

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Affidavit of Relationship (AOR) for Minors of Honduras, El Salvador and
Guatemala

OMB Number 1405-xxxx
DS-7699

A. JUSTIFICATION

1. The Department of State's Bureau of Population, Refugees, and Migration (PRM) is responsible for coordinating and managing the U.S. Refugee Admissions Program (USRAP). PRM coordinates within the Department of State, as well as with the Department of Homeland Security U.S. Citizenship and Immigration Services (DHS/USCIS), in carrying out this responsibility. A critical part of the State Department's responsibility is determining which individuals, from among millions of refugees worldwide, will have access to U.S. resettlement consideration. Section 207(a)(3) of the Immigration and Nationality Act (INA) states that admissions "shall be allocated among refugees of special humanitarian concern to the United States in accordance with a determination made by the President after appropriate consultation." Which individuals are "of special humanitarian concern" to the United States for the purpose of refugee resettlement consideration is determined through the USRAP priority system.

PRM and DHS/USCIS are now preparing to initiate an "in-country" program to provide a means for certain persons in the United States ("qualifying parents") to claim a relationship with children in Honduras, El Salvador, and Guatemala and to assist the U.S. Department of State in determining whether those children are qualified to apply for access to the USRAP for family reunification purposes. State Department-funded domestic resettlement agency representatives, who will assist persons with this form, are knowledgeable about who is eligible to file the form. This form also assists DHS/USCIS to verify parent-child relationships during refugee case adjudication. The main purpose of the DS-7699 is for the qualifying parent to provide biographical information about children overseas who may subsequently seek access to the USRAP for verification by the U.S. government.

The first step to requesting access for a child to USRAP consideration will be for a qualifying parent to file an Affidavit of Relationship (AOR), DS-7699 for qualifying family members in the United States. Qualifying parents are parents who are lawful permanent residents or who currently fall into one of the categories in the United States:

Temporary Protected Status Grantee
Parolee
Deferred Action for Childhood Arrivals (DACA) Recipient
Deferred Action (non-DACA) Recipient

Deferred Enforced Departure Recipient
Withholding of Removal Grantee

Qualifying parents in the United States must be at least 18 years of age. Qualifying parents may file an AOR on behalf of their unmarried children under 21 in Honduras, El Salvador, or Guatemala. Additionally, if the second parent resides in the country of origin with the child and is currently married to the parent in the United States, that in-country parent will be eligible to apply for refugee resettlement in connection with the child. Information listed in the AOR is essential to determining qualification for access to the USRAP. The AOR also informs the qualifying parent that DNA evidence of all claimed biological parent-child relationships between the qualifying parent and unmarried children under 21 will be required as a condition of access to the program, and that the initial costs of DNA testing will be borne by the qualifying parent. Applicants whose claimed biological relationships are confirmed by DNA testing will be eligible for reimbursement of DNA test costs.

The Department of Homeland Security is responsible for determining who is eligible for admission to the United States as a refugee. Section 207(c)(1) of the INA authorizes the Secretary of the Department of Homeland Security to admit any refugee who is determined to be of special humanitarian concern to the United States, meets the definition of refugee as outlined under INA Section 101(a)(42), is not firmly resettled in any foreign country, and is otherwise admissible as an immigrant. The Department of Homeland Security uses the information listed in the AOR to confirm and verify information related to the family members in the specified countries seeking refugee resettlement as well as subsequent applications or petitions for other immigration benefits they may seek under U.S. law. Accordingly, the AOR serves as an important tool to combat fraud in such adjudications and programs.

2. Working with a resettlement agency that partners with the Department of State, qualifying parents in the United States complete the AOR to: a) establish that they meet the requirements for being a qualifying parent currently fall into one of the aforementioned categories; b) provide a list of qualifying family members (such as unmarried children under 21, or spouses under some circumstances) who may wish to apply for refugee resettlement to the United States from one of the qualifying countries; and c) establish that the family members are nationals of qualifying countries under the in-country program. Once completed, the AOR is sent by the resettlement agency to the Refugee Processing Center (RPC) for case creation and processing. The information is used by the RPC for case management; by USCIS to determine that the qualifying parent falls into one of the aforementioned categories; and by a Resettlement Support Center (RSC), which is an organization working overseas under a cooperative agreement with the Department of State to conduct case pre-screening and assist in the processing of refugee applicants.

