

11 Kislev 5786
December 1, 2025

Submitted via email to infocollection@acf.hhs.gov.

Mary C. Jones
Certifying Officer
Administration for Children and Families
Mary E. Switzer Building
330 C St. SW, Room 5123
Washington, DC 20201

RE: ACF Notice “Expedited Office of Management and Budget Review and Public Comment: Placement and Transfer of Unaccompanied [Alien] Children into ORR Care Provider Facilities,” OMB #: 0970-0554

Dear ACF/OPRE Certifying Officer Jones,

On behalf the Coalition for Jewish Values, I write to to offer brief comment on the Administration for Children and Families’ (ACF) notice “Expedited Office of Management and Budget Review and Public Comment: Placement and Transfer of Unaccompanied [Alien] Children into ORR Care Provider Facilities.”¹

ACF’s Office of Refugee Resettlement (ORR) proposes several changes to placement-related forms and “global terminology updates” to “align with ORR regulations and to comply with Executive Order 14168 *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, as well as other guidance from the current Administration.” ACF specifically requests comments on “the quality, utility, and clarity of the information to be collected.”²

The Coalition for Jewish Values strongly supports ACF’s proposal to update terminology.

These updates are consistent with Executive Order 14168, which states that “[i]t is the policy of the United States to recognize two sexes, male and female” and directs federal agencies like the ACF to use the term “sex” and not “gender” in relevant policies, documents, and regulations.³

¹ 90 Fed. Reg. 46898 (Sept. 30, 2025), <https://www.federalregister.gov/d/2025-18927>

² *Id.* 46899

³ Exec. Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, 90 Fed. Reg. 8615 (Jan. 20, 2025), <https://www.federalregister.gov/d/2025-02090>

In both Torah and Jewish law (*halacha*), the traditional Jewish conception of sex is binary and immutable. Claims to the contrary misunderstand or mischaracterize Torah, Talmud, and the classic commentaries known as *meforshim*. Like the Bible,⁴ American legal precedent recognizes the existence of two distinct, unchanging sexes and the rights based upon that reality. As rabbis, we commend the ACF for choosing language that reflects fact, not fiction.

By rejecting the use of subjective self-identification in favor of objective biological sex, the proposed terminology updates will improve the “quality, utility, and clarity of the information to be collected.” Above all, accurate terminology is essential to the safeguarding of children who find themselves in care provider facilities. Confusion places already vulnerable children at increased risk of exploitation and abuse. This is unacceptable. Efforts as sensitive and as serious as their protection must be guided by biological reality, not fictive ideology or divisive agenda.

Thank you for the opportunity to provide public comment on this notice.

Yours sincerely,

A handwritten signature in black ink that reads "Yaakov Menken". The signature is written in a cursive, slightly slanted style.

Rabbi Yaakov Menken
Executive Vice President, Coalition for Jewish Values

⁴ Genesis 1:27