

SUPPORTING STATEMENT
PLACEMENT AND PROGRESS REPORTS
FOR REFUGEE AND ENTRANT UNACCOMPANIED MINORS
(FORMS ORR-3 AND ORR-4)

A. Justification

1. Circumstances:

Section 412(d)(2)(B)(ii) of the Immigration and Nationality Act, as amended by the Refugee Act of 1980, provides that in the case of a refugee child who is unaccompanied by a parent or other close adult relative, the Director of the Office of Refugee Resettlement (ORR) shall attempt to arrange for the placement of such child under the law of the State. Under the provisions of section 412(d)(2)(B)(iv) of the Refugee Act (U.S.C. 1522), the Director of ORR is required to prepare and maintain a list of all such unaccompanied children who have entered the United States after April 1, 1975; the names and last known residence of their parents (if living) at the time of arrival; and the children's location, status, and progress (Tab A). Also, under the provisions of section 413(b)(7) of the Act (8 U.S.C. 1523), ORR is required to submit a report to the Congress each year which summarizes the location and status of unaccompanied refugee children admitted to the United States.

ORR uses two reports to meet these various statutory requirements. A Placement Report (Form ORR-3) is submitted upon initial placement of the child in the State and whenever there is a change in the child's status, including termination from the program. A Progress Report (Form ORR-4) is required annually to indicate the child's progress towards established goals in the case plan and the agency's efforts toward family reunification.

Current regulations at 45 CFR 400.120 require States to submit these reports (Tab A). In general, the provider agencies under contract with the State to provide child services actually prepare the reports. This reporting requirement is not burdensome: The requested information is similar to the information that State agencies collect on children placed under their supervision and care, such as child and family information, appropriateness of the placement, family reunification, legal status, services necessary to attain the placement goals, and periodic review of the child's progress in attaining case plan goals.

2. Purposes and uses:

Information derived from Form ORR-3 is converted to an electronic format in Microsoft Access software and is updated regularly as changes in placement location and status of children are reported. The ORR-4 data are converted to an electronic format in Microsoft Access software and updated annually. Prior to FY 1985, ORR had maintained these records manually.

ORR uses these data as follows:

Program Eligibility: Cases with questionable eligibility are flagged for further investigation. Such cases include children with parents reported living in the United States, children above State-allowed age limits for foster care, and similar discrepancies.

Monitoring: Reports on placement locations and status changes (including establishment of legal responsibility for the child) enable ORR to monitor State programs based on numbers and characteristics of the caseload of each State, reconciling numbers of children reported with financial claims for their support.

Planning and Budgeting: Data related to caseloads and projected program terminations, particularly those children about to reach the age of majority are correlated to permit long-range program planning and budgeting. For example Item 7, "Estimated Date of Emancipation," in Form ORR-3 together with State Department estimates of anticipated new arrivals of unaccompanied minors permits ORR, States, and national resettlement agencies to project caseloads several years into the future. Such information assists both in projecting budgets and in assisting national resettlement agencies in placing new arrivals with cost-effective agencies with refugee expertise.

Family Reunification: The information on Forms ORR-3 and ORR-4 enables ORR to meet its statutory obligation to maintain a national, central registry of all unaccompanied minors, thereby assisting parents and other relatives in locating their children anywhere in the United States for purposes of family reunification. No other registry of unaccompanied minor placement exists. Inquiries are received from individuals, resettlement agencies, and various humanitarian organizations including the American Red Cross. Responses are made under procedures consistent with the Privacy Act. All data are kept under restricted access, and the information is only available to those with the need to know.

Such reunifications are a high ORR priority, principally for humanitarian reasons, but also because family reunion effectively removes the child from the unaccompanied minor caseload and Federal financial support. Since 1975, over 1,689 refugee children have been reunited with parents or relatives.

The ORR-3 is prepared by the agencies which provide immediate care for the children and is submitted:

- o *Upon arrival of the child in the United States.* This report serves to notify the State and ORR that proper legal arrangements have been made for the child, that the child is in care, and that financial claims on the child's behalf will commence. ORR received 25 such reports last year.
- o *Upon change of placement (foster or group home) or status (such as finalization of legal status).* This information enables ORR to fulfill its statutory obligation to maintain a record of the child's whereabouts and thereby stand ready to assist in locating the child for family reunification. ORR received 725 such reports last year.

- o *Upon program termination* through emancipation or family reunification. This information serves to notify States and ORR that financial claims for this child will terminate. ORR received 42 such reports last year.

ORR staff flag cases of questionable eligibility, carry out family reunification tracking, and produce State-by-State reports for follow-up and monitoring. These data permit further analysis with respect to projected caseloads for use by States, national voluntary agencies, and ORR in budgeting and program planning.

The Trafficking Victims Protection Act of 2000 (TVPA), extends eligibility for federally funded or administered benefits and services to certain non-citizen family members of trafficking victims and minor victims of a severe form of trafficking to the same extent as refugees, in the URM program. The ORR-3 data permit ORR to track placements in the program in an orderly fashion, while continuing ethnic-specific services for children remaining in care and insuring that the services are delivered in a cost-effective way as the caseload increases.

The data from Form ORR-4 (Progress Report) permit ORR to develop aggregate data, by agency, on client progress and achievements. This permits comparisons of program quality among provider agencies and States, and, when correlated with program cost data, permits identification of qualitative cost- effectiveness among States and agencies. This strategy remains important as the number of admissions has increased and many of the current providers have rapidly expanded their capacity to serve increased numbers of minors.

