

Interim Progress Report

Interagency Task Force on the Reunification of Families

September 30, 2021



Homeland
Security



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I. Introduction

The Interagency Task Force on the Reunification of Families (Task Force) submits this interim report on recent progress made on the implementation of Executive Order 14011 (E.O. 14011), *Establishment of Interagency Task Force on the Reunification of Families*.¹ As of September 23rd, the Task Force has facilitated the reunification of 50 children with their separated parents in the United States and provided the families access to behavioral health services. The Task Force has made significant progress establishing services to support the reunification process and making it easier for families to self-identify and complete the steps necessary to facilitate reunification. Completed action items include:

- Launching the *Together.gov/Juntos.gov* website to provide separated families an explanation of who may qualify for family reunification and how to request assistance from the Task Force. Eligible families who register on the website are connected to Task Force resources in their home country to facilitate family reunification. Separated families are encouraged to register on the site to start the reunification process;
- Committing to support the U.S. Department of State (State) Bureau of Population, Refugees, and Migration's (State/PRM) project with the United Nations High Commissioner for Refugees (UNHCR) to locate separated family members outside of the U.S. and help register eligible participants;
- Implementing a contract with the International Organization for Migration (IOM) to provide support and direct assistance to families in requesting parole and making travel arrangements; and
- Posting a U.S. Department of Health and Human Services (HHS) request for solicitations to continue offering behavioral health screenings and appropriate treatment for behavioral health conditions for reunified families.

The Task Force continues to:

- Negotiate settlement agreements for multiple class actions; and
- Work with the Office of Management and Budget (OMB) and congressional offices to identify appropriated durable funding sources and necessary authorities to accomplish its mission goals.

¹ On February 2, 2021, President Biden signed Executive Order 14011 (E.O. 14011), *Establishment of Interagency Task Force on the Reunification of Families*, which established an Interagency Task Force on the Reunification of Families to reunite children separated from their parents at the United States-Mexico border between January 20, 2017 and January 20, 2021. E.O. 14011 directs the Task Force to identify children who were separated, to facilitate and enable the reunification of the families and to provide recommendations regarding the provision of additional services and support for the reunified families, including behavioral health services, with a focus on trauma-informed care.

Now that the online website and support services are available, the Task Force anticipates more families will come forward to seek reunification. As of September 23, 2021, 132 individuals have registered through the website for Task Force consideration and 35 separated parents were confirmed to be in scope and forwarded for IOM support and processing. There are 94 cases under review to confirm the family's eligibility by the Task Force.

II. Executive Order Language

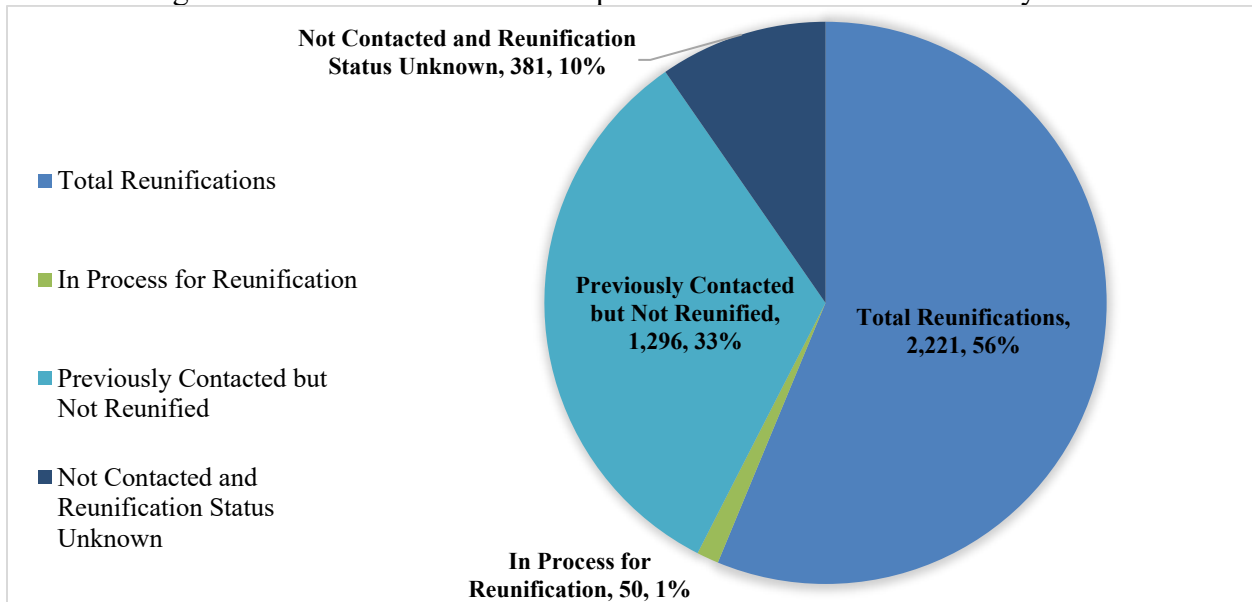
On February 2, 2021, President Biden signed Executive Order 14011 (E.O. 14011), *Establishment of Interagency Task Force on the Reunification of Families*. The Executive Order include(s) the following requirements:

- (c) Providing regular reports to the President, including:
 - (i) an initial progress report no later than 120 days after the date of this order;
 - (ii) interim progress reports every 60 days thereafter;
 - (iii) a report containing recommendations to ensure that the Federal Government will not repeat the policies and practices leading to the separation of families at the border, no later than 1 year after the date of this order; and
 - (iv) a final report when the Task Force has completed its mission.

III. Update on Task Force Data

The Task Force continues to refine the data used to identify and track separated families. As of September 23rd, the Task Force has identified 3,948 children within the scope of E.O. 14011 who were separated from their parents by the Department of Homeland Security (DHS) at the United States-Mexico Border between July 1, 2017 and January 20, 2021, based on the Zero-Tolerance Policy and related initiatives.² The Task Force is aware of 410 children who were returned to their home country, some with and some without their parents, and 1,707 parents who were returned to their home country, some with and some without their children. The Task Force confirmed 2,171 children have been reunified with their parents in the United States pursuant to a court order and through the efforts of non-governmental organizations (NGOs). The Task Force has reunified, through close coordination with the NGOs and attorneys representing the separated families, 50 children with their parents, bringing the total number of known reunified children to 2,221.³ There are 1,727 children who have not been reunified to the Task Force’s knowledge and 50 children who are in the process of being reunified by the Task Force.⁴

Figure 1: Status of Contact with Separated and Reunified Families by Child



Source: DHS and records related to the *Ms. L.* and *Ms. J.P.* litigation.⁵

² The number of in scope separations has increased from 3,914 since the last report due to the Task Force’s continuous effort to refine and improve its data and tracking of prior family separations.

³ 13 children who were previously repatriated with their parents to their home country are currently in process to return to the United States with their parent to allow for the receipt of behavioral health services. That number has been moved from the “Total Reunifications” to the “In Process for Reunifications” in Figure 1 to avoid duplicate counting.

⁴ Please see Appendix A, Figure 1 for a comparison of reunification data reported in this report with the reunification data reported in the August 30, 2021 interim progress report.

⁵ *Ms. L. v. ICE*, No. 18-cv-0428- DMS (MDD) (S.D. Cal. Mar. 8, 2019); *J.P. v. Sessions*, No. 2:18-cv-06081 (C.D. Cal) (Nov. 5, 2019).

The Task Force will continue to review HHS Office of Refugee Resettlement (ORR) and DHS records to identify any additional children and parents who may have been separated between January 20, 2017 and June 30, 2017 and additional children who may not have been identified or counted in the current Ms. L class list.

IV. Recent Progress and Ongoing Efforts

Since the August 2021 interim report, the Task Force has made progress in addressing and resolving many challenges impeding the reunification of separated children with their parents. The Task Force, in close coordination with its agency partners, the private sector, and the NGO community, established a website for families to self-identify for reunification services, awarded a contract to support in-country processing, and initiated several funding solutions to continue services. The effect of these efforts will only be measured by the number of families who come forward for reunification services and support. The Task Force is optimistic that these support services will be the key solutions to break the barriers that are preventing parents from coming forward to reunite with their children.

Engagement with Reunified Families

On August 20, 2021, the Secretary of Homeland Security met with a group of reunified families to hear their experiences and receive their concerns with the reunification process. The Secretary, through Spanish and indigenous Mayan language interpreters, conveyed his appreciation to the families for coming forward and telling their separation stories to him. The Secretary reiterated his commitment to reunify all the separated families where legally possible and appropriate, and to provide the families with as much support as DHS and the Task Force can provide within the confines of the law. It is noteworthy that all seven of the families who spoke to the Secretary raised the importance and urgency for some kind of permanent immigration status in order for them to feel safe and continue on a path to healing from the trauma they suffered.

Locating Families and Explaining Reunification Options

The Task Force has identified multiple mechanisms to assist with locating families and explaining options to them.

