To: Lloyd, Scott (ACF)[ ]
From: (ACF)
Sent: Thur 4/19/2018 11:09:32 PM
Subject: Re: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

The Communication with DHS goes back a long while. ORR and DHS tried to figure out a solution to the lack of notice and coordination. DHS realized about two months ago that they had in internal glitch causing the problem of lack of notice. That was during an OGC/OPLA organized call.

DHS and ORR are never supposed to communicate each other's data- each are supposed to refer to the respective comms team. So I am surprised that DHS shared ORR field info with the press as a representation of their own enforcement actions.

Also, it almost looks like the reporter is talking to staff or grantees. Or maybe with DHS staff.

I'm going to look through emails tonight to see if I can learn more of the backstory. I heard that the field was trying to get a handle on this and was still working with DHS field to come up with solutions. mentioned they found several hundred and I recall him recently saying they had more than 700.

Let me see what I can find out. My number is .

On: 19 April 2018 18:43, "Lloyd, Scott (ACF)" wrote:

I'd be interested to know the story of this communication with DHS.
Thank you,
Scott

From: (ACF)
Sent: Thursday, April 19, 2018 6:31 PM
To: (ACF); Lloyd, Scott (ACF); (ACF)
Cc: (ACF); (ACF); (ACF)
Subject: Re: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

From a programmatic perspective, since DHS is now using ORR working data to describe their actions, I don't have a problem with using the last two paragraphs below, or even more specifically saying that the number exceeded 700 instead of "several hundred". On behalf, I can check with the program to get the actual number of cases they shared with DHS.

Maybe add another sentence something like this... "This does not reflect the actual number of family separations, a number that only DHS would know"

On: 19 April 2018 18:14, " (ACF)" < > wrote:

Okay, so we have a problem here when we told the New York Times today: "We cannot verify the numbers because they do not come from the Office of Refugee Resettlement at HHS' Administration for Children and

Families."

ORR field staff numbers are ORR numbers on UACs, even if they aren't in the form of an official report. Especially when they are shared with DHS.

ORR, would you proposed revised language, including numbers/data, based on what we now know? We need to amend our New York Times statement ASAP.

From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 6:08 PM
To: Lloyd, Scott (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>
Cc: [redacted] (ACF) [redacted]>; [redacted] (ACF) <[redacted]>
Subject: Re: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

Yes. It may become known through the ordinary course of work in ORR. Then ORR reaches out to DHS to try to find the parents and establish communication.

As to your second question, It looks like the field found around a hundred a month. Yes it is an increase. Before 2017, family separation happened, but not often.

On: 19 April 2018 18:03, "Lloyd, Scott (ACF)" <[redacted]> wrote:

A couple questions, then:

How do we know that they were separations, is it through the reunification process?

Do we know whether these cases represent a rise in the percentage of UAC in care? The numbers of referrals generally have been rising.

Thank you,
Scott

From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 6:00 PM
To: [redacted] (ACF); [redacted] (ACF); [redacted] (ACF); Lloyd, Scott (ACF)
Cc: [redacted] (ACF); [redacted] (ACF)
Subject: Re: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

For your background:

I think that DHS shared with the press the number from the working list that our field recently compiled and shared with DHS field (a working field document to try to get a handle on this problem- not an official count). It is likely not a complete or accurate list/number. It grew to over 700. So the actual number of separations is probably larger.

On: 19 April 2018 17:50, "[redacted] (ACF)" [redacted] > wrote:

Based upon input from [redacted] at ASPA and [redacted] possible **proposed response** (if ACF is going to provide response this evening):

> **The Office of Refugee Resettlement (ORR) at HHS' Administration for Children and Families cannot and will not corroborate a data report we have not seen or from an unknown source.**
>
> **The Department of Homeland Security does not inform the Office of Refugee Resettlement that a particular referred child was separated or the whereabouts of the parents.**
>
> **In pursuing the best interests of the child, ORR and its service providers work diligently to identify if each child was separated and to locate the parents. While ORR does not receive information or data on DHS actions, ORR has worked to resolve several hundred of these types of cases in the past year.**

v/r,
[redacted]

From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 5:43 PM
To: [redacted] (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>; Lloyd, Scott (ACF) <[redacted]
Cc: [redacted] (ACF) [redacted]>; [redacted] (ACF) <[redacted]>
Subject: RE: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

Thanks. Also adding Scott. (Scott, this is about the New York Times request on family separation/UAC data.)

