



**New Jersey Consortium
for Immigrant Children**

Building a just and equitable NJ where young immigrants
can flourish and lead full, fearless lives.

Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th St. NW
Washington, DC, 20201

Submitted online via [reginfo.gov](https://www.reginfo.gov)

September 12, 2025

Re: New Jersey Consortium for Immigrant Children Comment on Submission for Office of Management and Budget Review; Unaccompanied Alien Children Sponsor Application Packet (Office of Management and Budget #0970–0278)

To Whom It May Concern,

The New Jersey Consortium for Immigrant Children (NJCIC) submits the following public comment in response to the request for comments on the Submission for Office of Management and Budget (OMB) Review (OMB); Unaccompanied Alien Children Sponsor Application Packet (Office of Management and Budget #0970–0278), as published in the Federal Register on August 14, 2025.

NJCIC is a state-wide legal services and policy advocacy organization in New Jersey dedicated to empowering young immigrants. Our organization works towards a just and equitable New Jersey where young immigrants can flourish and lead full, fearless lives. We provide holistic, youth-centered legal representation to unaccompanied children (UC) and similarly situated youth; drive systemic change to advance young immigrants' rights to access to justice, education equity, and healthcare equity; and build community through collaboration and education.

The Office of Refugee Resettlement (ORR) has proposed several revisions and additions to the forms that the Unaccompanied Alien Children Bureau (UACB) uses to assess the suitability of potential sponsors for UC. NJCIC is gravely concerned about the impact of these proposed changes on the children and families we serve. It is our position that these proposed changes will undermine ORR's mission to promote the health, well-being, and stability of UC, and compromise its ability to prioritize the best interests of UC in matters related to their placement and care. As such, it is our recommendation that OMB reject ORR's proposed changes to the Sponsor Application Packet.

1. Highlighting the Proposed Revisions to the UC Sponsor Application Packet of primary concern to NJCIC.

NJCIC's primary concerns with the proposed changes to the Sponsor Application Packet relate to the list of acceptable proof of identity documents and the incorporation of proof of income documentation requirement in the Sponsor Application Form (Form SAP-3). We note that these changes align with two recent revisions to section 2.2.4 of the UACB Policy Guide, made in March and April 2025. We will address our concerns about both policy changes in our comment.

On March 7, 2025, ORR revised section 2.2.4 (Required documents for Submission with the Application for Release) of the UACB Policy Guide to limit the list of documents that could be used to verify a potential sponsor's identity. This included removing several foreign identification documents, such as a driver's license, voter registration cards, and national identification cards. Other forms of documentation, such as marriage certificates and a U.S. certificate of naturalization, were also removed. The UACB Policy Guide was also revised to clarify that only "unexpired" versions of identity documents were acceptable.¹ On April 15, 2025, ORR further revised the policy guide to note that "proof of sponsor income is a mandatory part of the Sponsor Application process" and provided a list of the applicable documents potential sponsors can use to verify their income.²

On April 25, 2025, ORR promulgated a proposed information collection activity—which was in line with the revisions to the UACB Policy Guide—to revise several forms that are used to assess the suitability of potential sponsors.³ The proposal sought to limit the number of acceptable proof of identity documents listed in the Sponsor Application Form and to incorporate a provision stating that "Expired documents will not be accepted." It also proposed updating the Sponsor Application Form to incorporate a new Proof of Income section, which called for applicants to submit proof of income documentation in the form of: 1) the previous year's U.S. tax return; 2) copies of paystubs for the past 60 days; or 3) an original letter from the sponsor's employer verifying their employment and salary information.

Following the conclusion of the comment period, on August 14, 2025, ORR published this submission to OMB in the Federal Register.⁴ This submission retains the proposed changes outlined in the April 25 proposed information collection activity, while adding some additional elements of grave concern to NJCIC. These elements include an Affidavit of Financial Support (Form SAP-8), which can be completed in lieu of the proof of income documentation outlined in Form SAP-3 in order to provide "evidence that the sponsor receives financial support from another

¹ Office of Refugee Resettlement, *ORR Unaccompanied Alien Children Bureau Policy Guide: Record of Posting and Revision Dates* (last updated Jun. 2, 2025), <https://acf.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide-record-posting-and-revision-dates>.

² *Id.*

³ Proposed Information Collection Activity: Unaccompanied Alien Children Sponsor Application Packet (Office of Management and Budget #0970-0278), 90 FR 17438, 17438 (Apr. 25, 2025).

