



Testimony
Before the Committee on the Judiciary,
U.S. Senate

For Release on Delivery
Expected at 10:00 a.m. ET
Tuesday, February 23, 2016

UNACCOMPANIED CHILDREN

HHS Can Improve Monitoring of Their Care

Statement of Kay E. Brown, Director
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Chairman Grassley, Ranking Member Leahy, and Members of the Committee:

I am pleased to be here today to discuss the results of our work on how the Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) has responded to the rapid increase in unaccompanied children in its care.^{1,2} The number of unaccompanied children apprehended by Department of Homeland Security (DHS) officials and subsequently placed in ORR's care increased from nearly 6,600 in fiscal year 2011 to nearly 57,500 in fiscal year 2014, the highest number of children on record. In particular, the number of unaccompanied children from three countries—El Salvador, Guatemala, and Honduras—increased dramatically over this time.³ While the number of children needing ORR's care declined through much of fiscal year 2015, it began increasing again toward the end of the summer and remained well above historical levels.

Under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Trafficking Victims Protection Reauthorization Act), unaccompanied children in the custody of any federal department or agency, including DHS, must be transferred to ORR within 72 hours after determining that they are unaccompanied

¹GAO, *Unaccompanied Children: HHS Can Take Further Actions to Monitor Their Care*, [GAO-16-180](#) (Washington, D.C.: February 2016).

²We refer to unaccompanied alien children as unaccompanied children because this is the term used by the Department of Health and Human Services. The term "unaccompanied alien child" refers to a child who (1) has no lawful immigration status in the United States, (2) has not attained 18 years of age, and (3) has no parent or legal guardian in the United States or no parent or legal guardian in the United States available to provide care and physical custody. 6 U.S.C. § 279(g)(2). Children traveling with related adults other than a parent or legal guardian—such as a grandparent or sibling—are still deemed unaccompanied. While these children may have parents or guardians already in the United States, if the parent or guardian is unable to provide immediate care, the children are considered unaccompanied.

³For information on the causes of migration of unaccompanied minors from these three countries, see GAO, *Central America: Information on Migration of Unaccompanied Children from El Salvador, Guatemala, and Honduras*, [GAO-15-362](#) (Washington, D.C.: Feb. 27, 2015). For a review of U.S. efforts to address the causes of migration, see GAO, *Unaccompanied Alien Children: Improved Evaluation Efforts Could Enhance Agency Programs to Reduce Migration from Central America*, [GAO-16-163T](#) (Washington, D.C.: Oct. 21, 2015).

children, except in the case of exceptional circumstances.⁴ The Homeland Security Act of 2002 gives ORR responsibility for coordinating and implementing the care and placement of unaccompanied children.⁵ ORR has cooperative agreements with residential care providers to house and care for unaccompanied children in the least restrictive environment commensurate with their safety and emotional and physical needs, while the children are in ORR custody. In addition, these residential care providers, referred to here as grantees, are also responsible for identifying and assessing the suitability of potential sponsors – generally a parent or other relative in the country—who can care for the child after they leave ORR custody. To do this, grantees collect information from potential sponsors and run various background checks. In cases in which there are questions about the ability of the sponsor to meet the child’s needs and provide a safe environment, and for children included in specified categories under the Trafficking Victims Protection Reauthorization Act, a home study is also conducted. In certain circumstances ORR may also arrange for post-release services for the child. Release to a sponsor does not grant these children legal immigration status. Children are scheduled for removal proceedings in immigration courts to determine whether they will be ordered removed from the United States or granted immigration relief. There are several

⁴Pub. L. No. 110-457, tit. II, § 235(b)(3), 122 Stat. 5044, 5077 (codified at 8 U.S.C. § 1232(b)(3)). The Trafficking Victims Protection Reauthorization Act directs the Secretary of the Department of Homeland Security, in conjunction with the Secretary of State, the Attorney General, and the Secretary of Health and Human Services, to develop policies and procedures to ensure that unaccompanied children in the United States are safely repatriated to their country of nationality or of last habitual residence. 8 U.S.C. § 1232(a)(1). The Act sets forth special rules for these children from contiguous countries (i.e., Mexico and Canada), allowing such children, under certain circumstances, to voluntarily return to Mexico or Canada prior to the initiation of removal proceedings and directing the Secretary of State to negotiate agreements with Mexico and Canada to manage the repatriation process. 8 U.S.C. § 1232(a)(2).

