



Responsibility for Unaccompanied Minors Act: Bill Summary

Senator Rob Portman (R-Ohio) introduced the bipartisan [Responsibility for Unaccompanied Minors Act \(S.3474\)](#) in the Senate on September 18, 2018, with Senators Richard Blumenthal (D-Connecticut), James Lankford (R-Oklahoma), and Tom Carper (D-Delaware) serving as co-sponsors. This bill seeks to provide additional protections for unaccompanied immigrant children (UACs), by making the Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) responsible for continuing to oversee the care of UACs even after their placement with a sponsoring family. It would also revise sponsors' responsibilities, require all adult members in their households to undergo background checks, and introduce mechanisms to track UACs after their placement with foster families.

The Responsibility for Unaccompanied Minors Act would affect:

1. Federal and State Government Agencies

- The bill would ensure that HHS is responsible for UACs after their placement with sponsors.
 - Under existing law, the federal government is not responsible for tracking UACs after their placement with sponsors. This bill would change that, clarifying that HHS maintains custody of UACs through the conclusion of their immigration proceedings. Under the Responsibility for Unaccompanied Minors Act, HHS would be required to track and follow-up on UACs and their sponsors to ensure the children are well-protected and show up to their scheduled immigration court proceedings.
 - The bill would require HHS to terminate sponsorship of a UAC if the UAC's sponsor (or sponsoring family) doesn't provide proper care to the children or fails to ensure they attend their immigration court hearings. In such instances, HHS would have to place the impacted UACs back into ORR facilities.
- The bill would require HHS to interview, screen and verify the identity of all UAC sponsors, as well as other adults residing with the sponsors. HHS would also be required to submit written documentation showing that all UAC sponsors and any additional adults living with those sponsors, have passed background checks conducted by the department.
- Before releasing a UAC to a sponsor, HHS would also have to ensure it has the sponsor's correct address and maintain a record of the UAC's current and future medical care, including a record of vaccinations.

- Prior to the release of a UAC, HHS would be required to notify the appropriate state welfare agencies about the placement of that UAC within their jurisdiction.
 - The bill would permit State and local child protective services agencies [to intervene](#) on behalf of any UACs who have been abused, neglected, or find themselves in emergency situations, and inform HHS about the circumstances.
- The bill would require HHS to submit quarterly reports to Congress summarizing sponsors' care of UACs and compliance with their care agreements, including actions taken to address potential issues, and whether such actions were in the children's best interests.

2. UACs' Sponsors

- The Responsibility for Unaccompanied Minors Act would require sponsors to sign a modified [sponsor care agreement](#) that includes stricter requirements for individuals who want to sponsor UACs.
 - The bill would change the current [Sponsor Care Agreement](#) to require sponsors to alert state authorities about all adjustments in the children's circumstances, such as changes in custodians and sponsors, or the child's location.
 - The bill permits HHS to terminate the sponsor care agreement if doing so is in the best interest of the child. Sponsors may challenge such terminations.

3. UACs

- The bill provides UACs with additional options to notify authorities about potential misbehavior of their sponsors. It would allow the children to contact local authorities, that would then pass their claims on to HHS. The Department would then be permitted to act in accordance with the best interest of the UACs.

4. Immigration Judges

- In effort to reduce the current immigration court backlog, the bill would require the Attorney General to add at least 225 new immigration judges.