⁴ Submission for Office of Management and Budget Review; Unaccompanied Alien Children Sponsor Application Packet, 90 FR 39194, 39194 (Aug. 14, 2025).

individual” and adding a textbox to Form SAP-3 which will allow a sponsor to “explain why they are unable to meet any of the supporting documentation requirements.”

2. These proposed revisions will compromise ORR’s ability to fulfill its mission and legal obligations.

NJCIC is deeply concerned about the impact of the proposed changes to the Sponsor Application Packet on UC and potential sponsors. It is our position that these changes will lead to fewer individuals being willing and able to sponsor UC, forcing UC to remain in ORR custody long-term, and compromising ORR’s ability to fulfill its mission and legal obligations.

a. ORR functions as a child welfare agency for UC and is required to consider the best interests of the child in matters related to their care and custody.

ORR’s mission is to “promote the health, well-being, and stability of refugees, unaccompanied alien children, and other eligible individuals and families, through culturally responsive, trauma-informed, and strengths-based services.”⁵ Within ORR, the Unaccompanied Alien Children Bureau (UAC), is responsible for providing placement, care, and services to UC who have been referred to ORR and support their release to a qualified and vetted sponsor.⁶

As set out in the Homeland Security Act of 2002 (HSA), ORR has a legal obligation to ensure “that the interests of the child are considered” in decisions related to their care and custody.⁷ The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) also calls for UC to be “promptly placed in the least restrictive setting that is in the best interest of the child,” and emphasizes the importance of family unification for UC.⁸ Similarly, the Unaccompanied Children Program Foundational Rule (Foundational Rule) calls for UC to be treated with “dignity, respect, and special concern for their particular vulnerability,” in matters related to their placement, and to “place each unaccompanied child in the least restrictive setting that is in the best interests of the child.”⁹ ORR has emphasized it has a “strong belief that, generally, placement with a vetted and approved family member or other vetted and approved sponsor, as opposed to placement in an ORR care provider facility [...] is in the best interests of unaccompanied children.”¹⁰

Before releasing a UC to a potential sponsor, the TVPRA mandates that the Department of Health and Human Services (HHS) make a determination whether the sponsor is capable of providing for

⁵ Administration for Children and Families, *Office of Refugee Resettlement* (last visited Jun. 2, 2025), <https://acf.gov/orr>.

⁶ Administration for Children and Families, *Unaccompanied Alien Children Bureau Fact Sheet* (last visited Jun. 3, 2025), <https://acf.gov/orr/fact-sheet/programs/uc/fact-sheet>.

⁷ Homeland Security Act of 2002, Pub. L. No. 107-296, § 462, 116 Stat. 2135, 2202-03 (2002).

⁸ William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457, §235(c)(2), 122 Stat. 5077-78.

⁹ Unaccompanied Children Program Foundational Rule, 89 FR 34384, 34588 (Apr. 30, 2024) (45 C.F.R. 410).

¹⁰ *Id.* at 34439.

the UC's physical and mental well-being, including verifying the sponsor's identity.¹¹ The Foundational Rule further stipulates that ORR may take additional steps to assess the capability of a potential sponsor to provide for the UC's physical and mental well-being, including through the "verification of the employment, income, or other information provided by the potential sponsor as evidence of the ability to support the child."¹² ORR has noted that this a "permissible consideration," that may allow them to better assess the ability of a sponsor to provide care for a UC, and that, while "this information may be relevant, it would not automatically deny an otherwise qualified sponsor solely on the basis of low income or employment status (either formal or informal)."¹³

As such, ORR's primary function is as a child welfare agency responsible for caring for UC and supporting their release to a qualified sponsor. ORR has a duty to protect the best interests of UC in matters related to their placement and care, including by promptly placing them in the least restrictive setting possible and prioritizing efforts to place them with qualified family members or other vetted sponsors. In conducting suitability assessments of potential sponsors, ORR is required to verify the identity of potential sponsors and is permitted to take further measures to assess the sponsor's ability to support the child. As detailed below, NJCIC is gravely concerned that the proposed revisions to the Sponsor Application Packet will compromise ORR's ability to fulfill its function as a child welfare agency and its relevant legal obligations.

b. These changes to the Sponsor Application Packet will impose an undue burden on potential sponsors.