⁵Pub. L. No. 107-296, tit. IV, subtit. D, § 462, 116 Stat. 2135, 2202 (codified at 6 U.S.C. § 279). ORR is required to promptly place an unaccompanied child under its custody in the least restrictive setting that is in the best interest of the child. 8 U.S.C. § 1232(c)(2)(A).

types of immigration relief that may be available to these children, for example, asylum or Special Immigrant Juvenile status.⁶

My statement summarizes the findings from our February 2016 report, which addresses (1) how ORR has responded to the increased number of unaccompanied children, (2) how these children are cared for while in ORR custody and how ORR monitors their care, (3) how ORR identifies and screens sponsors before children are transferred to their care, and (4) what is known about services, challenges, and the status of removal proceedings for children after they leave ORR custody.

To address these objectives, we analyzed data from ORR's web-based portal, a database that contains intake, placement, and sponsor information, as well as individual service plans for these children. We also visited nine ORR facilities run by care providers in three states; reviewed a nongeneralizable random sample of 27 case files of children released in fiscal year 2014 or 2015 from the nine shelters we visited; and reviewed relevant ORR policies and other documents, including monitoring schedules and reports, and funding opportunity announcements. In addition, we reviewed a plan that was developed by an interagency group, called the Unified Coordination Group, led by DHS's Federal Emergency Management Agency that was established to coordinate the federal response to the increase in unaccompanied children apprehended at the southwest border. We also conducted phone interviews with individuals representing local entities such as school districts and human services agencies and organizations in six counties where 50 or more children were released to sponsors in fiscal year 2014. These counties were selected to represent a diversity of size, geographic location, and demographics. In addition, we analyzed Department of Justice's (DOJ)

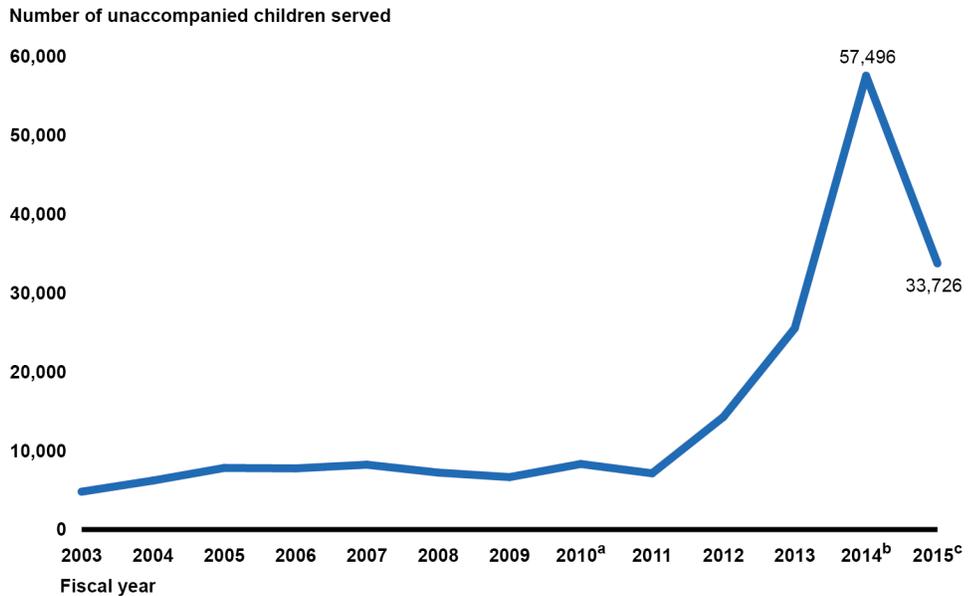
⁶Asylum may be granted to people who have suffered past persecution or have a well-founded fear they will suffer future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. 8 U.S.C. § 1158(b)(1)(B). In addition, eligible unaccompanied children may petition for Special Immigrant Juvenile status, which is designed to help foreign children who have been abused, abandoned, or neglected get a green card. To be eligible, a state court must decide that a child is a dependent of the court or legally place the child with a state agency, a private agency, or a private person; it is not in the best interests of the child to return to his or her home country; and the child cannot be reunited with a parent due to abuse, neglect, abandonment, or a similar basis found under state law. 8 U.S.C. § 1101(a)(27)(J), 8 C.F.R. § 204.11. Unaccompanied children may be eligible for other types of immigration relief, for example "T nonimmigrant status," which allows victims of severe forms of trafficking in persons to remain in the United States to assist in an investigation or prosecution of human trafficking cases.

