



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

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### **Repatriation Guide: Section 3 Unaccompanied Minors**

Section 3 includes:

- Eligibility
- Agency Responsibilities
- Financial Obligations of Participants

Repatriation is the return of a U.S. citizen from a foreign country. The U.S. Repatriation Program (Program) exists to provide temporary assistance to citizens and their dependents that have repatriated and are in need of assistance. The Office of Refugee Resettlement (ORR) within the Administration for Children and Families at the Department of Health and Human Services administers the Program. ORR partners with Department of State (DOS), state governments, and non-governmental organizations to provide assistance to participants in the Program.

U.S. citizens or dependents of U.S. citizens that are unaccompanied minors require special assistance. An unaccompanied minor is defined as a person under the age of 18, who is not in the care of his or her parents or guardian. The Program will find an appropriate place for the minor, determine and facilitate access to services, and arrange safe transportation to the United States.

#### **Eligibility**

The Program can provide services to U.S. citizens and their dependents who lack resources and return to the United States. The eligibility requirements, found at 42 U.S.C. § 1313, are:

- 1) The person must be a U.S. citizen or a dependent of a U.S. citizen;
- 2) The person must be identified by the Department of State as returning to the United States from a foreign country because of destitution, illness, war, threat of war, invasion, or similar situation; and
- 3) The person must be without available resources for living expenses.

The Program also provides services to U.S. citizens who are determined to be mentally ill while abroad. Under 24 U.S.C. §321(d), a person is eligible for assistance under the Program if:

- 1) The person is a national of the United States and
- 2) The person has:
  - a. A certificate stating that the person has been legally adjudicated insane in a named foreign country; or
  - b. A certificate of an appropriate authority stating at the time of the certification, the person was in need of care and treatment in a mental hospital in a named foreign country.

If the person meets either of these requirements and is certified as eligible by the Department of State, then he or she may receive services under the Program. An unaccompanied minor may be eligible for services under either of these statutes.

## **Agency Responsibilities**

### Department of State

DOS is responsible for gathering information about the minor including his or her age, current living situation, and any special needs the minor may have. DOS also attempts to find the minor's parents or legal guardian. DOS will also look for relatives in the host country and the United States, if necessary. DOS determines the most appropriate state for the minor. DOS attempts to place the minor in a state where he or she has a relative present.

Once an appropriate location is found for the minor, DOS arranges travel and an appropriate escort. DOS works with child protective services (CPS) in the destination state and communicates with the minor.

### State and local service providers

Depending on the state, the local service provider for repatriates may be a state, a non-profit agency, or a combination of both. The local service provider will meet the minor and provide for immediate needs including housing, clothing, and other supplies. If CPS is involved in the minor's case or needs to be involved, the local service provider will communicate with the agency about the needs of the minor, placement, and facilitate access to the foster care system if necessary. The local service provider will also assist the person assuming guardianship access benefits available through the Program or other government programs (ex: Medicaid and Temporary Assistance for Needy Families).

### Child Protective Services

CPS in the destination state assists in the repatriation of an unaccompanied minor. At a minimum, a home study will be conducted before a minor is placed in a home, even if the minor is going to live with a relative. If the relative does not have legal custody of the minor, CPS will assist the relative in assuming custody. If a relative cannot assume custody of the minor, he or she is placed in the foster care system.

In some states, CPS may create a plan for services before the minor arrives. In other state, CPS cannot assist a minor until he or she physically in the state. If that is the case, the case manager will contact CPS once the minor arrives to initiate emergency child services, which will allow CPS to work with the minor.

## **Financial Obligation of Participants**

Participants of the Repatriation Program must reimburse the federal government for the cost of the services provided. Unaccompanied minors that are not placed with a relative will receive an automatic waiver for repayment. If an unaccompanied minor is placed with a relative, that person will be expected to repay the Program for the services provided. The relative may request an extension of time to make payments or a waiver of payment.