for cybersecurity monitoring; and
- To appropriate agencies, contractors, and other parties assisting in responding to a security breach experienced by HHS or another federal agency.

**The preceding information together with this additional information serves as a Privacy Act Statement:** The information we collect will be maintained in the Privacy Act systems of records "ORR Division of Children's Services Records," system No. 09-80-0321 (81 Fed. Reg. 46682, 46683) and "ORR Unaccompanied Refugee Minors Records," system No. 09-80-0329 (81 Fed. Reg. 46682, 46690), available at <https://www.federalregister.gov/documents/2016/07/18/2016-16812/privacy-act-of-1974-system-of-records-notice>.

Note that once records are disclosed outside of HHS to another organization (such as a federal agency or child advocacy organization), the information will be managed according to the laws and rules applying to that organization, and that the organization may use or disclose the information for other, different purposes than HHS. For example, see FBI's "Privacy Act Statement" located on the back of the FD-258 fingerprint card, available at <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>, and FBI's notice entitled "Noncriminal Justice Applicant's Privacy Rights," available at <https://www.fbi.gov/services/cjis/compact-council/guiding-principles-noncriminal-justice-applicants-privacy-rights>.

#### **For individuals undergoing a fingerprint background check:**

##### Health and Human Services/State Required Biometric Information Disclosure and Authorization

Please be advised that your biometric identifiers, fingerprints, will be collected, captured, received, stored, and used at the request of HHS through its vendor, Fieldprint, Inc., to collect and store such

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<sup>1</sup> DHS cannot use your information for immigration enforcement actions, including placement in detention, removal, referral for a decision whether to initiate removal proceedings, or initiation of removal proceedings, unless you have been convicted of a serious felony, are pending charges for a serious felony, or you have been directly involved in or associated with any organization involved in human trafficking. Consolidated Appropriations Act, 2021, Pub. L. 116-260, Division F, Title II, § 217.

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fingerprints in the field of caring for unaccompanied alien children and preventing child exploitation and trafficking. Such authorization preempts the application of The Illinois Biometric Information Privacy Act, 740 ILCS 14/1, et seq and any other biometric privacy protection applicable acts (“BIPA”) to the HHS.

Your information will be held for one (1) year from your last interaction with Fieldprint, Inc., after which it will be permanently destroyed from Fieldprint, Inc.’s records. You may view Fieldprint, Inc.’s Privacy Policy, on our commitment to security, the retention and destruction of biometric information at: <https://www.fieldprint.com/privacy-policy/> or call us Fieldprint at 888-472-8918.

#### Authorization to Obtain and Disclose Biometric Information

You, or your legally authorized representative, have provided, with execution of the ORR *Authorization for Release of Information*, consent and authority for the HHS and Fieldprint, Inc., to collect, receive, store, and use my fingerprints.