It is NJCIC's position that these proposed changes to the Sponsor Application Packet, specifically limiting the acceptable forms of proof of identification documentation and the introduction of proof of income documentation requirements, will impose an undue burden on potential sponsors. This is particularly true for sponsors who are members of the immigrant community. Although it is impossible to find precise public data regarding the immigration status of potential sponsors, based on our experience providing direct legal services to UC and their families, NJCIC has observed that a majority of sponsors for UC are immigrants.

As set out above, ORR is required to verify the identity of potential sponsors when conducting its sponsor suitability assessment. Previously, ORR has allowed a wide range of documents to be used to verify a sponsor's identity, including expired documents and those that come "from a multitude of countries."¹⁴ The proposed changes to the list of acceptable forms of identification removes several forms of identification that would be most accessible to documented and undocumented immigrants, such as foreign identification documents, expired identification documentation, and a U.S. certificate of naturalization. ORR further limits the acceptable forms of identification by

¹¹ 8 U.S.C. § 1232(3)(A).

¹² 45 C.F.R. § 410.1202(c)

¹³ Unaccompanied Children Program Foundational Rule, 89 FR 34384, 34444 (Apr. 30, 2024) (45 C.F.R. 410).

¹⁴ Unaccompanied Children Program Foundational Rule, 89 FR 34384, 34450 (Apr. 30, 2024) (45 C.F.R. 410).

requiring original versions of the documentation and not accepting expired documents. As such, these changes will make it much more challenging for many immigrant sponsors to complete the Sponsor Application Packet.

This proposal also requires sponsors to submit one of three documents to establish a potential sponsor's proof of income: the previous year's U.S. tax return; copies of paystubs for the past 60 days; or an original letter from the sponsor's employer verifying their employment and salary information.¹⁵ Unfortunately, these documents are often impossible for immigrants to obtain. Many immigrants in the US, regardless of status, work in the informal economy,¹⁶ including for employers who may resist providing them with paystubs or formal documentation of their employment status. Even individuals who have formal employment may face difficulties accessing the prescribed documents, including immigrants who have been in the U.S. for a limited amount of time. NJCIC notes that, in this submission, ORR seeks to incorporate an affidavit of support form which would allow an individual, such as a family member, to attest that they financially support the sponsor¹⁷ However, this form could not be utilized to show that a potential sponsor works in the informal economy, leaving those particular individuals without a means to establish their ability to care for a UC.

The approach advanced by this proposal contravenes provisions of the Foundational Rule, which permits ORR to request information regarding a potential sponsor's employment or income, "or other information provided by the potential sponsor as evidence of the ability to support the child."¹⁸ This indicates that potential sponsors should be provided with the opportunity to demonstrate their ability to support a UC, even if they cannot provide specific documentation, as required by the proposed changes, regarding their employment or income. By requiring sponsors to submit the proof of identification and income documents detailed above, ORR will likely exclude potential sponsors who have the means to support a UC outside of formal employment--including close relatives who would be the most able to provide them with a safe and loving home--which stands in stark contrast to ORR's previous statement that it "would not automatically deny an otherwise qualified sponsor solely on the basis of low income or employment status (either formal or informal)."¹⁹ While ORR has proposed adding a textbox to Form SAP-3 to allow a potential sponsor to "explain why they are unable to meet any of the supporting documentation requirements," including those related to proof of identity or proof of income, NJCIC remains concerned that many appropriate sponsors will be denied the ability to provide a safe and supportive home for UC under this policy.

¹⁵ UACB Policy Guide, *supra* note 3.

¹⁶ Gary Painter, *The Scale of Informal Labor and Its Impact on the Economy*, PBS (Feb. 13, 2019), <https://www.pbssocal.org/shows/city-rising/the-scale-of-informal-labor-and-its-impact-on-the-economy..>

¹⁷ Submission for Office of Management and Budget Review; Unaccompanied Alien Children Sponsor Application Packet, 90 FR 39194, 39194 (Aug. 14, 2025).

¹⁸ 45 C.F.R. § 410.1202(c)

¹⁹ Unaccompanied Children Program Foundational Rule, 89 FR 34384, 34444 (Apr. 30, 2024) (45 C.F.R. 410).

c. These revisions will compromise ORR’s ability to fulfill its core functions as a child welfare agency and its legal obligation to prioritize the best interests of UC in matters related to their placement and care.

It is NJCIC’s position that the proposed changes to the Sponsor Application Packet will lead to fewer individuals being willing and able to complete an application to sponsor a UC, especially when considered in conjunction with several other recently adopted policies, such as fingerprinting and DNA requirements,²⁰ sharing information about potential sponsors’ immigration status with immigration enforcement agencies,²¹ wellness checks on UC,²² and requiring potential sponsors to attend in-person identification checks with ORR.²³ We believe it is reasonable to conclude that these policies will lead to a significant increase in the amount of time UC remain in ORR custody, and compromise ORR’s ability to safeguard the best interests of UC in matters related to their care and custody.

