

JUSTIFICATION FOR EMERGENCY REVIEW

Iraqi Citizens and Nationals Employed by Federal Contractors, Grantees and Cooperative Agreement Partners OMB Number 1405-XXXX DS-7655

The Refugee Crisis in Iraq Act of 2007 was included in the National Defense Authorization Act of 2008 which became Public Law 110-181 on 28 January 2008. Section 1248(c) of this Act requires the Secretary of State to request from each Department of State prime contractor, grantee, or cooperative agreement partner that has performed work in Iraq since March 20, 2003, under a contract, grant, or cooperative agreement with the Department that is valued in excess of \$25,000, information that can be used to verify the employment of Iraqi citizens and nationals by such contractor, grantee or cooperative agreement partner. To the extent possible, biographical information, to include employee name, date(s) of employment, biometric, and other data must be collected and used to verify employment for the processing and adjudication of refugee, asylum, special immigrant visa, and other immigration claims and applications.

1. In coordination with the Departments of Homeland Security and Health and Human Services, as well as with key international partners such as the United Nations High Commissioner for Refugees and the International Organization for Migrations, and with numerous non-governmental organizations, the U.S. Department of State's Bureau of Population, Refugees and Migration (PRM) has overall management responsibility for the U.S. Refugee Admissions Program. The Department of Homeland Security (DHS) has responsibility for the actual adjudication of refugee applications and, along with the U.S. Department of State's Bureau of Consular Affairs (CA), responsibility for the adjudication of special immigrant visa applications. The collection of employment verification data is critical to expediting the USRAP process, as well as for expediting asylum, special immigrant visa, and other immigration claims and applications.
2. Emergency approval for this information collection is requested to allow PRM, CA and DHS to more expeditiously and efficiently address Iraqi immigration claims and applications. The Refugee Crisis in Iraq Act of 2007, enacted on January 28, 2008, requires that several agencies, including the Department of State, conduct this information collection. Interagency efforts, led by the Department of Defense, have thus far failed to produce a coordinated plan of action for fulfilling this requirement. Therefore, the Department of State has determined it should proceed on its own to collect this information as expeditiously as possible from its contractors, grantees and cooperative agreement partners in order to become compliant with this law. Since the law required implementation within 120 days of enactment, the Department seeks an emergency review to become compliant as soon as possible.
3. Due to the failure of the interagency to produce a plan, the Department of State is overdue in its compliance with the requirements set out in Public Law 110-181, Section 1248(c) and wishes to address this issue as quickly as possible.

Therefore, the Department of State requests emergency OMB approval for this collection by May 15, 2009.