

Release of Unaccompanied Children from Office of Refugee Resettlement Custody

**OMB Information Collection Request
0970 - 0552**

Attachment A - Summary of Public Comments and ORR Responses

DECEMBER 2023

Type of Request: Revision

Submitted By:
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services

ORR expresses its appreciation to the public for the thoughtful and detailed comments in response to this information collection request. In addition to comments specific to the information collection, several of the comments received relate to underlying policy and are outside the scope of the purpose for which comments on the information collection were solicited. As specified in 5 C.F.R. s. 1320.8(d), these purposes are: whether the form and the information it collects are necessary for what the agency is trying to accomplish through the form and whether the information collected will have practical utility; to evaluate the paperwork burden of filling out the form and whether the agency's estimate of the burden was correct; the usefulness of the information being collected on the form; and, minimizing the form completion burden. Although many of the comments summarized below are outside of the scope for this specific information collection, ORR extends its thanks to the public and will consider these comments in our future work.

Verification of Release (Form R-1)

1. One commenter, representing a pediatric health advocacy organization, suggested adding a sentence that clarifies that the sponsor has the authority to consent for the child's medical and mental health care. The commenter stated that health care providers do not always accept the Verification of Release as proof that the sponsor has authority to consent to health care on behalf of the child, even though ORR expects sponsors to have full responsibility for the health and well-being of the child. Additionally, the commenter noted that insurance companies may deem the Verification of Release insufficient for establishing guardianship of the child, thereby preventing sponsors from adding the child to their private insurance.

ORR Response: ORR agrees with the pediatric health advocacy organization's recommendation to add the following language to the Verification of Release form in the *Acknowledgment of the Sponsor Care Agreement* section of the form: "In agreeing to these provisions, the sponsor holds authority to consent to medical and mental health care on behalf of the child."

2. One commenter, a child advocacy organization, noted the Verification of Release serves as a critical form of government-issued identification for many unaccompanied children for accessing services and other daily needs. The commenter highlighted the importance of ensuring that previous versions of the Verification of Release continue to be accepted by local, state and federal agencies and other providers to avoid unexpected denial of services. Accordingly, the commenter recommended that ORR proactively apprise government partners of changes that will be made to the form. The commenter also recommended that ORR promote inclusion of language that affirms use of the Verification of Release as a valid form of identification for unaccompanied children in the guidance materials of other federal agencies.

ORR Response: This comment relates to ORR protocols for collaboration with partner agencies and not the information collection itself. Nevertheless, ORR notes that it routinely works with its partner agencies to ensure that all relevant entities are apprised of changes in its policies, procedures, communications, and published materials, and it will continue to do so, as ORR understands the vital importance of children being able to access resources, benefits, and services to which they are entitled.

3. One commenter, a child advocacy organization, recommended that ORR omit the country of birth field. The commenter noted that inclusion of the child's country of birth in the form may lead to discrimination on the basis of national origin when used as a form of identification. The

commenter further stated that inclusion of country of birth may be problematic in cases where a child is stateless or there is no birth certificate or similar record available for the child.

ORR Response: ORR thanks the commenter for sharing their concern. ORR weighed this consideration and determined that the benefits of including country of birth (e.g., proving eligibility for services, assisting service providers in providing culturally responsive services and support) outweigh any potential risk of discrimination.

Discharge Notification (Form R-2)

1. One commenter, a child advocacy organization, expressed concern that the “UC Legal Status” field could be inadvertently used by care providers to disclose assessments of the child’s potential eligibility for legal relief to stakeholders who receive copies of the form. The commenter noted that disclosure of that information is prohibited by ORR under UC Policy Guide Section 5.10.2. The commenter recommended that ORR include instructions for the “UC Legal Status” field (and accompanying text box that is used when “Other” is selected) specifically prohibiting inclusion of eligibility information.

ORR Response: ORR thanks the commenter for their recommend and shares their concern with regard to the potential to inadvertently share information with external stakeholders that should remain confidential. To address the concern, ORR decided to make the form internal to ORR and care provider and have a separate notification that is generated based on information entered in the form. The separate notification will only contain information that is relevant and necessary to share with stakeholders. Notably, the separate notification will not include the “UC Legal Status” field.