Executive Office for Immigration Review (EOIR) data. We assessed the reliability of ORR data by conducting electronic testing, reviewing ORR business rules, and interviewing ORR officials and contractors knowledgeable about the data. We assessed the reliability of EOIR data by reviewing related documentation and interviewing officials knowledgeable about the data. We determined that the data were sufficiently reliable for our purposes. We also conducted interviews with officials from HHS, DHS, and DOJ. A more detailed explanation of our methodology is available in our full report. We conducted the work upon which this testimony is based in accordance with generally accepted government auditing standards.

ORR Responded to the Increase in Unaccompanied Children by Expanding Its Capacity, but Has Not Yet Updated Its Plans to Meet Future Needs

From fiscal years 2003 through 2011, ORR cared for fewer than 10,000 unaccompanied children per year. Beginning in fiscal year 2012, the number of unaccompanied children apprehended at the southwest border by DHS and transferred to ORR custody rose to unprecedented levels and peaked in fiscal year 2014 at nearly 57,500 (see fig. 1). While the number of children served by ORR in fiscal year 2015 was less than the number served in fiscal year 2014, it was still higher than in previous years. Further, DHS data show that the number of unaccompanied children apprehended at the southwest border in fiscal 2016 through January is more than double the number apprehended during the same time period in fiscal year 2015.

Figure 1: Number of Unaccompanied Children Served by the Office of Refugee Resettlement (ORR), Fiscal Years 2003 through 2015



Sources: Department of Health and Human Services Fiscal Year 2016 Justification of Estimates for Appropriations Committee (2003-2014 data); Office of Refugee Resettlement officials (2015 data). | GAO-16-429T

^aFiscal year 2010 data excludes 697 Haitian children served as a result of the Haitian Earthquake Repatriation effort.

^bFiscal year 2014 Cuban/Haitian and asylee numbers are estimates pending further data from other sources.

^cFiscal year 2015 data represent the number of unaccompanied children referred to ORR.

In response to the increased number of unaccompanied children in recent years, particularly in fiscal year 2014, ORR increased its shelter capacity (the number of beds it has available). We found that ORR was initially unprepared to care for the rapid increase in children needing services; however, ORR solicited new grantees to provide shelter services in both 2013 and 2014 and awarded additional cooperative agreements.⁷ From fiscal year 2011 through June of fiscal year 2015, the number of ORR grantees increased from 27 that operated 59 facilities to 57 that operated

⁷The entities providing services receive ORR funding through cooperative agreements. However, we refer to them as grantees because that is how ORR refers to them.

140 facilities, and the number of beds available to serve unaccompanied children increased from almost 1,900 to nearly 7,800.

