

1 TRACY L. WILKISON
2 Acting United States Attorney
3 DAVID M. HARRIS
4 Assistant United States Attorney
5 Chief, Civil Division
6 JOANNE S. OSINOFF
7 Assistant United States Attorney
8 Chief, General Civil Section
9 JASON K. AXE (Cal. Bar No. 187101)
10 MATTHEW J. SMOCK (Cal. Bar No. 293542)
11 Assistant United States Attorneys
12 Federal Building, Suite 7516
13 300 North Los Angeles Street
14 Los Angeles, California 90012
15 Telephone: (213) 894-8790/0397
16 Facsimile: (213) 894-7819
17 E-mail: Jason.Axe@usdoj.gov

18 Attorneys for Defendants

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21 UNITED STATES DISTRICT COURT
22 FOR THE CENTRAL DISTRICT OF CALIFORNIA

23
24 IMMIGRANT DEFENDERS LAW
25 CENTER, et al.,

26 No. 2:21-cv-00395-FMO-RAOx

27 Plaintiffs,

28 v.

1 U.S. DEPARTMENT OF
2 HOMELAND SECURITY, et al.,

3 Defendants.

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6 DECLARATION OF JALLYN SUALOG,
7 DEPUTY DIRECTOR, OFFICE OF REFUGEE RESETTLEMENT

8 I, Jallyn Sualog, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that my
9 testimony below is true and correct:

10 1. I am the Deputy Director of the Office of Refugee Resettlement (“ORR”), an Office
11 within the Administration for Children and Families (“ACF”), U.S. Department of Health and Human
12 Services (“HHS”).

1 2. I have held the position of Deputy Director since June 2018. I was previously the
2 Director of Children's Services from September 2013 through June 2018. I have worked at ORR since
3 February 2007. I have a Master's of Arts in Clinical Psychology. Before joining ORR, I worked as a
4 mental health professional and managed the child welfare and social services programs for Hawaii's
5 largest non-profit organization.

6 3. As the Deputy Director of ORR, I have responsibility for oversight of the
7 Unaccompanied Alien Children ("UAC") program, including all aspects of operations, planning and
8 logistics, medical services, and monitoring. My job duties include the formulation and implementation
9 of ORR's response to coronavirus disease 2019 (COVID-19) across its network of grantee care-
10 provider facilities. In the course of performing my duties, I have gained personal knowledge of the
11 policies ORR implements with respect to the Migrant Protection Protocols ("MPP").

12 4. My testimony in this declaration is based upon this personal knowledge, and information
13 obtained from records and systems maintained by ORR in the regular course of performing my job
14 duties.

15 5. I am testifying in this declaration to the best of my knowledge, and understand that this
16 declaration is for use in the Government's response to Plaintiffs' motion for preliminary injunction in
17 *Immigration Defenders Law Center, et al. v. U.S. Dep't of Homeland Security et al.*, No. 2:21-cv-
18 00395-FMO-RAOx (C.D. Cal.).

19 6. On April 24, 2020, the *Flores* Court ruled that unless enforcement of an MPP-removal
20 order is "imminent," ORR cannot unreasonably delay release of MPP-UAC.

21 7. On December 4, 2020, the *Flores* Court ordered Defendants to file interim compliance
22 reports from Ms. Deane Dougherty, the Juvenile Coordinator for U.S. Immigration and Customs
23 Enforcement ("ICE"), Ms. Aurora Miranda-Maese, the Juvenile Coordinator for the U.S. Department of
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1 Health and Human Services, Office of Refugee Resettlement (“ORR”), and Mr. Henry Moak, the
2 Juvenile Coordinator for U.S. Customs and Border Protection (“CBP”), beginning on January 15, 2021.
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4 8. To my knowledge, since the Court issued its orders, there have not been any cases where
5 ORR delayed release of an MPP-UAC due to an imminent or unexecuted removal order. *See, e.g.*,
6 Juvenile Coordinator reports, *Flores et al. v. Garland et al.* 85-CV-04544-DMG-AGR (C.D. Ca.), ECF
7 No. 1060-1, at p. 21 (“As of January 12, 2021, there were 35 minors in ORR custody who were
8 identified as previously enrolled in MPP. Four of those minors were released by the time this report was
9 written. Currently, there are 18 minors who are engaged in the family reunification process, but it is not
10 complete. The remaining 13 minors are residing in Long Term Foster Care (LTFC). **The Juvenile**
11 **Coordinator did not identify any cases from the reporting period where a minor enrolled in MPP**
12 **received a removal order and were denied release based on that order.”**) (emphasis added); ECF
13 No. 1084, at p. 37 (“As of February 22, 2021, there were 23 minors in ORR custody that were
14 identified as MPP cases. Currently, there are eight (8) minors who are engaged in the family
15 reunification process, but it is not complete. The remaining minors are Category 4, with 14 of these
16 minors placed in Long Term Foster Care (LTFC) and one minor in a shelter. The Juvenile Coordinator
17 did not identify any cases from the reporting period where an MPP removal order was a sole basis for a
18 minor’s non-release.”); *see also Id.*, ECF No. 932-2, at p. 9 (“As of August 18, 2020, there were 29
19 minors identified by ORR as MPP cases. Out of the 29 minors, one minor was approved for release on
20 August 20, 2020 and three minors were released between August 18, 2020 and August 21, 2020.
21 Currently, there are seven minors who are engaged in the family reunification process, but it is not
22 complete. The remaining minors are Category 4, with 14 of these minors placed in Long Term Foster
23 Care (LTFC). The Juvenile Coordinator did not identify any cases from the reporting period where an
24 MPP removal order was a sole basis for minor’s non-release.”); *Id.*, ECF No. 996-2, at p. 9 (“As of
25 September 30, 2020, there were 38 minors identified by ORR as MPP cases. Currently, there are 19
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1 minors who are engaged in the family reunification process, but it is not complete. The remaining
2 minors are Category 4, with 14 of these minors placed in Long Term Foster Care (LTFC). The Juvenile
3 Coordinator did not identify any cases from the reporting period where an MPP removal order was a
4 sole basis for a minor's non-release.").¹

5 9. As of May 17, 2021, there were 19 UC in ORR custody who were identified as
6 previously enrolled in MPP. One of those minors was released by the time this declaration was written.
7 Currently, there are five minors who are engaged in the family reunification process, but it is not
8 complete. The remaining minors do not have sponsors at this time, with two of them residing in ORR
9 shelters and 11 residing in Long Term Foster Care (LTFC).

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11 Executed on May 27, 2021
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14 Jallyn Sualog
15 Deputy Director
16 Office of Refugee Resettlement
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28 ¹ Categories 1-3 refer to UAC with an identified sponsor in the U.S. Category 1, for example, refers to UAC with a parent or legal guardian as a sponsor. Category 4 refers to UAC with no identified sponsor.