

Title: Reunification Procedures for Unaccompanied Alien Children

A. Justification. Requests for approval shall:

1. Circumstances Making the Collection of Information Necessary

Pursuant to Section 462 of the Homeland Security Act of 2002 (6 USC 279), the Administration for Children and Families (ACF), Office of Refugee Resettlement (ORR) has been charged with the care and placement of unaccompanied alien children (UAC) in federal custody. ORR is also charged with the implementation of policy for the release of these children to suitable sponsors requesting release of the child to their custody.

2. Purpose and Use of the Information Collection

In order for ORR to make determinations regarding the release of these children, the potential sponsors must meet certain conditions pursuant to section 462 of the Homeland Security Act and the Flores v. Reno Settlement Agreement No. CV85-4544-RJK (C.D. Cal. 1997). ORR considers the suitability of a sponsor based on the sponsor's ability and agreement to provide for the physical, mental and financial well-being of an unaccompanied minor and assurance to appear before immigration courts. The sponsor seeking release of a child to their care must submit the following: Family Reunification Packet (ORR FRP-081), Authorization for Release of Information (ORR R-317 & ORR R-317s), and the Sponsor's Agreement to Conditions of Release (ORR R-420 & ORR R-420s). Once the release of the child is approved, the Verification of Release form is generated (ORR R-535).

When an UAC is referred to the care of ORR by immigration authorities, the UAC is placed in one of ORR's contracted care provider facilities. The facility is staffed with case workers whose main responsibility is to identify a potential sponsor for the UAC. Suitable sponsors may be parents, close relatives, friends or entities concerned with the child's welfare (refer to the Flores settlement Agreement). Once a potential sponsor is identified the Family Reunification Packet (ORR FRP-081), the Authorization for Release of Information (ORR R-317 & ORR R-317s), and the Sponsor's Agreement to Conditions of Release (ORR R-420 & ORR R-420s) are mailed to the potential sponsor. The Family Reunification Packet (ORR FRP-081) gathers biographical information about the potential sponsor as well as the household composition. The Authorization for Release of Information (ORR R-317 & ORR R-317s) is needed to conduct an FBI fingerprint background check and immigration check of the potential sponsor. The Sponsor's Agreement to Conditions of Release (ORR R-420 & ORR R-420s), is a sworn affidavit whereas the sponsor agrees to provide for the physical, mental, and financial well being of the UAC; ensure the child's presence at all immigration related proceedings, as well as ensure notification to the Department of Homeland Security of any changes to the child's custody of location.

Once the reunification process is completed, the facility case worker submits the release packet to a child welfare specialist under contract with ORR to make recommendations for release of the child to the potential sponsor. The final release decision is made by ORR's federal field staff who reviews the instruments and makes a release decision.

Information about the potential sponsor as well as all release recommendations and final decision are tracked using a web based data base system.

Upon approval of the release, the federal field specialist enters his or her decision in the database, the Verification of Release (ORR R-535) is then generated automatically by the database system.

3. Use of Improved Information Technology and Burden Reduction

Because of the educational background of immigrant sponsors, the collection of information is done in paper format. As stated above, the only form automatically generated is the Verification of Release.

4. Efforts to Identify Duplication and Use of Similar Information

There is no similar information already available.

5. Impact on Small Businesses or Other Small Entities

The proposed information collections will not burden or impact small businesses.

6. Consequences of Collecting the Information Less Frequently

The information must be collected for each potential sponsor to ensure the safe release of every child in ORR's care and custody. The potential sponsor only completes the instruments when seeking release of the child and not under any other circumstances.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320 .5

Respondents are required to submit the Family Reunification Packet (ORR FRP-081), the Authorization for Release of Information (ORR R-317 & ORR R-317s), and the Sponsor's Agreement to Conditions of Release (ORR R-420 & ORR R-420s) as soon as possible. ORR is mandated by law to release an unaccompanied alien child to a qualified sponsor without unnecessary delay (Flores Settlement Agreement). Therefore, sponsors are encouraged to return the completed forms in 2 to 3 weeks if at all possible. Stringent circumstances are taken into consideration when a sponsor is unable to obtain documentation within that period of time because the required documents need to be obtained in a foreign country. In these situations, the sponsor is given sufficient time to obtain the needed documentation.