What is unclear to me is: if DHS does not share family separation UAC data with ORR, then where would any such data come from?

In other words, is ORR building its own data set based on what we learn upon searching for a parent?

And, if so, then shouldn't we be presenting that data? (Especially if we are alleging the number of 700 this fiscal year is incorrect.)

[redacted]

From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 5:36 PM
To: [redacted] (ACF) [redacted]>; [redacted] (ACF) [redacted]>; [redacted] (ACF) <[redacted]>
Cc: [redacted] (ACF) <[redacted]>; [redacted] (ACF) <[redacted]>
Subject: RE: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

+[redacted]

Looping in [redacted] on this conversation... and [redacted] for awareness

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From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 5:33 PM

To: [redacted] (ACF) [redacted]>; [redacted] (ACF) [redacted]>
Cc: [redacted] (ACF) <[redacted]>
Subject: RE: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."

Hi [redacted]

Sounds like DHS shared some ORR data (that does not represent the full picture of DHS actions). It also sounds like a symptom of breakdown in interagency communication.

You could develop something like this, although I don't know if it will clear:

The Department of Homeland Security does not inform the Office of Refugee Resettlement that a particular referred child was separated or the whereabouts of the parents. In pursuing the best interests of the child, ORR and it's service providers work diligently to identify if each child was separated and to locate the parents. While ORR does not receive information or data on DHS actions, ORR has worked to resolve several hundred of these types of cases in the past year.

From: [redacted] (ACF)
Sent: Thursday, April 19, 2018 5:10 PM
To: [redacted] (ACF) <[redacted]>; [redacted] (ACF) [redacted]
Cc: [redacted] (ACF) [redacted]>
Subject: MEDIA INQUIRY follow up: New York Times, UAC separated from parents data-->reporter insisting data is from ORR, "the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."
Importance: High

Good evening, [redacted]:
In response to the New York Times reporter inquiry earlier this week: **"We are preparing to publish a story based on ORR data provided to us by Homeland Security officials on background that shows that more than 700 children have been separated from their parents since last October. According to our sources, the data shows that about half of the children are under 10 years old and more than a quarter are under five years old. The story will also say that ORR-contracted shelters have struggled increasingly to track down the parents of children who show up at their facilities after being separated --so the children effectively become lost in the system until ORR contractors can track the parents down. We wanted to run this by you to ensure that HHS/ORR doesn't dispute any of our findings or care to add context or further comment."**

ACF provided the following response to *The New York Times* this morning:

> **"We cannot verify the numbers because they do not come from the Office of Refugee Resettlement at HHS' Administration for Children and Families. We understand that DHS has provided you with a statement and is disputing the accuracy of the numbers."**

The NYT reporter is **insisting** that the numbers are from ORR:

> **"The numbers do in fact come from HHS/ORR. Please send this back to your superiors for a response that actually addresses our findings. The numbers do not come from DHS. We understand that DHS is disputing the accuracy of the numbers based on their own data, but that is an entirely different dataset.**
>
> **And to be clear, the validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it."**

Can ORR provide any insight as to where she may have gotten the data or why she would be so insistent the data is from ORR? Particularly as she says "validity of the data we are using has been confirmed for us on background by HHS officials who are personally familiar with it"?

I will be staying after hours until approx. 6:45 p.m. and look forward to hearing back on from you on a proposed response; please ensure that Scott has approved any response we will provide.

Please let me know if you have any questions; happy to discuss by phone or come upstairs in person – am here to assist in this as needed.,

Thank you,
[redacted]

From: [redacted] [mailto[redacted]@nytimes.com]
Sent: Thursday, April 19, 2018 4:47 PM
To: [redacted] (ACF) <[redacted]>
Subject: Re: MEDIA INQUIRY: New York Times Request on Deadline

[redacted] the numbers do in fact come from HHS/ORR.

Please send this back to your superiors for a response that actually addresses our findings. The numbers do not come from DHS.

We understand that DHS is disputing the accuracy of the numbers based on their own data, but that is an entirely different dataset.

Please get back to me ASAP.

[redacted]

On Thursday, April 19, 2018, [redacted] (ACF) <[redacted]> wrote:
Hi [redacted]
Thanks again for reaching out.

We cannot verify the numbers because they do not come from the Office of Refugee Resettlement at HHS' Administration for Children and Families. We understand that DHS has provided you with a statement and is disputing the accuracy of the numbers.

