

Unaccompanied Children in the US: Government and Non-Governmental Roles



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Global Exchange on Migration and Diversity,
Autumn Academy, 12 September 2018



This Presentation

- Background on the Unaccompanied Children Program in the United States
- Governmental and Non-Governmental Roles
- Issues and Challenges



Division of Responsibilities within U.S. Government

- Department of Homeland Security:
 - Single adults and families with children
- Department of Health and Human Services, Office of Refugee Resettlement (ORR):
 - Children arriving unaccompanied



Who are unaccompanied children?

- In 2017:
 - 95 percent from El Salvador, Guatemala, Honduras.
 - Most (69 percent) are 15 or older, but 17 percent are 12 and under.
 - Most (68 percent) are boys.
- Common reasons for coming to US: fleeing violence, seeking to reunite with family members, fleeing poverty.
- Arrival numbers grew from 6000-7000 to 60,000 early in decade, have fluctuated but remained high since then.



Basic Process

- Child arriving at border is taken into custody by Customs and Border Protection; must be transferred to ORR within 72 hours absent exceptional circumstances;
- ORR places child in one of a group of shelters operated by private, non-profit organizations;
- Children receive services in shelters while efforts are made to find a parent, close relative, or other sponsor with whom child can live while awaiting immigration proceedings.



Services in shelters

- Medical, dental, and mental health services;
- Education services;
- Recreational opportunities;
- Legal rights presentation and access to legal services;
- Access to religious services;
- Case management, including services to identify a parent, relative, or other appropriate sponsor; and
- Clinical counseling to treat mental and emotional health issues, like depression or post-traumatic stress.



ORR-Funded Post-Release Services

- Help Line for children and sponsors to call;
- 30 Day follow-up calls to check on well-being and ask about needed services;
- Post-release case management for minority of children (less than one-third in 2017); and
- Legal services assistance for limited share of children.



Role of Federal Government

- Overall program management;
- Funding of services;
- Deciding which services to provide when there's discretion under law;
- Ensuring compliance with law, principally federal statutory requirements and *Flores v. Reno* settlement agreement.



Role of NGOs

- Direct service provision: operating shelters, providing legal services and post-release services through federal grants and contracts
- Advocacy and public informing – both by providers funded and not funded by government
- Not funded by federal government – litigation, services to fill gaps

Why are services delivered by NGOs

- Dates back to earliest days of program; common approach by government; never really viewed as a choice
- In US, Congressional restrictions limit agencies' ability to add staff, so often rely on grants and contracts
- Grants and contracts also offer flexibility to rapidly add or decrease staff and to move around staff based on changing needs
- Organizations with child welfare/human services backgrounds can be well-skilled to deliver services.



Addressing Capacity Needs

- Large variations in arrivals from year to year make it important to be able to expand or reduce capacity quickly.
- Private organizations more able to do this than is government.
- Still, difficult to control costs.
- Uncertain impact on quality of staffing and services when rapid expansions or declines.



Quality of Services, Issues in Service Delivery

- Federal framework of site visits, monitoring, reporting.
 - Most facilities also subject to state licensing and monitoring, large state variations.
- Periodic visits and monitoring not the same as being on site. Federal knowledge often limited.
- Structure of multiple large and small NGOs may limit research, knowledge development, technical assistance among providers.
- Disputes concerning faith-based providers, reproductive services.



NGO Voice and Advocacy

- Service providers uniquely situated to be public voice about needs of children, quality of and concerns about services.
- May be tension with agency because providers want services expanded, agency faces constraints.
- Providers dependent on federal funds, federal policies may restrict their ability to speak out.



Challenges for NGOs when Federal Mission Changes

- When Trump Administration implemented family separation policies, children separated from parents were sent to ORR shelters.
- Policy was highly controversial, horrified many.
- Many shelters likely viewed this as antithetical to their mission, but had no choice apart from dropping out of program.
- Significant disruptions, harsh criticism from media and others.



Key roles for NGOs not funded by government

- Litigation key in program development and experience
 - Lawsuit established requirements for services, standards, priority to release children;
 - Principal vehicle for addressing due process and services issues.
 - Responsible for ending family separation.
- NGO reports have highlighted needs and gaps in services.
- In some communities, NGOs provide post-release services not funded by federal government.



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