In recent months, there has been a substantial increase in the average length of time that UC remain in ORR custody before being released to a sponsor throughout the U.S., rising from 37 days in January 2025 to 171 days in July. This has corresponded with a decrease in the total number of UC released to sponsors, from a total of 7,009 between January and February, to a mere 1,137 for the period from March—when the changes to the UACB Policy Guide regarding proof of identity were introduced—to the end of July.²⁴ It is reasonable to conclude that these policy changes have contributed to this documented decline of UC being released to sponsors, as these new requirements make it more difficult for potential sponsors to complete the application process.

NJCIC notes that ORR’s April proposed collection of information supported this conclusion, as it amended the burden estimate to account for a “decrease in the number of sponsors applying to sponsor a child and an increase in the number [of] care provider facilities.”²⁵ In contrast, the burden estimate contained in this submission to OMB has been updated, claiming that there will be a “decrease in the number of children in ORR care and corresponding decrease in the number of individuals applying to sponsor a child.”²⁶ While NJCIC agrees there will be a decrease in the number of individuals applying to sponsor a child due to these policies, we argue that the claim it will lead to fewer UC in ORR custody is not borne out in ORR’s data. While there has been a

²⁰ AILA, *ORR Issues Field Guidance on Fingerprint Background Checks for Family Reunification Applications* (Feb. 14, 2025), <https://www.aila.org/library/orr-issues-field-guidance-on-fingerprint-background-checks-for-family-reunification-applications>.

²¹ Unaccompanied Children Program Foundational Rule; Update To Accord With Statutory Requirements, 90 FR 13554 (Mar. 25, 2025) (to be codified at 45 CFR 410).

²² Priscilla Alvarez, *Trump administration takes hundreds of migrant children out of their homes, into government custody*, CNN (Jun. 4, 2025), <https://edition.cnn.com/2025/06/04/politics/migrant-children-families-government-custody>.

²³ Valerie Gonzalez, *ICE is showing up to interview parents hoping to reunite with their children who entered US alone*, AP News (Sep. 2, 2025), <https://apnews.com/article/immigration-children-parents-reunification-trump-81b20a1e3651337cec14b508f59cc52f>.

²⁴ Office of Refugee Resettlement, *Unaccompanied Alien Children: Fact Sheets and Data* (last updated Aug 18, 2025), <https://acf.gov/orr/about/ucs/facts-and-data>.

²⁵ Proposed Information Collection Activity: Unaccompanied Alien Children Sponsor Application Packet (Office of Management and Budget #0970-0278), 90 FR 17438, 17439 (Apr. 25, 2025).

²⁶ Submission for Office of Management and Budget Review; Unaccompanied Alien Children Sponsor Application Packet, 90 FR 39194, 39195 (Aug. 14, 2025).

decrease in the total number of UC in ORR custody since January of this year, the number has remained relatively stable since February, despite these policies going into effect in March and April.²⁷

ORR has previously expressed a “strong belief” that it is generally in the best interest of UC to be released to a sponsor rather than to remain in ORR custody.²⁸ This belief is supported by findings that the long-term separation of a child from their primary caregiver can have devastating impacts on that child,²⁹ and reports that indicate remaining in immigration custody long-term can have severe mental and developmental impacts on UC.³⁰ One report from HHS found that children who remained in ORR custody for longer periods, “experienced more stress, anxiety, and behavioral issues.”³¹ A June report highlighted claims from agency officials that UC in ORR custody are “depressed,” as new policies increase the length of time before they can be released to sponsors.³² NJCIC’s lawyers, who routinely represent clients who have been released from ORR custody, also have observed that children who remain in ORR custody long-term often have worse outcomes than those who are promptly released to a sponsor, which can include traumatization, greater difficulties integrating into their community, and challenges in their academic performance.

NJCIC is also concerned that this policy may increase the risk of UC becoming victims of human trafficking. Currently, most sponsors of UC are their parents or other close relatives³³ who are best suited to provide them with a safe and loving environment. However, given the effect of these policies, it is less likely family members will be willing and able to sponsor a UC. Instead, there is reason for concern that many families may turn to distant connections, who are able to obtain

²⁷ Office of Refugee Resettlement, *Unaccompanied Alien Children: Fact Sheets and Data* (last updated Aug 18, 2025), <https://acf.gov/orr/about/ucs/facts-and-data> (The average number of UC in ORR custody per month was 2,778 in February, 2,173 in March, 2,281 in April, 2,433 in May, 2,501 in June, and 2,198 in July).