After receiving the DS-7699 from the RPC, the RSC will conduct an initial pre-screen interview. Once the RSC has conducted initial prescreening of the overseas case, it will contact the qualifying parent through the Resettlement Agency with instructions on arranging for DNA relationship testing to verify all claimed biological parent-child relationships between the qualifying parent and his/her unmarried children under 21. The qualifying parent will select a U.S. lab approved by the American Association of Blood Banks (AABB) to

conduct DNA relationship testing. DNA collection kits will be sent to the RSC and DNA samples will be collected from the overseas children through a buccal swab. The RSC will return the samples to the U.S. lab for DNA relationship testing. Results will be forwarded to the RPC, which will record in its system whether each claimed biological relationship was confirmed or not confirmed. The RPC will then redact the lab report so as not to retain any specific information about the matching of alleles between the qualifying parent and his or her children overseas.

The U.S. lab that was selected to conduct the testing will retain the DNA sample according to its own policies (usually for six months) and will also retain a copy of the test result in the event that results are contested. The Department of State will not retain the DNA sample.

The Privacy Impact Assessment (PIA) for this collection will be posted on the Department of State website at <http://www.state.gov/m/a/ips/c24223.htm>

3. PRM maintains cooperative agreements with eight resettlement agencies. These resettlement agencies have a network in 180 locations throughout the U.S. The collection of this information currently involves the limited use of electronic techniques. Qualifying parents in the United States will work closely with a resettlement agency during the completion of the AOR to ensure that the information is accurate. Qualifying parents may visit any resettlement agency to complete an AOR. Qualifying parents who are limited English proficient will often benefit from having a face-to-face meeting with resettlement agency staff. The collection instrument (DS-7699) will be available electronically and responses will be completed electronically. Completed AORs will be printed out for ink signature by the respondents as well. The electronic copy will be submitted electronically to the RPC for downloading into the Worldwide Refugee Admission Processing System (WRAPS), with the signed paper copy remaining with PRM's resettlement agency partners.
4. There is no duplication of information. The information necessary for the processing of children is not available elsewhere.
5. This information collection does not impact small businesses or other small entities.
6. Without this information collection, the United States would lack the necessary data to verify family relationships between the qualifying parents and their children applying for the in-country program in the qualifying countries and accomplish its stated policy of permitting qualifying children to resettle in the United States under this in-country program. The information is collected on an as-needed basis; there is no standardized schedule of collection.
7. There are no special circumstances.
8. An Emergency Federal Register Notice was published on 11/14/2014. Three comments were received. They were not germane to the collection instrument. One was general comment on the immigration policy of the United States. The other two requested that we widen the categories of parents eligible to file for their children overseas to include those who have received Special Immigrant Juvenile status and those who have received T or U visas. We

have not included those among the categories of parents eligible to file because the program is meant to focus on those categories that do not currently include the ability to file for children, or that have a waiting period (such as Lawful Permanent Resident). All three categories of parents suggested by commenters currently have the ability to file for children.

9. There are no payments or gifts to respondents.
10. Department records related to refugee processing are confidential per Section 222(f) of the Immigration and Nationality Act (8 U.S.C. §1202(f)). That section states that such records “shall be considered confidential and shall be used only for the formulation, amendment, administration, or enforcement of immigration, nationality, and other laws of the United States.”
As some of the information collected might be subject to the Privacy Act, 5 U.S.C. § 552a, the AOR contains a Privacy Act Statement and explains to the respondent how the information may be used
11. There are no questions of a sensitive nature on the AOR.
12. The estimated annual number of respondents is 2,500. The annual hour burden is estimated to be 2,500 hours, based on 60 minutes per form x 2,500. The annual hour burden was determined after consultation with the resettlement agencies, which have years of experience collecting this type of information. The hour cost burden for this collection is based on a weighted wage of \$29.81 x 2,500 respondents x 1 hour = \$74,525.
13. Based on 2,500 annual applicants to this program, it is estimated that 25% will not have the cost of performing DNA testing reimbursed due to the failure of DNA testing to confirm all of the claimed biological relationships. At an average testing cost of \$560, 625 individuals will incur a cost of \$560, for a total cost burden to respondents of \$350,000.
14. RPC staff estimates devoting 50 minutes per AOR to process the information submitted by applicants. The total cost to the Federal Government of this processing, at a \$44.00 hourly rate, is \$128,333. The cost of reimbursing the applicants for DNA testing is based on the assumption that 75% of the 2,500 applicants will have their relationships confirmed by DNA. At an average testing cost of \$560, the total cost reimbursed to these 1,875 individuals will be \$1,050,000. The cost that the PRM contractor would have to pay for staff salary to provide reimbursements would be \$80,000 per year. Therefore, the total cost incurred by the government is: $128,333 + 1,050,000 + 80,000 = \$1,258,333$.
15. There are no burden changes as this is a new collection.
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.