

To: Elaine Soohoo and Jamie Wilson
Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)

From: Elizabeth Kronk
Office of Refugee Resettlement (ORR)
Administration for Children and Families (ACF)

Date: December 21, 2022

Subject: NonSubstantive Change Request – Placement and Transfer of Unaccompanied Children (UC) in Office of Refugee Resettlement (ORR) Care Provider Facilities (OMB #0970-0554)

This memo requests approval of nonsubstantive changes to the approved information collection, Placement and Transfer of Unaccompanied Children (UC) in Office of Refugee Resettlement (ORR) Care Provider Facilities (OMB #0970-0554).

Background

The Placement and Transfer of UC in ORR Care Provider Facilities information collection contains 18 instruments that allow ORR to facilitate the placement of UC within the network of care providers, which includes standard facilities and influx care facilities, as well as the transfer of UC within the network of care providers. The collection was last approved by OMB on 10/27/2022 (under expedited review) and the current expiration date is 4/30/2023. ORR is currently seeking an extension to continue data collection. The related 60-Day Federal Register Notice was posted October 25, 2022 and can be found here: <https://www.federalregister.gov/d/2022-23316>.

The currently approved P-18 Notification of Administrative Review form states that a panel will provide a decision within five (5) business days of receiving a written statement requesting a reconsideration of placement into a care provider facility that is more restrictive (such as a secure care provider, staff secure, or residential treatment center (RTC)). ACF's own Policies and Procedures state that a panel will provide a written decision within **seven (7)** calendar days of receiving the minor's written statement. Additionally, the seven-day timeframe is in compliance with the *Lucas R. v. Azar et al* (Case No. CV 18-5741-DMG (PLAx) Preliminary Injunction that went into effect on November 21, 2022.

Overview of Requested Changes

The proposed revisions would change the decision time frame from five (5) business days to seven (7) calendar days. This change will ensure that ACF is consistent with its own Policies and Procedures, remains in compliance with the *Lucas R. v. Azar et al* (Case No. CV 18-5741-DMG (PLAx) Preliminary Injunction.

Time Sensitivities

Approval of this change is needed immediately to ensure ACF is in compliance with the *Lucas R.*

v. Azar et al (Case No. CV 18-5741-DMG (PLAx) Preliminary Injunction that went into effect on November 21, 2022.