2. One commenter, a child advocacy organization, recommended adding enrollment in ICE’s Young Adult Case Management Program (YACMP) as an option for the “DHS Age Out/Age Redetermination Plan” field to reflect current programs operated by Immigration and Customs Enforcement (ICE).

ORR Response: ORR thanks the commenter for their suggestion and has added ICE Young Adult Case Management Program (YACMP) as an option for the “DHS Age Out/Age Redetermination Plan” field.

Release Request (Form R-4)

1. One commenter, a child advocacy organization, recommended that ORR use a term other than “administrative closure” to indicate a pause in reunification efforts. The commenter noted that the term is used by the Executive Office for Immigration Review (EOIR) in relation to immigration proceedings and it may cause confusion between the status of the child’s family reunification case with ORR and the child’s immigration proceedings with EOIR.

ORR Response: ORR does not have reason to believe its use of the term “administrative closure” will cause confusion between the status of the child’s reunification case and the child’s immigration proceedings with EOIR. The form is strictly internal to ORR staff and care providers, all of whom understand the difference. In addition, the form provides adequate context for

readers to understand that term is being used to describe an outcome of the ORR release request process (e.g., the term is used under a section title “Release Cancellation”). Finally, “administrative closure” is the appropriate legal term to describe the outcome of the reunification case. It is a government adjudication and administratively closing the case is what ORR is doing.

2. One commenter, a child advocacy organization, recommended that ORR modify the form to include information on whether efforts to reunify with a particular sponsor are expected to resume or are necessarily discontinued. The commenter noted that such information would help facilitate follow up and ensure that reunification efforts continue to proceed.

ORR Response: This information may be documented in the “Describe the circumstances of the release cancellation” textbox, if known. Sponsors are welcome to request that ORR reopen their case if they have a change in circumstance, but it is not always known whether a case has the potential to be resumed at the time the Release Request is closed out. In addition, even if the case were to resume the Release Request would not be reopened. Instead, a new Release Request would be created to re-adjudicate in consideration of the new information provided by the sponsor. This allows ORR to maintain a record of all adjudications made for a particular sponsor. Therefore, ORR does not believe it is necessary to add more specific fields to capture that information considering the purpose and functionality of the Release Request form. Finally, ORR notes that it practices concurrent planning to ensure that every reunification option is being considered and reunification efforts may continue to proceed even if a reunification case with one particular sponsor is denied or cancelled/closed.

3. One commenter, a child advocacy organization, recommended that ORR include a field to provide the name of the legal service provider that is separate from the field for the attorney of record. The commenter also recommended adding a question that asks whether the child received a legal orientation and legal screening while in ORR custody to ensure such services are provided for all children and will be prioritized if a child’s release is expected to occur quickly.

ORR Response: ORR thanks the commenter for their suggestions. ORR does not believe the Release Request is the appropriate form for this information and, therefore, will take the suggestions into consideration for future revisions of other forms where documentation of this information would be more appropriate.

In addition, ORR notes that whether the child received a legal orientation and legal screening while in ORR care is already documented in the UC Assessment and UC Case Status forms. Since the information has no bearing on the release decision (i.e., release would not be denied or delayed if a legal orientation or screening had not yet been provided), ORR does not have a need to duplicate it in the Release Request.

4. One commenter, a child advocacy organization, recommended that ORR clarify what guidance or training will be provided to staff about what constitutes “evidence of rehabilitation” for self-disclosed criminal history and how it will be evaluated. The commenter also noted that such evidence is not requested in the Family Reunification Application and recommended that ORR clarify whether it plans to request evidence of rehabilitation from sponsors as part of the application process.