3. Improved information technology:

Development of information technology is not practical. These forms are filled out by caseworkers in numerous small, non-profit child welfare agencies. Many offices are not equipped with personal computers; the rest use a variety of software programs. In addition, although automation would decrease ORR's data entry burden, it would increase the respondent's time burden.

4. Duplication:

ORR has conferred with the Children's Bureau of the Department of Health and Human Services regarding national child welfare reporting requirements. The Children's Bureau mandates reporting by State title IV-E and title IV-B agencies of certain aggregate data only for States to receive additional Federal expenditures for child welfare services. Such a national voluntary reporting effort would not permit ORR to meet its legislative requirements. Thus, there is no duplication of effort.

5. Small businesses: Not applicable.

6. Frequency of collection:

Current regulations at 45 CFR 400.120 explain the reporting requirements for the Refugee and Entrant Unaccompanied Minor Program.

(1) The State must submit the Refugee Unaccompanied Minor Placement Report (ORR-3) within:

- o 30 days of the date of a minor's placement in the State;

- o 60 days of the date of a change of status in which the minor's placement is transferred or legal responsibility of any kind for the minor is established or transferred; and
 - o 60 days of the date of termination in which the minor is emancipated or reunited with a parent or other (relative or non-relative) adult with custody.
- (2) The State must submit a Refugee Unaccompanied Minor Progress Report (ORR-4) on each minor annually, beginning approximately 12 months from the date of the initial placement report by the State.

To require either of these reports less frequently would both undermine their purpose and raise questions about whether ORR was meeting its legislative and regulatory requirements.

7. Special circumstances: No special circumstances are involved. This information collection is consistent with all OMB guidelines specified in 5 CFR 1320.6.

8. Consultations:

State Letter 06-14, dated May 19, 2006, solicited comments from 48 State Coordinators (Tab B). ORR received comments from one State Coordinator. Specific comments are addressed below:

Letter from the New York State Bureau of Refugee and Immigration Affairs, dated June 13, 2006:

Comment: The commenter requested changes to the word “Child” used in several locations on the ORR-3 and ORR-4 forms to be substituted for “Minor”.

Response: The revised ORR-3 and ORR-4, section 1, number 1 will be changed to read “Name of Minor”. The revised ORR-4, section 1, number 5 will be changed to read “Date Minor Entered the U.S.” There will be changes made to the ORR-3 instructions to reflect changes from the word “Child” to “Minor” in section 1, number 12 and section 2, number 5 and section IV, number 3 and section V, number 4. There will be no changes made to the ORR-4 instructions.

9. Payments or gifts to respondents: Not applicable.

10. Assurance of confidentiality:

The Privacy Act applies to this program and its information collection. The Notice was published in the SSA Privacy Act: Notices of Systems of Records in September 1985. (No. 09-60-0216).

11. Sensitive questions: None.

12. Estimate of burden:

PLACEMENT REPORT (Form ORR-3):

There are currently about 622 eligible refugee children in 15 States. ORR estimates that States will complete approximately 225 placement reports each year to cover initial placements, change in placements, and terminations. Program experience suggests an average completion time of 25 minutes for each child for the Placement Report. The total reporting burden is thus 94 hours.

PROGRESS REPORT (Form ORR-4):

With 622 refugee unaccompanied minors in the program, we expect about 622 progress reports to be completed each year. Program experience suggests an average completion time of 15 minutes for each minor. The total reporting burden is thus estimated at 225 hours.

Form name	No. of Respondents	No. Responses per respondent	Hrs. per Response	Response Burden
Form-3	15	15	.417	94 hrs.
Form-4	15	60	.250	225 hrs.
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TOTAL				319 hrs.

The total burden for both forms is 319 hours.

13. Estimate of annual cost to respondents:

No equipment is necessary for the submission of this information, and there are no direct monetary costs to the respondents other than the time necessary for the completion of these forms. The average annual marginal cost of complying with these requirements is as follows:

PLACEMENT REPORT (Form ORR-3):

We estimate that the total cost to the public to be \$2,165 (225 reports at 25 minutes each = 94 hours for review; at \$23.00 per hour).

PROGRESS REPORT (Form ORR-4):

We estimate that the total cost to the public will be \$5,175 (622 reports at 15 minutes each = 225 hours for review; at \$23.00 per hour).

The cost of administration of the Refugee Unaccompanied Minor program is reimbursed 100 percent by the Federal government. As a consequence, the Federal government, not State governments or local providers, bears the costs recordkeeping and reporting.

14. Estimate of annualized cost to the Federal government:

PLACEMENT REPORT (Form ORR-3):

We estimate \$6,300 per year, which reflects 225 hours at \$28.00 per hour.

PROGRESS REPORT (Form ORR-4):

We estimate \$25,200 per year, based on 900 reports at \$28.00 per hour.

In addition, the Federal government reimburses State governments and local agencies for their costs of administration of the program, including the costs associated with these two forms. These costs total \$7,337 for a total Federal cost of \$38,837.

15. Changes in burden:

The increase in total burden hours (319) is reflected by the three additional URM Programs (Florida, Texas, California).

16. Publication. Not applicable.

17. Expiration date. Not applicable.

18. Exception to the certification statement. Not applicable.

B. Collections of Information Employing Statistical Methods
Not applicable. No statistical methods employed.