First, State/PRM is supporting a project developed with UNHCR to work with Kids in Need of Defense (KIND) and local NGOs to conduct in-country outreach to separated families with an information campaign and to establish a reunification Help Desk to support the U.S. government website *Together.gov/Juntos.gov*. The project will target separated families who are outside of the United States living in Brazil, El Salvador, Guatemala, Honduras, and Mexico. State/PRM is the exclusive funder of this project and is carefully monitoring progress so that this important assistance will be in place by the end of October.

Most critically, UNHCR will work with NGO partners to reach out directly to all families for whom they have contact information. KIND will lead this effort in coordination with other local NGOs. They will begin with telephone and WhatsApp messaging. Where that is not effective, they will work with other local NGOs to travel to remote local communities to locate families based on addresses or other information available to them. They will inform families of the process, assist them with registering, answer questions, and refer them to the Help Desk, if appropriate. This targeted approach prioritizes previously identified and confirmed cases of separation without slowing the process down with large numbers of potential non-qualifying

cases that may come forward through a general awareness campaign. UNCHR will complement this targeted outreach with social media, radio, and community outreach, as appropriate.

Additionally, private funders have come forward to fund NGOs to support locating families and explaining the reunification process. The Task Force will coordinate this outreach effort with UNHCR.

Finally, the Task Force continues to coordinate with the United States Agency for International Development (USAID) and the American Civil Liberties Union (ACLU) to arrange for additional location information for families for whom no accurate contact information is currently available.

The Task Force continues to explore communication channels available through its members' authorities and will report any additional progress in this area in subsequent reports.

Establishing a Mechanism for Families to Come Forward

On September 13, 2021, the Task Force launched a clear and dynamic public website for separated families to register with the Task Force. The [Together.gov](https://www.together.gov) and [Juntos.gov](https://www.juntos.gov) website provides an explanation of who may qualify for family reunification and how to request assistance from the Task Force. The website offers translations in several relevant languages, including Spanish and Portuguese, and provides audio services in several indigenous languages such as Kiche and M'am, with plans to also include Qonjabal and Q'eqchi. The Task Force met multiple times with stakeholders to review the content and ensure separated families will understand how to register.

Information on the website will be released in a phased approach to ensure public access as quickly as possible. The initial phase was disseminated to the advocacy community so that they may register their clients and any families with whom they are in contact. This will be followed by the UNHCR rollout referenced above.

Protecting Children in the Reunification Process

The Task Force has brought together senior experts in the federal interagency and NGO community to develop plans and procedures to prevent the re-traumatization of children during the reunification process and develop appropriate child welfare protections. HHS subject matter experts in pediatric psychiatry, migrant children's needs, and child welfare are developing trauma-informed procedures to prepare children for reunification with their parents, and to bring together the child, the child's ORR-identified sponsor, the separated parent, and the family system in a strengths-based approach. The Task Force is consulting with the ACLU, NGOs and international organizations in migrant child protection including the Young Center, UNHCR, Seneca, and IOM, to develop agreed-upon processes to handle individual cases where family systems or child well-being issues complicate reunification. The goal of these efforts is to reduce the risk to individual children, promote better outcomes in reunifications, and prevent negative public narratives about the reunification effort.

Offering Families Reunification Services

To facilitate and enable reunification, the Task Force has determined that, upon their arrival to the United States, reunified families should receive reunification services similar to what is provided to refugees. While the Task Force works with USCIS to expedite employment authorization applications, families need basic services, like housing, healthcare, and food security, while awaiting authorization to work. The Task Force continues to explore options including Health and Human Services – Office of Refugee Resettlement (ORR) providing time-limited assistance to new arrivals to ensure a successful transition to life in the United States and help the families to successfully reunify. The Task Force continues to examine existing authorities to determine whether it can offer reunification services to reunified families. In the interim, the Task Force is partnering with private funders to fill the needs of the families as they arrive to reunite with their separated children.

Improving the Availability of Behavioral Health Services

The Task Force will continue to work with SAMHSA to develop a clear recommendation on future behavioral health services for reunited families. Information collected by HHS will directly support the Task Force’s recommendations regarding the provision of additional services and support to the children and their families, including trauma-informed, culturally appropriate behavioral health case management and mental health services; parenting support and psychoeducation; and pre-reunification counseling.

Identifying a Long-Term Immigration Status Option

There are multiple bills in Congress that would provide long-term immigration status options for separated families. The Task Force met several times with several congressional offices to offer technical assistance on proposed language. Legislation would ensure that families have immigration status and long-term stability following their reunification in the United States. The Task Force continues to work within existing authorities to identify and find immigration status solutions for the reunified families and determine whether it can fund immigration legal services for these families.