ORR Response: ORR notes that the Family Reunification Application requires that the potential sponsor provide copies of court records, police records, and/or governmental social service

agency record related to the incidents if they self-report criminal history in the application. Such records would constitute evidence of rehabilitations. In addition, [UC Policy Guide Section 2.2.4](#) states “If a potential sponsor has been charged with or convicted of any crime or investigated for the physical abuse, sexual abuse, neglect, or abandonment of a minor, he or she must provide related court records and police records, as well as governmental social service records or proof of rehabilitation related to the incident.” Self-reported criminal history, including any related documentation provided by the potential sponsor, is considered as part of a holistic assessment of the potential sponsor’s ability to provide for the safety and well-being of the child that considers the totality of the circumstances.

Virtual Check-In Questionnaire (Form R-6)

1. One commenter, representing a pediatric health advocacy organization, suggested that ORR instruct providers to do more than just a link to a Federally Qualified Health Center (FQHC) when a sponsor answers “yes” to the questions asking whether they are having trouble finding or paying for the child’s healthcare. The commenter suggested that ORR instruct providers to share information about different payment options and how to apply and qualify for those opportunities. In addition, the commenter noted that it is important that ORR ask follow-up questions to identify the sponsor’s specific barrier to finding and affording healthcare for the child rather than assume the primary barrier is that the sponsor does not know where the FQHC is located.

ORR Response: This comment relates to underlying policy and not the information collection itself. Per ORR’s revised [post-release services policies](#), which will be effective January 1, 2024, the Virtual Check-In Questionnaire will be used to conduct Level One (1) Post-Release Services (PRS) – Virtual Check-ins. For Level One (1) PRS cases, the PRS caseworker confirms that the child is residing with the sponsor, is enrolled in and attending school, is aware of upcoming court dates, and is healthy and safe. If the PRS caseworker discovers that the child and/or sponsor would benefit from additional support and or services, the PRS provider will refer the case, as appropriate, for Level Two (2) PRS – Case Management Services and/or Level Three (3) PRS – Intensive In-Home Engagements.

ORR has edited the question to read “Do you know where you can take [child’s name] if they need healthcare and/or prescription refills?” If the sponsor answers no, the PRS caseworker will provide a link to a Federally Qualified Health Center. The PRS provider will also use all information collected via the questionnaire to assess whether the child needs a higher level of PRS. For example, if the child is having behavioral or health issues and needs assistance accessing and connecting with medical and behavioral healthcare, the PRS provider can make an internal referral to move the child’s case to a higher level of PRS so the PRS provider may provide referrals to community health centers and healthcare providers; inform released children and sponsor families of medical insurance options, including supplemental coverage, and assist them in obtaining insurance, if possible, so that the family is able to effectively manage the child’s health-related needs; and when appropriate and as needed, acts as a liaison between the medical or behavioral healthcare provider, facilitating communication about the child’s prescribed treatment plan and appointments.

2. One commenter, representing a pediatric health advocacy organization, recommended that if the sponsor responds “no” when asked whether they have found an organization or attorney to represent the child’s case, that ORR provide further information regarding pro bono assistance. The commenter noted that they recognize this information may have been previously distributed, but that it is helpful to share such information in multiple formats and at different points in the process.

ORR Response: This comment relates to underlying policy and not the information collection itself. Nevertheless, ORR has added a prompt to the question so that if the sponsor responds “no,” the Post-Release Services (PRS) caseworker will then ask “Would you like assistance finding and accessing legal services?” The PRS provider will use all information collected via the questionnaire to assess whether the child needs a higher level of PRS. For example, if the child needs assistance with immigration-related matters and/or juvenile justice issues, or if the sponsor does not have legal guardianship of the child in their care, the PRS provider can make an internal referral to move the child’s case to a higher level of PRS so the PRS provider may assist the child find and access legal services.

3. One commenter, representing a pediatric health advocacy organization, recommended that the questionnaire include information for the interviewer about their responsibility to report issues of concern regarding child labor and the process under which to do so.

ORR Response: This comment relates to underlying policy and not the information collection itself. Nevertheless, ORR notes that on October 6, 2023, ORR published Post-Release Services (PRS) expansion policy updates to UC Policy Guide Section 6, effective January 1, 2024. These updates to [UC Policy Guide Section 6](#) largely reflect PRS expansion policy as previously incorporated by addendum to current PRS providers’ cooperative agreement and are timed to align with the grant cycles of current and new PRS providers for consistency between PRS providers’ cooperative agreements and UC Program policy. The policy update includes guidance on documenting and notifying ORR of certain concerns that arise after a child is released from ORR care and custody, as well as guidance on certain circumstances where PRS providers, as mandatory reporters, must report to the appropriate authorities.

