

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMUSSION
OMB Number 1405-0203, DS-234
Special Immigrant Visa Biodata Form**

A. JUSTIFICATION

1. Section 525 of the Division G of the Consolidated Appropriations Act, 2008, Public Law, 110-161, signed into law December 26, 2007, provides that Iraqi and Afghan nationals granted special immigrant status under section 101(a)(27) of the Immigration and Nationality Act shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted through the United States Refugee Admissions Program for a period not to exceed six months. Likewise, section 1244(g) of the Subtitle C of the National Defense Authorization Act for Fiscal Year 2008 (The Refugee Crisis in Iraq Act of 2007), Public Law 110-181, signed into law on January 28, 2008, provided that Iraqis granted special immigrant status shall be eligible for the same resettlement assistance, entitlement programs, and other benefits provided to refugees admitted through the United States Refugee Admissions Program for a period not to exceed eight months. In order to elect the portion of these benefits administered by the Department of State, Special Immigrant Visa (SIV) applicants must submit information that will allow the Department of State to identify an appropriate resettlement site in the United States and correctly allocate additional services.

2. Under section 1059 of the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, up to 50 Iraqi and Afghan translators who have worked for the U.S. military have been eligible for SIVs each fiscal year (FY). Public Law 110-36, which was signed into law on June 15, 2007, amended section 1059 by expanding the total number of primary applicant beneficiaries to 500 a year for FY 2007 and FY 2008 only. In FY 2009, the number of visas available for this category reverted to 50 annually. The Refugee Crisis in Iraq Act of 2007, as amended by Public Law 110-242, provides up to 5,000 (Primary Applicant) Iraqis Special Immigrant Visas in FY 2008 and up to 5,000 more in each of the following four fiscal years. Public Law 111-8 was signed into law March 11, 2009 provides up to 1500 Afghans Special Immigrant Visas in FY 2009, and 1,500 more in each of the following four fiscal years.,There will be up to 12,000 Iraqis and Afghans eligible for the resettlement benefits each fiscal year by estimation. From October 1, 2006 through September 30, 2012, the United States issued 11,310 Special Immigrant Visas (SIVs) to Iraqis and more than 2,000 to Afghans under Section 1059 of the Interpreters and Translators Program and Section 1244 of the SIV program. SIV applicants who qualify for and request resettlement support upon arrival in the United States must complete this form for each family member and submit it to the National Visa Center (NVC), along with the Resettlement Benefits Election Form. Both documents will be submitted via email as scanned attachments to the NVC.

3. Responses are requested to be submitted electronically to NVC, if possible, as the most efficient means of collecting and processing the data.. The NVC will forward the forms to the Refugee Processing Center (RPC) which uses the Worldwide Refugee Admissions Processing

System (WRAPS), permitting faster dissemination of the information to the resettlement agencies.

4. There is no duplication of collection. The information necessary for the processing of the Afghan and Iraqi SIV applications is not available elsewhere.
5. The information collection does not involve small businesses or other small entities.
6. Failure to collect this data would seriously impact the ability of the resettlement agencies to place Afghans and Iraqis in appropriate resettlement locations in the United States.
7. There are no special circumstances associated with this collection.
8. A 60-day Emergency Notice was published in the *Federal Register* on December 28, 2011 (FR 76,249, page 81554). No comments were received.
9. Respondents receive neither payments nor gifts for providing their biodata forms. However, the level of resettlement benefits which SIV recipients will receive in the United States is based in part upon needs that are identified through a review of the data provided.
10. Respondents are notified that the information in their files is released to State Department personnel, officers of other federal agencies including the Department of Health and Human Services, and the Department of Homeland Security, and resettlement agency employees on a need to know basis. Guidelines for the disclosure of information are attached to the cooperative agreements between the resettlement agencies and the State Department.
11. Information on religion and ethnicity is provided at the option of the respondent, but it can be useful in determining which resettlement agency or resettlement site is appropriate. For example, an individual can be placed in a community where there are established places of worship for members of his or her religion, if he or she so desires.
12. The estimated burden time to complete the DS-234 is 20 minutes. The estimated number of annual primary applicants is 5,000. The Refugee Crisis in Iraq Act of 2007, as amended by Public Law 110-242, authorizes 5,000 annual applicants (Primary Applicants), Section 1059 of the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163 authorizes 50 Iraq and Afghan translators/ interpreters annually, and The Afghan Allies Protection Act of 2009, Public Law 111-8 authorizes up to 1,500 Afghan national applicants annually; as each family member has to complete the DS-234, the estimated total applicants is 12,000. The annual burden hours based on these figures is 4,000 hours with a total annualized labor cost of \$189,760 at a \$47.44 hourly rate.
13. There are no costs to respondents associated with this collection.
14. RPC staff estimates devoting 10 minutes each to reviewing and inputting information submitted by applicants. The total cost to the Federal Government at \$47.44 hourly rate to process 12,000 applicants is \$ 94,880.
15. There are no changes to the burden from the last submission.
16. The Department will not publish the results of this collection.

17. The Department will display the expiration date for OMB approval of the information collection.

18. There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.