The number of beds ORR needs depends on the number of unaccompanied children in its custody and how long these children stay in grantee facilities before they can be placed with sponsors. To further manage its capacity to care for the increased number of children, ORR updated policies and procedures to reduce the number of days children spend in its custody and expedite their release to sponsors. Specifically, ORR simplified documentation requirements for sponsors by eliminating notarization requirements and allowing photocopies (rather than original copies) of supporting documentation, such as birth certificates. ORR also removed the fingerprinting component of background checks for parents and legal guardians with no criminal or child abuse history, reduced the maximum number of days between approval of a child's release and actual discharge, and in some cases paid for a child's travel to the sponsor. According to shelter staff, these changes were feasible, in part, because most children come with contact information for a relative who can serve as a sponsor. Agency officials also noted that they can now more quickly release children to their parents or other relatives.

We also found that ORR is taking other actions to ensure it has the capacity to meet demand caused by increases in the number of unaccompanied children and to minimize the risks of not being able to provide care and services to these children. Specifically, ORR developed a framework for fiscal year 2015 that included plans and steps to manage its capacity, based in part on the record levels of children needing care in 2014. This framework outlines its plans to continually monitor data on the referrals of unaccompanied children and other indicators, such as apprehensions and releases, to help it assess its capacity needs. It also includes key information ORR should have and mechanisms that should be in place to meet its needs, such as an inventory of available beds, timelines and decision points for determining if and when bed capacity should be increased, and ways to operationalize these decisions. ORR's bed capacity framework for fiscal year 2015 was based on the number of children served in fiscal year 2014. The number of children referred to ORR through most of fiscal year 2015, while high by historical standards, was less than expected, and ORR grantees had many unoccupied beds. However, the number of referrals began increasing toward the end of the summer and has remained relatively high through the beginning of fiscal year 2016.

While developing the framework was a positive step and ORR officials said they continue to use the capacity framework as a “roadmap,” we found that they have not updated this framework for fiscal year 2016 and have not established a systematic approach to update the framework on an annual basis to account for new information so that it remains current and relevant to changing conditions. According to federal standards for internal control, an agency’s processes for decision making should be relevant to changing conditions and completely and accurately documented.⁸ We concluded that not having a documented and continually updated process for capacity planning may hinder ORR’s ability to be prepared for an increase in unaccompanied children while at the same time minimizing excess capacity to conserve federal resources. We recommended in our February 2016 report that the Secretary of HHS direct ORR to develop a process to update this bed capacity framework on an annual basis. HHS concurred with our recommendation.

⁸ GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999).

Grantees Provided Education, Medical, and Therapeutic Services to Unaccompanied Children in ORR Custody, but ORR's Monitoring of Grantees Is Inconsistent

ORR relies on grantees to provide care for unaccompanied children, such as housing and educational, medical, and therapeutic services, and to document in children's case files the services they provide.^{9,10} However, in our February 2016 report we found that documents were often missing from the 27 randomly selected case files we reviewed. Specifically, 14 case files were missing a legal presentation acknowledgement form,¹¹ 10 were missing a record of group counseling sessions, and 5 were missing clinical progress notes. Grantees are required to provide these services and document that they did so. In addition, we identified several cases in which forms that were present in the files were not signed or dated. Although ORR uses its web-based data system to track some information about the services children receive, and grantees report on the services they provide in their annual reports, the documents contained in case files are the primary source of information about the services provided to individual children. Without all of the documents included in the case files, it is difficult for ORR to verify that required services were actually provided in accordance with ORR policy and cooperative agreements.

ORR's most comprehensive monitoring of grantees occurs during on-site monitoring visits. However, we found that onsite visits to facilities has been inconsistent. According to ORR documents, during on-site monitoring visits, ORR project officers spend a week at facilities touring, reviewing children's case files and personnel files, and interviewing children and staff. Prior to fiscal year 2014, project officers were supposed to conduct on-site monitoring of facilities at least once a year.

⁹For a fuller discussion of the care and services provided to children by grantees, see our February 2016 report, [GAO-16-180](#).