4. One commenter, a child advocacy organization, recommended that when ORR transitions responsibility for virtual check-ins to post-release services (PRS) providers it also provide ample support and resources to PRS staff to ensure that virtual check-ins are conducted using a trauma-informed approach and that the child’s needs are addressed holistically. The commenter also recommended that ORR expand post-release services to all unaccompanied children.

ORR Response: This comment relates to underlying policy and not the information collection itself. Nevertheless, ORR notes that in June 2021, it approved a plan to significantly expand and strengthen PRS. The PRS expansion plan includes growing the current network of PRS providers, implementing revised PRS policies and procedures, and increasing PRS capacity by calendar year 2025 to ensure all children released from ORR’s care and custody to a sponsor receive PRS referrals and timely service upon release. Congress’ support has made the PRS expansion possible. PRS expansion plan is currently on track—with the continued funding support from Congress—to achieve its goal of ensuring that, by calendar year 2025, all children released from ORR’s care and custody to a sponsor receive access to PRS upon release. To date this fiscal year, ORR referred approximately 59% of unaccompanied children discharged to a sponsor this fiscal

year for PRS, up from approximately 28% in FY 2021. HHS will continue to work with Congress to ensure ORR has the necessary funding to build on this expansion of PRS.

On October 6, 2023, ORR published PRS expansion policy updates to [UC Policy Guide Section 6](#), effective January 1, 2024. These updates to UC Policy Guide Section 6 largely reflect PRS expansion policy as previously incorporated by addendum to current PRS providers' cooperative agreement and are timed to align with the grant cycles of current and new PRS providers for consistency between PRS providers' cooperative agreements and UC Program policy.

The policy update requires the use of evidence-based child welfare best practices that are culturally- and linguistically- appropriate to the unique needs of each child and are grounded in a trauma-informed approach. The policy update also establishes core competencies and training requirements for all PRS providers, requiring all PRS providers to have a foundational knowledge of case management principles and practice, child welfare principles, family preservation, child and adolescent development, trauma-informed care, and issues related to forced migration.

5. One commenter, a child advocacy organization, expressed concern over the number and breadth of questions asked of sponsors and children and recommended that ORR further refine the questionnaire to only include questions most likely to aid in identifying and responding to children's needs. The commenter expressed concern that asking so many questions may lead to rushed interaction that fails to elicit quality information if approached as a perfunctory exercise or if children and sponsor are overwhelmed by lengthy back-to-back interviews.

ORR Response: ORR thanks the commenter for their suggestions. Each question asked of the child and sponsor is designed to determine whether the child is safe and whether additional support and/or services is needed, to include whether a higher level of PRS is needed. Providers will interview the child and sponsor in a manner that aligns with child welfare principles and trauma-informed care best practices; interviews will not be approached as a perfunctory exercise. As noted above, the expanded [PRS policy](#) establishes core competencies and training requirements for all PRS providers that will support positive interactions between the PRS provider, the child, and their sponsor.

6. One commenter, a child advocacy organization, recommended that ORR ensure providers acknowledge information shared during previous check-ins and not re-ask the same questions during each check-in. The commenter noted that asking the same questions in short intervals, especially questions asking for sensitive information, may confuse or re-traumatize children.

ORR Response: The platform that will be used to administer this questionnaire will allow providers to see information shared during previous check-ins and will show the appropriate prompt or next question based on the respondent and their response. Certain questions are re-asked at each check-in because the situation may have changed since the last check-in and because the child and/or sponsor may require time to build rapport and trust with the PRS provider before they are comfortable disclosing certain information. All PRS providers are required to have a foundational knowledge of case management principles and practice, child welfare principles, family preservation, child and adolescent development, trauma-informed care, and issues related to forced migration.

