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**Date:** May 20, 2021

**Subject:** Non-Substantive Change Request – Administration and Oversight of the Unaccompanied Alien Children Program (OMB #0970-0547)

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This memo requests approval of non-substantive changes to the approved information collection, Administration and Oversight of the Unaccompanied Alien Children Program (OMB #0970-0547).

## **BACKGROUND**

The “Administration and Oversight of the Unaccompanied Alien Children Program” information collection contains eight instruments that allow ORR to facilitate stakeholder visits to care provider facilities; obtain consent from unaccompanied children (UC) to share their case file information; improve service delivery to UC; and ensure that serious issues are elevated to ORR and that all incidents and the response to such incidents are documented and resolved in a way that protects the best interests of UC. The collection was last approved by OMB on January 1, 2021 and expires on January 31, 2024.

ORR proposes revisions to four instruments in the collection that are related to incident reporting – Emergency Significant Incident Reports (SIR), SIR, Sexual Abuse SIR, and Program-Level Event Reports. The proposed revisions will assist in clarifying reporting requirements and address the following issues:

- Many types of incidents that ORR requires care providers to report upon do not have their own category checkbox or dropdown field; care providers must use the “Other” category checkbox and specify the type of incident in a text field. This may create confusion for care providers and ORR staff around reporting requirements and makes it more difficult for ORR to analyze aggregate data from incident reports.
- Incidents of alleged abuse/neglect (non-sexual) and behavioral incidents that threaten safety are currently reported via a standard SIR. However, depending upon the circumstances and egregiousness of the act, incidents are better classified as an emergency.

The proposed revisions do not create any additional reporting burdens for care provider or ORR staff.

## OVERVIEW OF REQUESTED CHANGES

The proposed revisions are limited to the section of each incident report containing incident category/subcategory checkboxes and dropdowns. No changes are proposed for any other sections of the incident reports.

### Emergency Significant Incident Report

- ORR renamed the *Death in Care Provider Facility* to *Death of a UC in ORR Custody* in order to clarify that only the death of a UC should be reported via an Emergency SIR. SIRs must be tied to a specific UC and are unable to be tied to other non-UC individuals. Therefore, care providers must report the death of a non-UC individual via a Program-Level Event Report.
- Currently, both medical and mental health emergencies are reported under *Medical Emergency Requiring Immediate Hospitalization* category. ORR split this category into two separate categories (*Medical Emergency* and *Mental Health Emergency Requiring Hospitalization*) to clarify reporting requirements.
- Currently, the *Abuse/Neglect in ORR Care* (non-sexual) category is only available in the standard SIR. ORR added the same category to the Emergency SIR to reflect that some incidents of abuse/neglect are better classified as an emergency (i.e., there is an ongoing and/or immediate threat to the UC's safety).
- Currently, the *Major Behavioral Incidents that Threaten Safety* category is only available in the standard SIR. ORR added the same category to the Emergency SIR to reflect that some behavioral incidents are better classified as an emergency (i.e., incidents where there is an ongoing and/or immediate threat to safety). Behavioral incidents that affect, but do not immediately threaten, safety will continue to be reported via a standard SIR. The following subcategories, which are similar to what is currently available in the standard SIR, will be available in the Emergency SIR:
  - Use of a Weapon
  - Harm to Others
  - Self-Harm with Medical Intervention
  - Suicide Attempt/Gesture
  - Other
- ORR moved the *Runaway* category from the standard SIR to the Emergency SIR and re-named the category to *Unauthorized Absence* in order to align the form with current ORR policy.

### Significant Incident Report

- One of the dropdowns for the *Abuse/Neglect in ORR Care* category was not labeled. ORR added the field label *Type of Abuse*.
- Currently, the *Major Behavioral Incidents that Threaten Safety* category is only available in the standard SIR. ORR added the same category to the Emergency SIR to reflect that some behavioral incidents are better classified as an emergency (i.e., incidents where there is an ongoing and/or immediate threat to safety). Behavioral incidents that affect, but do not immediately threaten, safety will continue to be reported via a standard SIR.

The following subcategories, which are similar to what is currently available, will be available in the SIR:

- o Possession of a Weapon
  - o Suicidal Ideation
  - o Verbal Aggression
  - o Destruction of Property
  - o Physical Aggression
  - o Use of Drugs and/or Alcohol in ORR Custody
  - o Self-Harm without Medical Intervention
  - o Past Self-Harm
  - o Past Suicide Attempt/Gesture
  - o Other
- ORR moved the *Runaway* category from the standard SIR to the Emergency SIR and re-named the category to *Unauthorized Absence* in order to align the form with current ORR policy.
  - Currently, potential fraud schemes are reported under the *Other* category (and related *Specify* text field). ORR added a separate category titled *Potential Fraud Schemes* (with subcategories of *Confidence Scheme* and *Document/Information Fraud*) to clarify reporting requirements and to more easily track these types of incident reports.
  - Currently, previous enrollment in the Migrant Protection Protocols (MPP) Program is reported under *Other* category (and related *Specify* text field). ORR added a separate subcategory titled *Previous Enrollment in DHS Migrant Protection Protocols Program* under the *Other* category to clarify reporting requirements and to more easily track these types of incident reports.

### **Sexual Abuse Significant Incident Report**

- Currently, code of conduct violations are being reported as *Inappropriate Sexual Behavior* under the *Type of Incident* dropdown field because there no separate dropdown option for those types of incidents. Therefore, ORR added *Code of Conduct Violation* as an option for this dropdown field.

### **Program-Level Event Report**

- Currently, non-UC deaths are reported as *Other* under the *Category of Event* dropdown field because there no separate dropdown option for those types of incidents. Therefore, ORR added *Death (non-UC)* as an option for this dropdown field.
- Currently, the *Major Disturbances* category only has three subcategory options (*Shooting*, *Terrorist Attack*, and *Riot*). Other types of major disturbances are reported as *Other* under the *Category of Event* dropdown field because there is no option to select *Other* as a subcategory for *Major Disturbance*. Therefore, ORR added *Other* as a subcategory option. In addition, ORR added a *Protest* sub-category to clarify reporting requirements and to more easily track these types of incident reports.

- Currently, the *Natural Disaster* category only has five subcategory options (*Earthquake, Flood, Tornado, Fire, and Hurricane*). Other types of natural disasters are reported as *Other* under the *Category of Event* dropdown field because there is no option to select *Other* as a subcategory for *Natural Disaster*. Other types of major disturbances are reported as *Other* under the *Category of Event* dropdown field because there is no option to select *Other* as a subcategory for *Natural Disasters*. Therefore, ORR added *Other* as a subcategory option. In addition, ORR renamed the *Fire* subcategory to *Wildfire* for clarity.

### **Revision to Information Collection Title**

ORR proposes removing the word “alien” from the title of the information collection, thereby changing it to “Administration and Oversight of the Unaccompanied Children Program,”