On Background –

- The U.S. Department of Health and Human Services (HHS) is legally required to accept placement for any child meeting the definition of an unaccompanied alien child (UAC) as defined under 6 U.S.C. §279(g)(2) referred following the provisions of 8 U.S.C. §§1232(b)(1)-(3).

- In general, consistent with relevant federal law, release from ORR custody may not occur until ORR has identified, evaluated and approved an appropriate sponsor in accordance with Section 2 of the Unaccompanied Alien Children (UAC) Policy Guide. ORR's first preference for placement would be with a parent or legal guardian of the child.

- All potential sponsors for UAC are required to undergo background checks and complete a sponsor assessment process that identifies risk factors and other potential safety concerns. As a part of the release process, all potential sponsors must undergo a criminal public records check and a sex offender registry check. ORR also conducts background checks on adult household members and individuals identified in a potential sponsor's care plan. Additionally, a fingerprint background check is required if there is a documented risk to the safety of the minor, the minor is especially vulnerable, the case is referred for a home study, any other special concern is identified, or the sponsor is not the child's parent or legal guardian. Home studies are also required in certain instances.

- ORR has cared for more than 175,000 UAC since inheriting the program in 2003, incorporating child welfare values as well as the principles and provisions established by the Flores Agreement in 1997; the Homeland Security Act of 2002; and the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008.

- Parents attempting to determine if their child is in our custody should contact the ORR National Call Center at 1-800-203-7001. The ORR National Call Center has numerous resources available for children, parents, and sponsors.

- Outside entities, attorneys, or other individuals seeking UAC case file information must make a request to ORR under the appropriate policies and procedures.

Thank you,
[redacted]

[redacted]
Public Affairs Specialist
Office of Communications
Administration for Children and Families (ACF)
U.S. Department of Health and Human Services
[redacted]

Please send media inquiries to Media@acf.hhs.gov
www.acf.hhs.gov | www.acf.hhs.gov/media

From: [redacted] [mailto:[redacted]@nytimes.com]
Sent: Thursday, April 19, 2018 10:54 AM
To: [redacted] (ACF) <[redacted]>
Subject: Re: MEDIA INQUIRY: New York Times Request on Deadline

Hi [redacted] where are we on this?

[redacted]
The New York Times
[redacted]

On Wed, Apr 18, 2018 at 5:55 PM, [redacted] (ACF) [redacted]> wrote:
It's at the final level of Department clearance and I'm waiting to hear back.

From: [redacted] [mailto:[redacted]@nytimes.com]
Sent: Wednesday, April 18, 2018 5:49 PM
To: [redacted] (ACF) <[redacted]>
Subject: Re: MEDIA INQUIRY: New York Times Request on Deadline

Thank you. Could you send an ETA?

[redacted]
The New York Times
[redacted]

On Wed, Apr 18, 2018 at 4:46 PM, [redacted] (ACF) <[redacted]> wrote:
Still waiting on clearance and still continuing to bug people about clearing it.

~[redacted]

From: [redacted] [mailto:[redacted]@nytimes.com]
Sent: Wednesday, April 18, 2018 4:41 PM
To: [redacted] (ACF)[redacted]>
Subject: Re: MEDIA INQUIRY: New York Times Request on Deadline

[redacted] can you please send an update ASAP?

Thank you,
[redacted]

[redacted]
The New York Times
[redacted]

On Wed, Apr 18, 2018 at 12:40 PM, [redacted] (ACF) <[redacted]> wrote:

Hi [redacted]
The response is currently in the clearance process and I am diligently monitoring the status and bugging people to get this cleared for release. I will get the information to you just as soon as I have it.

Thank you,
[redacted]

[redacted]
Public Affairs Specialist
Office of Communications
Administration for Children and Families (ACF)
U.S. Department of Health and Human Services
[redacted]

Please send media inquiries to Media@acf.hhs.gov
www.acf.hhs.gov | www.acf.hhs.gov/media

From: [redacted]@nytimes.com]
Sent: Wednesday, April 18, 2018 12:08 PM
To: [redacted] (ACF) [redacted]>
Subject: Re: MEDIA INQUIRY: New York Times Request on Deadline

Hi [redacted] We've passed my deadline. Where are we on a response to these questions?

Thank you,

[redacted]

--
[redacted]
The New York Times
[redacted]