¹⁰In addition to the services provided by ORR's residential care provider grantees, ORR has a contract with The Young Center for Immigrant Children's Rights to provide child advocate services. The Child Advocate program was authorized under the Trafficking Victims Protection Authorization Act. This program started on a small scale in the Chicago area and was expanded through the Violence Against Women Reauthorization Act of 2013. In fiscal year 2015, programs were operational in Chicago, IL; Harlingen, TX; Houston, TX; New York, NY; and Washington, DC. Child Advocates meet regularly with the child while in ORR custody and attend immigration court proceedings with the child. Advocates also make recommendations regarding the best interest of the child with respect to custody, care, legal representation, and other issues to immigration judges, asylum officers, and federal agencies, including ORR. With the child's consent, the advocate will remain in contact with the child after release from ORR custody. In fiscal year 2015, the program served 321 children.

¹¹ORR contracts with nonprofit organizations to provide Know Your Rights presentations, which provide basic legal information to children.

However, our review of agency data found that many facilities went several years without receiving a monitoring visit. For example, ORR did not visit 15 facilities for as many as 7 years. In 2014, ORR revised its on-site monitoring program to ensure better coverage of grantees and implemented a biennial on-site monitoring schedule. Nevertheless, ORR did not meet its goal to visit all of its facilities by the end of fiscal year 2015, citing lack of resources.

Monitoring visits are intended to provide an opportunity to identify program deficiencies or areas where programs are failing to comply with ORR policies. According to standards for internal control, management should establish and operate monitoring activities to monitor the internal control system and evaluate the results.¹² Monitoring generally should be designed to assure that it is ongoing and occurs in the course of normal operations, is performed continually, and is ingrained in the agency's operations. We concluded that without consistently monitoring its grantees, ORR cannot know whether they are complying with their agreements and that children are receiving needed services. We recommended in our February 2016 report that the Secretary of HHS direct ORR to review its monitoring program to ensure that onsite visits are conducted in a timely manner, case files are systematically reviewed as part of or separate from onsite visits, and that grantees properly document the services they provide to children. HHS concurred, and in its response to the report described several of its other monitoring efforts, and stated that it has created a new monitoring initiative workgroup to examine opportunities for further improvement.

ORR Grantees Identified and Screened Sponsors before Placing Children with Them

ORR grantees that provide day-to-day care of unaccompanied children are responsible for identifying and screening sponsors prior to releasing children to them. During children's initial intake process, case managers ask them about potential sponsors with whom they hope to reunite. Within 24 hours of identifying potential sponsors, case managers are required to send them a Family Reunification Application to complete. The application includes questions about the sponsor and other people living in the sponsor's home, including whether anyone in the household has a contagious disease or criminal history. Additionally, the application asks for information about who will care for the child if the sponsor is required to leave the United States or becomes unable to provide care.¹³ Sponsors

¹²[GAO/AIMD-00-21.3.1](#).

¹³ORR does not require that a sponsor to be citizen or lawful permanent resident of the United States.

are also asked to provide documents to establish their identity and relationship to the child. Grantees conduct background checks on potential sponsors. The types of background checks conducted depend on the sponsor’s relationship to the child (see table 1). In certain circumstances prescribed by the Trafficking Victims Protection Reauthorization Act or ORR policy, a home study must also be conducted before the child is released to the sponsor.¹⁴ Additionally, in certain situations, such as where there is a documented risk to the safety of the unaccompanied child, the child is especially vulnerable, and/or the case is being referred for a mandatory home study, other household members are also subjected to background checks.

Table 1: Required Background Checks Conducted by Grantees for Office of Refugee Resettlement (ORR) Sponsor Categories

	Public records check	National (FBI) criminal history check based on digital fingerprinting ^a	Immigration Status Check conducted through the Central Index System (CIS)	Child abuse and neglect check ^b
Category 1: Parent or legal guardian	●	◐	◐	◐
Category 2: Close relative	●	●	●	◐
Category 3: Distant relative or unrelated adult	●	●	●	●
Category 4: No potential sponsor	In these rare instances, children remain in ORR facilities or are placed in ORR’s long-term foster care.			

