

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**APPLICATION UNDER THE HAGUE CONVENTION ON THE
CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION**

**OMB Number 1405-0076
DS-3013 and DS 3013s**

A. JUSTIFICATION

1. The Hague Convention on the Civil Aspects of International Child Abduction (Convention), which entered into force for the United States on July 1, 1988, requires each party to designate a “Central Authority” responsible for discharging the contracting states’ duties as set forth in the Convention (42 U.S.C. § 11606(c)). Executive Order 12648, 53 F.R. 30637, designated the U.S. Department of State as the U.S. Central Authority. Within the Department of State (the Department), the Office of Children’s Issues in the Bureau of Consular Affairs (CA/OCS/CI) discharges the functions of the U.S. Central Authority.

2. Article 8 of the Convention and the Convention’s implementing legislation, the International Child Abduction Remedies Act (ICARA) 42 U.S.C. § 11608, authorize this information collection. Under the Convention, persons may apply to a state party’s Central Authority for assistance in obtaining the prompt return of a child wrongfully removed from or retained outside of the child’s country of habitual residence and currently located in another state party. In addition, persons may apply to the Central Authority for assistance in securing their access or visitation rights to the child.

Article 8 of the Convention contains a list of items such an application must contain: (a) “information concerning the identity of the applicant, of the child and of the person alleged to have removed or retained the child”; (b) the child’s date of birth; (c) “the grounds on which the applicant’s claim for return of the child is based”; and (d) “all available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be.” Article 8 additionally provides that copies of pertinent decisions or agreements, a certified statement from a competent authority regarding the relevant law of the country of the child’s habitual residence, and any other relevant documents may accompany the application. ICARA, in turn, states that the U.S. Central Authority can “receive from or transmit to any applicant, petitioner, or respondent, information necessary to locate a child or for the purpose of otherwise implementing the Convention with respect to a child” 42 U.S.C. § 11608(a).

3. The form may be downloaded and completed electronically and then printed, or printed and filled out by hand. While the applicant may print out and sign the form, scan it, and then submit the scan by e-mail, the form may not be fully filled out and electronically submitted because some foreign Central Authorities require the applicant's original signature to appear on the form. In addition, abduction officers at CA/OCS/CI include the paper form in an informational package they distribute to potential applicants via traditional mail. Typically, the applicant will complete the application and forward it by mail, e-mail attachment or other means, along with supporting documentation, to CA/OCS/CI. CI staff will review the form and enter the necessary information into the International Parental Child Abduction (IPCA) database. Original documents received from the applicant are then attached to the CI paper file as a permanent record or forwarded to a foreign Central Authority as appropriate. At this time, the IPCA database is not capable of linking to information directly from an online electronic submission.

An application under the Convention is the formal document that enables the applicant to request a state party's Central Authority's assistance in securing the return of an abducted child or access to that child. Filing the application with the Central Authority is a key step in initiating what is a time-sensitive process.

In accordance with Article 8 of the Convention, DS-3013 requests information from applicants regarding the identities of the applicant, the child or children who are alleged to have been wrongfully removed or retained, and the person with whom the child is alleged to be. In addition, it requests the details surrounding the wrongful removal or retention, as well as the legal justification for return of, or access to, the child.

The U.S. Central Authority will use DS-3013 to facilitate applicants' claims under the Convention, inform applicants about available remedies under the Convention, and facilitate the relevant foreign Central Authority's efforts in locating an abducted child and affecting the return of the child to the United States or access to the child. In accordance with Article 9 of the Convention, the U.S. Central Authority will transmit the application and supporting documents to a foreign Central Authority if it has reason to believe the child is in that country. (The U.S. Central Authority may also be the recipient of information from a foreign Central Authority where such Authority believes an unlawfully removed or retained child is present in the United States.)

DS-3013 is available in electronic form at the following website:
<http://www.state.gov/m/a/dir/forms/c21447.htm>.

4. The collection of information requested in DS-3013 is not duplicative of information maintained elsewhere or otherwise available.
5. The collection of information requested in DS-3013 does not involve small businesses or other small entities.

6. The information gathered through the submission of DS-3013 is essential for the U.S. Central Authority to be able to comply with the Convention. In accordance with Articles 8 and 9 of the Convention and 42 U.S.C. § 11608, the Department needs this information in order to transmit it to the relevant foreign Central Authority. Without such information, the Central Authority of the foreign country where the child is located may find it difficult or impossible to carry out its Convention duties; and the United States would be likewise hindered in fulfilling its own obligations to assist individuals seeking the return of or access to such a child, and to assist foreign Central Authorities in locating children and facilitating their return or access to them.

The information requested in DS-3013 will be collected only one time for each applicant. In this manner, the frequency of collection will be kept at an absolute minimum.

7. No special circumstances exist.
8. The 60-day notice for the current OMB approval for this information collection was published in the Federal Register at 80 FR 55162 on September 14, 2015. The purpose of the Federal Register notice was to solicit comments from the public. No comments were received.
9. No payments or gifts are provided to respondents.
10. No promises of confidentiality are given to respondents.
11. No questions of a sensitive nature are asked.
12. The Department estimates approximately 565 respondents complete the DS-3013 annually. The hour burden of 565 hours is based on an estimate of the 565 respondents taking one hour to complete and send in the application.

The annualized cost to all respondents for this collection of information, based on appropriate wage rate categories, is \$17,661. The annualized cost was determined to be an average hourly wage of \$22.33 based on BLS tables of average mean hourly civilian earnings. \$22.33/hr. was multiplied by 1.4 to get a weighted hourly wage of \$31.26/hr. \$31.26/hr. was then multiplied by 565 burden hours. The final cost burden equals \$17,662.

13. All 565 respondents that complete the DS-3013 submit the form by mail to the Office of Children's Issues. The total average cost for courier delivery of the DS-3013 is \$30. The overall delivery cost burden was computed by multiplying 565 respondents by \$30, which equals \$16,950.

14. The average annual cost to the federal government related to this service is based on the time required for Civil Service personnel in the Office of Children's Issues to process the form. The Office of Children's Issues believes this takes approximately 60 minutes. Recurring costs from the Bureau of Budget and Planning's New Position Cost Model (NPCM), are the basis for calculating the cost to the federal government for processing the form. The NPCM shows an average hourly cost of a Civil Service officer for the three years including FY 2015, FY 2016, and FY 2017 of \$67.13. With 565 forms used for budget and cost $\$67.13 \times 565 = \$37,928$.

15. The estimated annual number of respondents to this information collection has increased from 300 to 565. The number of respondents varies from year to year depending on the number of citizens in need.

The reason the cost to the respondents increased from \$600 to \$16,950 is because the Office of Children's Issues has noted that all respondents submit the form via courier.

The cost to the government numbers have decreased because the method for determining the cost to the government estimations has changed since the last iteration. The current method conforms with recurring costs in the Bureau of Budget and Planning's New Position Cost Model and the Bureau of Consular Affairs Office of the Comptroller's Cost of Service Model.

Below are the changes we made to the DS-3013 form itself:

- The language was changed in the Authorities section of the Privacy Act Statement to say: The information solicited on this form is requested under the authority of the International Child Abduction Remedies Act, Public Law 100-300, codified at 22 U.S.C. 9001 et. seq.

16. This collection of information will not be published for statistical purposes.

17. The Department will display the OMB expiration date.

18. No exceptions are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.