Identifying Durable Funding Sources for E.O. Directed Action

The Task Force continues to collaborate with NGOs to support the separated families, as appropriate. The Task Force recognizes that its progress is aided by the contributions of NGOs, the business community, and the American public in supporting families who were separated. As the Task Force continues its role in facilitating family reunifications, it is identifying durable funding sources for ongoing behavioral health treatment and future services for reunited families. In some situations, the private sector has offered to support otherwise unmet funding needs. However, to provide the full range of support services anticipated in E.O. 14011, appropriated funds are needed.

The Task Force continues to meet with OMB and interagency partners to request the appropriate funding on an annualized basis to fulfill the intent of E.O. 14011.

Impact of Settlement Negotiations

The Task Force, Department of Justice (DOJ), and class counsel for *Ms. L.* remain in settlement negotiations. The settlement negotiations are ongoing and confidential, limiting the Task Force's ability to speak publicly on its work. However, there has been continued collaboration and some agreement on certain external informational messaging with class counsel. One such point of agreement is that the government will fund transportation to the United States for the purposes of reunification for the separated parent, separated child, subsequently born children, and, on a case-by-case basis, some additional family members. The Task Force anticipates that settlement negotiations will continue and once finalized, will facilitate the directives of E.O. 14011.

Anticipated Progress for Subsequent Reports

The Task Force anticipates that the registration website and an increase in outreach to separated families should increase the number of families requesting parole to return to the United States to reunify with their children. Provided that eligible individuals can be identified and request parole, the volume and pace of reunifications is expected to increase over the coming months.

V. Update on Parole Requests

The Task Force is using DHS parole authorities to permit separated family members to enter the United States for purposes of reunification and to receive access to services. As of September 23rd, a total of 184 parole requests have been filed by separated parents and additional family members with U.S. Citizenship and Immigration Services (USCIS) through the process developed by the Task Force.

DHS awarded a contract to International Organization for Migration (IOM) to support separated families with in-country processing, including completing the parole request application to be filed with USCIS and obtaining required travel documents, such as passports and exit visas. With in-country support, the Task Force hopes to eliminate certain identified challenges, such as communicating with separated families and obtaining updated passports, which have prevented separated families from submitting parole requests with USCIS to initiate the reunification process.

Starting October 1, State consular officers will transition away from processing travel document requests for families living in Honduras, Guatemala, and El Salvador, allowing USCIS to assume the role of in-country issuance of the travel document. This will streamline the process. For the small number of cases outside of countries listed above, State will continue to process travel document requests.

With IOM assisting families in obtaining travel documents in Honduras, Guatemala, and El Salvador, the Task Force is also able to implement a system for requesting local government assistance in expediting the issuance of passports. IOM can assist as an in-country facilitator for collecting information, submitting the passport application, and working with the issuance office. The Task Force has finalized the necessary waiver forms and worked with State and IOM to establish and implement this process.

Currently, Task Force parole requests are adjudicated, on average, in less than 30 days. USCIS remains ready to receive and adjudicate 150 parole requests per week for the Task Force. With the launch of the new website, the Task Force hopes to continue to meet this adjudication goal timeline and increase the number of parole adjudications.

VI. Update on Behavioral Health Services for Reunified Families

HHS posted a request for solicitations to continue offering behavioral health screenings and appropriate treatment for behavioral health conditions caused by the family separation for separated parents and children living in the United States. The HHS Substance Abuse and Mental Health Services Administration (SAMHSA) is managing this contract solicitation and anticipates awarding a new contract before the current services contract expires in January 2022.

Appendix:

Figure 1: Family Reunification Task Force Data Updates from the August 30th Report

Data Tracking Separated Children and Reunifications	August 30th Report	September 30th Report
In Scope for Task Force Support	3,914	3,948
Children Identified as Returned to Home Country	399	410
Parents Identified as Returned to Their Home Country	1,695	1,707
Total Reunifications	2,073	2,221
<i>Reunifications Prior to Task Force Establishment</i>	2,031	2,171
<i>Task Force Reunifications</i>	42	50
Remaining Children Not Reunified	1,841	1,727
<i>In Process for Reunification</i>	45	50
<i>Contacted but Not Reunified</i>	1,413	1,296
<i>Not Contacted and Reunification Status Unknown</i>	383	381

The Task Force data is continuously changing due to various efforts that include reviewing USG datasets, contacting separated families, and learning about prior unknown family reunifications. As a result, numbers will increase and decrease from one report to the next, which should not be interpreted as a lack of progress. Learning about the separated families brings the Task Force closer to achieving its mandate to identify all separated children and enable and facilitate reunification for all eligible family.