Legend: A full-circle indicates that the background check is required in all cases. A half-circle indicates that the background check is only required in cases in which there is a documented risk to the safety of the unaccompanied child, the child is especially vulnerable, and/or the case is being referred for a mandatory home study.

Source: ORR Policy Guide. | GAO-16-429T

¹⁴The Trafficking Victims Protection Reauthorization Act requires that before placing a child with a sponsor, HHS must first determine whether a home study is necessary. The Act requires a home study be conducted for a child who is a victim of a severe form of trafficking; a special needs child with a disability; a child who has been a victim of physical or sexual abuse that has significantly harmed or threatened the child’s health or welfare; or a child whose proposed sponsor clearly presents a risk of abuse, maltreatment, exploitation, or trafficking to the child based on all available objective evidence. 8 U.S.C. § 1232(c)(3)(B). ORR policy also requires a home study before releasing a child to a non-relative sponsor who is seeking to sponsor multiple children, or who has previously sponsored a child and is seeking to sponsor additional children.

Note: There are other potential checks that might occur, such as state criminal history repository and/or local police checks.

^aThe FBI Identification Index Name/Descriptor Check may be used in lieu of fingerprint background check results in the case of unidentifiable fingerprints or in extenuating circumstances if: sponsor/household member has submitted fingerprints, release paperwork and decision making is otherwise complete, there are no concerns about the sponsor and the sponsor does not require a home study, and there is a delay in receiving the prints results. ORR approval is required.

^bChild abuse and neglect checks are obtained on a state by state basis to determine whether a potential sponsor has a record of child abuse or neglect in any of the localities in which they have resided over the previous five years.

In our February 2016 report, we found that between January 7, 2014, and April 17, 2015, nearly 52,000 children from El Salvador, Guatemala, or Honduras were released to sponsors by ORR. Of these children, nearly 60 percent were released to a parent. Fewer than 9 percent of these children were released to a non-familial sponsor, such as a family friend, and less than 1 percent of these children were released to a sponsor to whom their family had no previous connection (see table 2).

Table 2: Sponsor Relationship for Unaccompanied Children from El Salvador, Guatemala, and Honduras Released from Office of Refugee Resettlement Custody from January 7, 2014, through April 17, 2015

Relationship	Number	Percent
Parent	31,079	60%
Aunt/Uncle	6,925	13%
Sibling	6,251	12%
Family Friend	4,185	8%
Other Relative	1,280	3%
First Cousin	1,221	2%
Grand-parent	739	1%
Unrelated Sponsor	161	<1%
Total	51,841	100%

Source: GAO analysis of Office of Refugee Resettlement data. | GAO-16-429T

Note: Percents do not sum to 100 due to rounding.

In the fall of 2014, ORR officials told us that they had not seen evidence that adults are fraudulently sponsoring unaccompanied children. Nonetheless, ORR officials told us that ORR has been monitoring the number of children it releases to sponsors, through its web-based portal, to help ensure that individuals are not sponsoring too many children unrelated to them. In August 2015, two individuals pleaded guilty to charges related to luring Guatemalan children into the United States on false pretenses in 2014. According to the indictment, one of the

individuals submitted fraudulent information to ORR officials to obtain custody of six children, among other things.

Limited Information Is Available on Services Provided and the Status of Children Once Released from ORR Care

Limited Information Currently Exists on Post-Release Status of Children

There is limited information available about the services provided to unaccompanied children after they leave ORR custody. According to ORR officials, a relatively small percentage of unaccompanied children received post-release services, and they said ORR's responsibility for the other children typically ended once it transferred custody of the children to their sponsors. The Trafficking Victims Protection Reauthorization Act requires ORR to provide post-release services to children if a home study was conducted, and authorizes ORR to provide these services to some additional children.¹⁵ According to ORR data, in fiscal year 2014, slightly less than 10 percent of unaccompanied children received post-release services, including those for whom a home study was conducted.¹⁶ Post-release services are limited in nature and typically last a relatively short time. These services include direct assistance to the child and sponsor by ORR grantees in the form of guidance to the sponsor to ensure the safest environment possible for the child, as well as assistance accessing legal, medical, mental health, and educational services, and initiating steps to establish guardianship, if necessary. These services can also include