²⁸ Unaccompanied Children Program Foundational Rule, 89 FR 34384, 34439 (Apr. 30, 2024).

²⁹ Colleen Kraft, AAP Statement Opposing Separation of Children and Parents at the Border, *Amer. Academy of Pediatrics* (May 8, 2018)

<https://docs.house.gov/meetings/IF/IF14/20180719/108572/HHRG-115-IF14-20180719-SD004.pdf>.

³⁰ The Young Center for Immigrant Children’s Rights & National Immigrant Justice Center, Punishing Trauma: Incident Reporting and Immigrant Children in Government Custody, 3 (Sep. 2022); National Center for Youth Law, Child Welfare & Unaccompanied Children in Federal Immigration Custody: A Data and Research Based Guide for Federal Policy Makers (Dec. 2019), <https://youthlaw.org/sites/default/files/attachments/2022-02/Briefing-Child-Welfare-Unaccompanied-Children-in-Federal-Immigration-Custody-A-Data-Research-Based-Guide-for-Federal-Policy-Makers.pdf>; Harvard University François-Xavier Bagnoud (FXB) Center for Health and Human Rights et. al., Child Migrants in Family Immigration Detention in the US: An Examination of Current Pediatric Care Standards and Practices (2024), <https://globalhealth.harvard.edu/wp-content/uploads/2024/01/Child-Migrants-in-Family-Immigration-Detention-in-the-US.pdf>; Stanford Early Life Stress and Resilience Program et. al., Guidance for Mental Health Professionals Service Unaccompanied Children Released from Government Custody, 28 (Nov. 2021), https://youthlaw.org/sites/default/files/attachments/2022-03/2021_Guidance-for-Mental-Health-Professionals-Serving-Unaccompanied-Children-Released-from-Government-Custody.pdf.

³¹ U.S. Dep’t of Health and Human Services Office of the Inspector General, Care Provider Facilities Described Challenges Addressing Mental Health Needs of Children in HHS Custody, 12 (Sep. 2019), <https://oig.hhs.gov/documents/evaluation/3153/OEI-09-18-00431-Complete%20Report.pdf>.

³² Priscilla Alvarez, *Trump administration takes hundreds of migrant children out of their homes, into government custody*, CNN (Jun. 4, 2025), <https://edition.cnn.com/2025/06/04/politics/migrant-children-families-government-custody>.

³³ Office of Refugee Resettlement, *Unaccompanied Alien Children Bureau Fact Sheet* (last visited Jun. 4, 2025), <https://acf.gov/orr/fact-sheet/programs/uc/fact-sheet>.

necessary identification and proof of income documentation to apply to sponsor a UC, placing the UC at an increased risk of exploitation, trafficking, and abuse.

It is NJCIC's position that a policy that serves to increase the amount of time UC spend in ORR custody instead of releasing them to a qualified, vetted sponsor, is not in the best interests of the child, and will undermine the proper performance of the functions of ORR as a child welfare agency with a legal obligation to consider the best interests of the child in matters related to their placement and care. As such, we urge OMB to reject these proposed changes.

3. Conclusion

NJCIC opposes the changes to the proof of identification and proof of income documentation requirements set out in this submission to OMB. We are gravely concerned about the impacts of these changes on members of the immigrant community we serve, including both UC and sponsors of UC. It is our position that the proposed changes will impose an undue burden on potential sponsors, which will lead to fewer individuals who are willing to come forward to sponsor UC and significantly increase the amount of time UC remain in ORR custody. We maintain that the purported changes will compromise ORR's ability to fulfill its mandate and legal obligation to protect the best interests of UC in matters related to their care and custody. As such, we believe that it is imperative that OMB reject these proposed changes to the Sponsor Application Packet.

Thank you for your consideration of our comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Priscilla Monico Marín". The signature is fluid and cursive, with the first name being the most prominent.

Priscilla Monico Marín, Esq.
Executive Director
New Jersey Consortium for Immigrant Children

A handwritten signature in black ink, appearing to read "Alyssa Oravec". The signature is cursive and somewhat stylized.

Alyssa Oravec
Policy Counsel
New Jersey Consortium for Immigrant Children