ORR will not be asking for any information of a sensitive nature in these proposed instruments. In the Family Reunification Packet (ORR FRP-081) and the Authorization for Release of Information (ORR R-317 & ORR R-317s), ORR will ask for a social security number, but the submittal of this information is not mandatory. Facility staff will inform applicants that they are not required to submit a social security number, that submission is voluntary, and that the social security number will only be used for the verification of identity and to perform the background investigative check. If a requesting sponsor/respondent does not provide a social security number, ORR may be unable to complete the investigative background check.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

One comment was received in response to the Federal Register: May 5, 2008 [(Volume 73, Number 87)(Page 24598-24599)]. The public comment did not address the cost and hour burden of the instruments. The comment referred to not allowing unaccompanied children to come into the U.S.A., and to "shut down" the ORR program entirely because illegal immigrants overwhelm the "tax dollars" of the U.S. population. A copy of the comment is attached.

Consultation with representatives of those who must compile the records is done on a regular basis, so far the instruments collect sufficient information to make release recommendations and decisions in the field.

9. Explanation of Any Payment or Gift to Respondents

There is no payment or gift to the respondents.

10. Assurance of Confidentiality Provided to Respondents

ORR is in the process of finalizing a system of records to ensure the level of confidentiality pursuant to the Privacy Act. 5 U.S.C. 552(a). The draft system of records is included with this package.

11. Justification for Sensitive Questions

No sensitive questions are made in these collection instruments.

12. Estimates of Annualized Burden Hours and Costs

ANNUAL BURDEN ESTIMATES

Instrument	Number of Respondents	Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
Sponsor's Agreement to Conditions of Release	4,288	2	.0835	716
Verification of Release	4,288	1	.167	716
Family Reunification Packet	4,288	18	.0416	3,211
Authorization for Release of Information	4288	15	.0222	1,428

Estimated Total Annual Burden Hours:

6,071

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no additional annual direct costs to respondents as a result of this information collection.

With respect to the recordkeepers, none of these instruments required the acquisition of new contracted staff at ORR facilities, or the procurement of particular pieces of information technology. The technology employed for the electronic transmission of the instruments to ORR headquarters, such as personal computers with internet access, fax machines, scanners, and copiers were already used by facilities prior to the change of

these procedures. The costs associated with these instruments will be only ones associated with the operations and maintenance performed by existing staff at the ORR facilities. The time spent by the facility staff on these instruments will be incurred primarily when providing guidance to requesting sponsors regarding the proper responses and the submitting of the instruments to ORR headquarters for review.

14. Annualized Cost to the Federal Government

The annualized cost estimate for each of these instruments considers estimates time of federal specialists in the field who review the information following submittal. The estimate assumes the average amount of time expected to review the information as provided by eight Step1, GS-12 personnel at 2000 hours per fiscal year for \$27.65 per hour.

ANNUALIZED COST TO THE FEDERAL GOVERNMENT

Instrument	Number to Review	Hours Spent Reviewing	Cost Per Hour	Total Estimated Cost
Sponsor's Agreement to Conditions of Release	4,288	.0833	\$27.65	\$9,876.00
Verification of Release	4,288	.0833	\$27.65	\$9,876.00
Family Reunification Packet	4,288	.1666	\$27.65	\$19,753.00

Authorization for Release of Information	4288	.0833	\$27.65	\$9,876.00
Estimated Total Annual Cost:				\$49,381.00

15. Explanation of Program Changes or Adjustments

There is an increase in the number of respondents due to an increase in the number of unaccompanied minors referred to ORR for care by the Department of Homeland Security. Therefore, there is an adjustment but no program change.

16. Plans for Tabulation and Publication and Project Time Schedule

ORR does not plan to publish the information provided by the respondents.

17. Reason (s) Display of OMB Expiration Date is Inappropriate

ORR plans to display the expiration date of clearance as set by OMB.

18. Exceptions to Certification for Paperwork Reduction Act Submission

ORR does not take any exception to any of the items in the certification statement.