¹⁵8 U.S.C. § 1232(c)(3)(B). The statute uses the term "follow-up services," which we refer to as "post-release services." ORR officials noted that this statutory mandate to provide post-release services to children for whom home studies were conducted implies responsibility to check on the well-being of these children after their release from ORR custody. According to ORR officials, the agency is generally not required by law to track or monitor the well-being of all children once they are released to sponsors.

¹⁶According to ORR data, in fiscal year 2014, home studies were conducted in approximately 2 percent of all cases in which a child was released.

providing information about resources available in the community and referrals to such resources.

Recently, ORR has taken steps to expand eligibility criteria for post-release services to additional children. According to ORR officials, all children released to a non-relative or distant relative are now eligible for such services. In addition, in May 2015, ORR began operating a National Call Center help-line. Children who contact ORR's National Call Center within 180 days of release who have experienced or are at risk of experiencing a placement disruption are also now eligible for post-release services according to ORR officials. And in August 2015, ORR instituted a new policy requiring grantee facility staff to place follow-up calls, referred to as Safety and Well Being follow up calls, to all children and their sponsors 30 days after the children are placed to determine whether they are still living with their sponsors, enrolled in or attending school, aware of upcoming removal proceedings, and safe. ORR policy requires grantees to attempt to contact the sponsor and child at least three times.

Although there is limited post-release information for unaccompanied children, ORR is in a position to compile and share the data it collects internally and with other federal and state agencies to help them better understand the circumstances these children face when they are released to their sponsors. This is because ORR already has some information from its post-release grantees on services provided to children after they leave ORR custody, and its newly instituted well-being calls and National Call Center allow it to collect additional information about these children. However, ORR does not have processes to ensure that all of these data are reliable, systematically collected, and compiled in summary form to provide useful information about this population for its use and for other government agencies, such as state child welfare services. Federal internal control standards require that an agency have relevant, reliable, and timely information to enable it to carry out its responsibilities.¹⁷ As a result, in our February 2016 report, we recommended that the Secretary of HHS direct ORR to develop a process to ensure all information collected through its existing post-release efforts are reliable and systematically collected so that the information can be compiled in summary form and provide useful information to other entities internally and externally. HHS concurred and stated that ORR will implement an approved data collection process that will provide more systematic and

¹⁷[GAO/AIMD-00-21.3.1](#).

standardized information on post-release services and that it would make this information available to other entities internally and externally.

Challenges and Barriers Identified By Local Service Providers

We found that services available to unaccompanied children through local service providers are typically the same as those available to other children without lawful immigration status. For example, children without lawful immigration status are generally not eligible for federal benefits, such as the Supplemental Nutrition Assistance Program, Medicaid, and Temporary Assistance for Needy Families; however, they are eligible for other federal benefits such as emergency medical assistance, some public health assistance, and school meals. Local service providers we spoke with in six counties told us that the children's status would have no effect on eligibility for many of the services they provide. For example, school districts are required to educate students regardless of their immigration status. Similarly, unaccompanied children were not precluded from receiving services at health clinics we spoke with.

Some local service providers expressed concerns that unaccompanied children might have unmet needs or face barriers to receiving some necessary services. For example, representatives we spoke with in four of the six school districts, as well as representatives from a county office of education, discussed the mental and behavioral health needs of these children. Similarly, local services providers told us these children had previous exposure to violence and trauma and in some cases experienced challenges related to reunification with parents they had not seen for many years. Six service providers said that these factors could contribute to behavioral and mental health needs or make the children more susceptible to gang recruitment and trafficking. Some school district and other service providers reported challenges such as attracting bilingual professionals, such as mental health providers, making it difficult for these children to obtain needed services. In addition, unaccompanied children also face barriers similar to those faced by other children without lawful immigration status such as lack of health insurance, lack of knowledge about where to seek services, fear of disclosing their immigration status, and language barriers.

