



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
330 C Street, S.W.
Washington, D.C. 20201

September 6, 2023

Gene P. Hamilton
America First Legal Foundation
600 14th Street NW, 5th Floor Suite 1130
Washington, DC 20005

via: FOIA@aflegal.org

Dear Mr. Hamilton:

This is the second interim release in response to your Freedom of Information Act (FOIA) request, 21-F-0208 (23-581), requesting records as follows:

- A) For UAC who have come into HHS-ORR care since January 20, 2021, records sufficient to show the number of 30-day post-release check-ins or updates completed by ORR, broken down by month and the method by which the check-in was conducted (i.e. in person, telephone, video conference, etc.).
- B) For UAC who have come into HHS-ORR care since January 20, 2021, records sufficient to show the number of check-ins or follow-ups completed after the 30-day check-in.
- C) For UAC who have come into HHS-ORR care since January 20, 2021, records sufficient to show the number of cases in which HHS has provided ICE with an updated address, location, or contact information for a UAC or their sponsor.
- D) For UAC who have come into HHS-ORR care since January 20, 2021, records sufficient to show the number of UAC that ORR has placed with sponsors who lack legal status in the United States.
- E) For UAC who have come into HHS-ORR care since January 21, 2021, the number of children who have tested positive for COVID-19 while in HHS-ORR care, to include the care of a grantee organization, broken down by month.
- F) All records of communications with the Department of Justice's Executive Office of Immigration Review (EOIR) mentioning or referring to UAC appearance rates for court proceedings. The time frame for this request is January 20, 2021, to the date this records request is processed.

G) All communications with ICE in which HHS alerted ICE that they placed a UAC with a sponsor who lacked lawful status in the United States. The time frame for this request is January 20, 2021, to the date this request is processed.

The Office of Refugee Resettlement (ORR) conducted a thorough search of their files and provided the enclosed spreadsheet responsive to item C of your request.

The FOIA exemption (b)(6) permits the withholding of records which, if released, would constitute a clearly unwarranted invasion of personal privacy. In this case, the withheld information consists of UAC's ID number. Disclosure of this information would constitute an invasion of privacy of the individual whose identifying information was disclosed. In withholding the information, the individual's privacy interest was balanced against any public interest in disclosure. In this instance where information was withheld, it was determined that the individual's privacy interests outweighed any public interest in disclosure of the withheld information. Disclosure of the withheld information would invade the privacy of the subject individuals but would reveal nothing about the operations or activities of the government.

ACF will continue processing records for the remaining items to your request.

Should you have any concerns with this release, please address them to Sean Tepe, the Assistant United States Attorney at Sean.Tepe@usdoj.gov.

Sincerely yours,

Celeste Smith
Director, Freedom of Information Office
Office of Communications
Administration for Children and Families
Department of Health and Human Services
Washington, D.C.