7. One commenter, a child advocacy organization, recommended that ORR ensure that interview questions incorporate a strengths-based approach that views sponsors and children holistically and do not assume deficits.

ORR Response: ORR has revised certain questions in the Virtual Check-In to remove language that assumes deficits. The questionnaire will be used to conduct Level One (1) PRS – Virtual Check-ins. For Level One (1) PRS cases, the PRS caseworker confirms that the child is residing with the sponsor, is enrolled in and attending school, is aware of upcoming court dates, and is healthy and safe. If the PRS caseworker discovers that the child and/or sponsor would benefit from additional support and/or services, the PRS provider will refer the case, as appropriate, for Level Two (2) PRS – Case Management Services and/or Level Three (3) PRS – Intensive In-Home Engagements.

8. One commenter, a child advocacy organization, recommended that ORR allow for check-ins to occur at periodic intervals after the proposed 30-day period. The commenter noted that a child's needs may change or only become evident over time, including progression of the child's legal case and adjustment to living in the sponsor's home. The commenter further stated that many children do not feel comfortable disclosing past harm or challenges they are facing while in custodial settings or until they feel supported, which may take significant time and occur after the 30-day period.

ORR Response: This comment relates to underlying policy and not the information collection itself. Nevertheless, ORR notes that the PRS caseworker will use the questionnaire to conduct virtual check-ins at seven (7) business days, fourteen (14) business days, and thirty (30) business days after the child's release from ORR custody to a sponsor. If the PRS caseworker discovers that the released child's placement has been disrupted or is at risk for disruption, or if the child and/or sponsor would benefit from additional support or services, the PRS provider will refer the case, as appropriate, for a higher level of PRS. If the PRS caseworker determines no further PRS are needed after completing the three virtual check-ins, the case is closed. However, ORR may, at its discretion, also refer a released child to PRS at any point during the pendency of the child's immigration case and while the child is under age 18, if it becomes aware of a situation warranting such referral. In that event, ORR would require the relevant PRS provider to follow up with the child and assess whether PRS (or re-initiating PRS) would be appropriate.

9. One commenter, a child advocacy organization, requested that ORR clarify its role and authority to serve children or intervene post release and how or whether this differs from existing practice.

ORR Response: This comment relates to underlying policy and not the information collection itself. Nevertheless, ORR notes that its PRS program is governed by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 USC § 1232(c)(3)(B)) and ORR post-release services ([PRS policies](#)). Under the revised PRS policies, ORR is expanding the level of PRS services provided to children and refining its practices; however, ORR's role and authority to provider PRS remains the same.

10. One commenter, a child advocacy organization, recommended that ORR add a checkbox in the "Post-Call Action Taken" section for connecting with the child's attorney or other case workers/managers to which the child is assigned, as there may be times when professional are already working with the child and may be best suited to follow up.

ORR Response: ORR has added a checkbox in the “Post-Call Action Taken” section to contact the child’s attorney and another checkbox to contact the child’s child advocate.

11. One commenter, a child advocacy organization, requested that ORR clarify what specific or additional interventions ORR might take if any of the boxes in the “Post-Call Action Taken” section are checked, including after 30 days, and whether these are cases in which ORR would potentially resume custody of a child. The commenter noted it is not clear whether the child’s case would remain open after conclusion of the 30-day check-in period, and to what degree ORR might remain involved or in communication with providers or authorities.

ORR Response: Actions that may be taken in addition to those listed in the “Post-Call Action Taken” section would depend upon the specific circumstances of the identified child safety concern. In all cases, the PRS provider must comply with mandatory reporting laws, State licensing requirements, and Federal laws and regulations for reporting to local child protective agencies and/or law enforcement. This guidance is included in the updated PRS policy, as well as guidance on documenting and notifying ORR of certain concerns that arise after a child is released from ORR care and custody. ORR would remain involved in communication with investigative authorities (such as the Federal Bureau of Investigations, local law enforcement, and Child Protective Services) in order to share information needed to appropriately investigate the issue in accordance with its policy in [Section 5.10 Information Sharing](#) and in accordance with each respective agencies’ mandate and authority, while not releasing information that is outside the scope of their investigation.