We also found that the level of awareness about, and services available to, unaccompanied children varied across the jurisdictions in which we spoke with stakeholders, with some jurisdictions appearing to have more resources than others. For example, in one jurisdiction we visited, the mayor's office had established a working group related to unaccompanied children that included representatives from several city departments and nonprofits. In this city, representatives from the health and education

departments regularly attended immigration court to screen and enroll children in the state's Children's Health Insurance Program and to help with school enrollment. Conversely, representatives from two other mayors' offices told us that they were unaware that unaccompanied children were living in their city or had limited knowledge about the issue.

Immigration Outcomes of Unaccompanied Children

With respect to unaccompanied children's immigration proceedings, we found that there are several possible outcomes and that the outcomes for many children have not yet been determined. An unaccompanied child who is in removal proceedings can apply for various types of lawful immigration status with DHS's U.S. Citizenship and Immigration Services (USCIS), including asylum and Special Immigration Juvenile status. USCIS's asylum officers have initial jurisdiction of any asylum application filed by an unaccompanied child, even if a child is in removal proceedings. In July 2015, the Associate Director of the Refugee, Asylum and International Operations Directorate at USCIS testified that USCIS has received increasing numbers of asylum applications from unaccompanied children in recent years. USCIS received 534 such applications in fiscal year 2011 and 6,990 in fiscal year 2014. The Associate Director testified that since fiscal year 2009, USCIS has granted asylum to unaccompanied children at a rate of 42.6 percent, similar to the overall rate at which all new asylum applications were approved.

If unaccompanied children have not yet sought, or are not granted, certain immigration benefits within the jurisdiction of USCIS, there are several other possible outcomes and various forms of relief that may be available to them during immigration proceedings. For example, an immigration judge may order them removed from the United States, administratively close their case, terminate their case, allow them to voluntarily depart the United States, or grant them relief or protection from removal. From July 18, 2014, when DOJ's Executive Office for Immigration Review began to consistently use a code to identify cases involving unaccompanied children, to July 14, 2015, DHS initiated more than 35,000 removal proceedings for unaccompanied children. Of these 35,000 removal proceedings, EOIR data indicate that as of July 14, 2015, an immigration judge issued an initial decision in nearly 13,000 proceedings (or 36 percent). Of those 13,000 decisions, about 7,000 (or 55 percent) resulted in a removal order for the unaccompanied child. According to EOIR data, about 6,100 (or 88 percent) of those initial decisions that resulted in removal orders were issued in absentia, which is when a child fails to appear in court for their removal proceedings and the immigration judge conducts the proceeding in the child's absence.

However, a judge's initial decision does not necessarily indicate the end of the removal proceedings. For example, cases that are administratively closed can be reopened, new charges may be filed in cases that are terminated, and children may appeal a removal order. In addition, a child who receives a removal order in absentia, and with respect to whom a motion to reopen their case has been properly filed, is granted a stay of removal pending a decision on the motion by the immigration judge. Overall, according to DHS's Immigration and Customs Enforcement (ICE) data, from fiscal year 2010 through August 15, 2015, based on final orders of removal, ICE removed 10,766 unaccompanied children, 6,751 of whom were from El Salvador, Guatemala, or Honduras.

Chairman Grassley, Ranking Member Leahy, and Members of the Committee, this concludes my prepared remarks. I would be happy to answer any questions that you may have.

GAO Contacts and Staff Acknowledgment

For further information regarding this testimony, please contact Kay E. Brown at (202) 512-7215 or brownke@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals who made key contributions to this testimony include Gale Harris (Assistant Director), David Barish (Analyst-in-Charge), James Bennett, Ramona Burton, Jamila Jones Kennedy, Jean McSween, James Rebbe, Almeta Spencer, and Kate van Gelder.

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