



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of the Assistant Secretary | 330 C Street, S.W., Suite 4034
Washington, D.C. 20201 | www.acf.hhs.gov

December 21, 2018

Amy J. Frontz,
Assistant Inspector General for Audit Services
Department of Health and Human Services
330 Independence Avenue, SW
Washington, D.C. 20201

Dear Ms. Frontz:

I appreciate the Office of Inspector General's (OIG) review of the Office of Refugee Resettlement's (ORR) Unaccompanied Alien Children Program. The following is our response and actions taken with regard to the findings in the OIG report, "*The Tornillo Influx Care Facility: Concerns about Staff Background Checks and Number of Clinicians on Staff.*"

Background Checks

In September 2018, we began work with BCFS Health and Human Services (BCFS) to resolve the background check and clinical staffing issues identified in the report. We continue to work in collaboration with BCFS to resolve outstanding issues. Most recently, we have requested that the Texas Department of Public Safety perform background checks for Tornillo staff and TXDPS has agreed to do so. TXDPS began fingerprinting BCFS employees on December 17 and will work with the Federal Bureau of Investigation to facilitate the background checks.

Most importantly, we would highlight that BCFS has conducted the following pre-employment background check screenings for all employees since operations at Tornillo began. These checks show similar criminal information as fingerprint background checks.

- SSNDMS (social security death master search)
- E-verify
- Federal Standard Criminal Background
- State standard felony and misdemeanor checks
- Multi state sex offender registry checks
- Government sanctions registry

Staffing Ratios

Tornillo has sufficient clinicians to provide emergency clinical mental health services or clinicians for UAC who request to meet with one. In fact, a mental health clinician visits each child every day. The clinicians at Tornillo provide crisis intervention, conduct group and individual counseling sessions as needed, and facilitate UAC phone calls to sponsors. When a child is found to have a mental health need that cannot be best provided for at Tornillo, the UAC is transferred to a more appropriate facility where service can be provided. The ratio of clinicians to children as of December 12 is 1:43. This clinician to child ratio recognizes that Tornillo is an emergency influx shelter. Not only are such shelters not subject to the Flores

minimum standards, but ORR has detailed policies regarding screening minors who are placed in an influx facility. (Please See 1.7 of the ORR Policy Guide, available at: <https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied-section-1#1.7>). These criteria include age criteria, language abilities and other criteria. Five such criteria are that the minor: (1) has “no known behavioral or medical issues, including contagious diseases or health issues requiring immediate evaluation or medical treatment by a healthcare provider”; (2) has “no known special needs (mental health or identified disabilities)”; (3) is “not . . . a danger to self or others”; (4) not have a criminal history or (5) be involved as a perpetrator or victim of smuggling or trafficking activities. Under the criteria, if “ORR becomes aware after placement . . . that a child doesn’t meet the criteria,” transfer to a more appropriate placement occurs.

Thank you again for providing us with the opportunity to share the steps we are taking. If you have any further questions, please feel free to contact ACF’s OIG Liaison, Scott Logan at (202) 401-4529.

Sincerely,

/s/

Lynn A. Johnson
Assistant Secretary
for Children and Families