

multiple unrelated children. In August 2014, HHS permitted a sponsor to block a child-welfare case worker from visiting with one of the victims, even after the case worker discovered the child was not living at the address on file with HHS.

The Subcommittee sought to determine whether the Marion placements were caused by a tragic series of missteps or more systemic deficiencies in HHS's UAC placement process. Based on that investigation, the Subcommittee concludes that HHS's policies and procedures are inadequate to protect the children in the agency's care. The Subcommittee's investigation has focused on what HHS calls Category 3 sponsors—those who have no close relation to the child, and therefore resemble foster-care providers or similar temporary custodial arrangements.

Serious deficiencies found by the Subcommittee include:

- **HHS's process for verifying the alleged relationship between a UAC and an individual other than a parent, guardian, or close family member is unreliable and vulnerable to abuse.** In general, HHS accepts the alleged relationship between a Category 3 sponsor and a UAC (e.g., "neighbor from home country") if a person claiming to be the child's family member corroborates it. In a number of cases, however, parents who consented to the placement of their children with certain sponsors were also complicit in the child's smuggling. In the Marion cases, for example, several victims' family members attested to the asserted relationship, but there was a reason: The human traffickers held the deeds to some of the families' homes as collateral for the child's journey to the United States. The sooner the child was released from HHS custody, the sooner they could begin working to repay the debt. Other cases revealed that parents have deceived HHS by claiming that a relationship existed between the sponsor and the UAC when it did not.
- **HHS is unable to detect when a sponsor or group of related sponsors is seeking custody of multiple unrelated children.** The agency could not detect that sponsors in the Marion cases were collecting multiple, unrelated children—a warning sign of a potential trafficking ring that warrants, at a minimum, additional scrutiny.
- **HHS has failed to conduct adequate background checks.** Throughout the time period examined by the Subcommittee, HHS did not conduct background checks on all relevant adults. HHS's longstanding policy was to conduct background checks only on the sponsor, and not on any other adult listed as living in the sponsor's home or on the person designated as the "backup" sponsor. And if that check turned up a criminal history, HHS policy was that *no* criminal conviction could disqualify a sponsor, no matter how serious. Effective January 25, 2016, HHS has strengthened its background check policies.