In addition, ORR may refer the case for a higher level of PRS as a post-call action. Although Level One PRS for a case will not extend beyond the 30-business day virtual check-in, the case may remain open beyond 30 business days if the PRS provider refers the case for Level Two and/or Level Three (PRS). ORR remains involved in ongoing communication with PRS providers in general, and providers may conduct case-specific consultations with, or request case specific approvals from, their assigned ORR Project Officer.

Finally, ORR notes that by law it may only accept custody of an unaccompanied child through a referral from another federal agency. It is unlikely that any of the post-call actions would result in another federal agency referring a released child back into ORR custody.

12. One commenter, a child advocacy organization, recommended that ORR require providers conducting check-ins to communicate the following information to children and sponsors before beginning each check-in. In addition, the commenter recommended that the provider try to establish, to the best of their ability, that the child has privacy during the call before proceeding with questions.

- Who they are calling on behalf of and in what capacity.
- Clarify whether participation in check-ins is voluntary.
- How information shared during the check-in may be used, whether it will remain confidential, and any limits to confidentiality.

The commenter also recommended that ORR not only ensure that detail about confidentiality and its specific limits be communicated before each check-ins, but also within legal orientation trainings, the Family Reunification Packet, and other ORR forms.

ORR Response: PRS are not mandatory; once a child is released to a sponsor, they are no longer in the custody of ORR. The child and sponsor's participation in these services is voluntary. ORR is developing procedures and training materials for explaining to children and sponsors the purpose of PRS, that participation is voluntary, and that information will remain confidential except in certain circumstance where a released child is at risk of harm or there is a present safety concern and the PRS providers, as mandatory reporters, must report to the appropriate authorities. This information will be provided both while the child is in custody and after release. ORR has not yet determined at which specific touch points this information will be provided while the child is in custody, but will keep the commenter's suggestion to include details about confidentiality within legal orientations, the Family Reunification Packet, and other ORR forms in mind as it develops procedures and training.

13. One commenter, a child advocacy organization, recommended that ORR put in place rigorous safeguards to ensure that existing policies and laws pertaining to confidentiality and information sharing are followed and that information obtained through virtual check-ins is not misused for other purposes. The commenter further stated that check-ins should be centered on ensuring children's safety and well-being and not used for purposes of immigration enforcement or in other ways that compromise the children's best interests.

ORR Response: ORR's revised PRS expansion policy includes guidance on case files, records management, records requests, and privacy (see [UC Policy Guide Section 6.8](#)). In addition, all records pertaining the child and sponsor are subject to ORR's privacy and information sharing policies (see [UC Policy Guide Sections 5.9](#) and [5.10](#)). Per UC Policy Guide Section 5.10, ORR is not an immigration enforcement agency and does not share information with the U.S. Department of Homeland Security, U.S. Department of Justice, or similar governmental entity for immigration enforcement purposes.

The PRS policy update also includes guidance on ORR monitoring of PRS providers to ensure they perform relevant services in accord with ORR policies and abide by ORR's privacy and information sharing policies.

14. One commenter, a child advocacy organization, recommended that ORR ask the child whether they have found an organization or attorney to represent themselves. The commenter noted that this question is already asked of sponsors, but should also be asked of the child as there may be instances in which a sponsor is reluctant to comment the child with an attorney or assist with the child's legal case but the child may be interested in doing so.

ORR Response: ORR has added a question to ask the child whether they have found an organization or attorney to represent their case and a prompt if the child answers no to ask whether they would like assistance finding and accessing legal services.

Discharge Plan (Form R-9)

1. One commenter, a child advocacy organization, recommended that ORR clarify in the introductory language of the "Legal Services Plan" section that it is to be completed for all age-outs cases.

ORR Response: The Discharge Plan form will not be used for all age-outs, only Category 4 age-outs (i.e., youth with no potential sponsor identified). ORR already has clear policies for release

of children to sponsors (Categories 1-3) and associated forms in which that information is collected, including information on legal services.

2. One commenter, a child advocacy organization, recommended ORR clarify the language used in footnotes 2 and 3. The commenter stated that the language in those references appears to encompass a more expansive view of information sharing than what is provided for by ORR policy, congressional directives, and the 2021 Memorandum of Agreement between ORR and DHS, particularly as it pertains to Significant Incident Reports. In addition, the commenter recommended that in order to prevent any confusion or inappropriate disclosures, ORR provide robust training for all care providers and staff on relevant policies and provisions related to information sharing, and that policies and provisions be cited or quoted directly, rather than summarized, in references.

ORR Response: ORR will cite [UC Policy Guide Section 5.10.2 Limits to Sharing Information with DHS and EOIR](#) in the footnote for consistency. ORR updated its policies on privacy and information sharing in spring 2022 and provided a three-part training series at that time. The trainings were recorded and made accessible for staff to use as refresher trainings and for new employees. In addition, ORR is preparing a future training (to be released in 2024) on this topic that will also be available for staff to access directly.

3. One commenter, a child advocacy organization, recommended that the text accompanying footnote 4 be modified to correct inaccuracies. The commenter noted that the footnote incorrectly defines release on one's own recognizance (ROR) based on criminal proceedings, stating: "A 'release on one's own recognizance' is a court's decision to allow a person charged with a crime to remain at liberty pending the trial, without having to post bail." The commenter clarified that ROR for unaccompanied children in the immigration context is not decided upon by a court, but instead by ICE, and does not involve a crime, trial, or bail.

ORR Response: ORR made this change in the footnote, that a "release on one's own recognizance" is ICE's decision to allow a person to remain at liberty."

4. One commenter, a child advocacy organization, recommended that ORR add the following resources to the list included in the form. The commenter noted that although relevant resource may vary depending upon the child's needs, these resources would be helpful to include. In addition, the commenter recommended that ORR update the list at regular intervals to ensure resources are active. Finally, the commenter recommended that hotline services be available in Spanish and other languages.

- National Sexual Assault Hotline
- Childhelp.org
- National Suicide Prevention Lifeline
- Hopeline

ORR Response: ORR thanks the commenter for their suggestion and has added these four resources to the Discharge Plan form. ORR notes that it does not have control over language access for resources that are not administered and/or funded by ORR.

5. One commenter, a child advocacy organization, recommended that in the section on the Voluntary Departure Plan, fields be added for whether a child was referred to the child advocate and whether the child was referred to KIND CMRRP or other reintegration programs or services.

ORR Response: With regards to the first suggestion, ORR added a field in this section to document whether a child advocate was appointed. With regards to the second suggestion, ORR prefers not to specify the type of reintegration program in the question and has instead added a more general question that asks “Are there identified services that are recommended for the child?”.

6. One commenter, a child advocacy organization, recommended that language in the section addressing children aging out of ORR custody and released to DHS include a field for whether the child has been referred to ICE’s Young Adult Case Management Program (YACMP). The commenter also recommended updating references to Field Office Juvenile Coordinators (FOJC) to reflect updated terminology used by ICE—regional juvenile coordinators.

ORR Response: ORR added a question asking whether the child was referred to ICE’s YACMP. ORR was unable to confirm that ICE has replaced the title of FOJC with Regional Juveniles Coordinators at a national level and, therefore, declines to update the terminology at this time.

7. One commenter, a child advocacy organization, pointed to the “Case Management Needs” section at page 6, where included among several questions is one that asks whether the child has given ORR consent to reach out to them or to a point of contact if ORR wants to verify their safety after release. The commenter recommended that ORR clarify in this section and in the Virtual Check-in Questionnaire whether ORR’s outreach occurs only with a child’s consent, or whether it occurs as a matter of course for all children released from ORR care.

ORR Response: ORR added the following clarifying note in Case Management Needs section: “Note: ORR’s outreach occurs only with a child’s consent, or whether it occurs as a matter of course for all children released from ORR care” on page 6. ORR does not obtain consent from the child prior to PRS Level 1 virtual check-ins, however, the child and sponsor are informed at the beginning of the check-in that participation is voluntary.