



Re: Special Immigrant Visa Supervisor Locator
OMB Control Number: 1405–0144
Form: DS-158
Docket Number: DOS–2018–0033

September 11, 2018

The International Refugee Assistance Project (IRAP) at the Urban Justice Center, a nonprofit refugee legal advocacy organization, welcomes the opportunity to provide recommendations on Form DS-158, a form which is poorly designed, collects irrelevant information, and omits the most essential information required to locate a supervisor—namely, the identity of the supervisor.

The International Refugee Assistance Project

The International Refugee Assistance Project (IRAP) organizes law students and lawyers to represent refugees and displaced persons who are fleeing persecution. Mobilizing direct legal aid and systemic policy advocacy, IRAP serves the world’s most persecuted individuals and empowers the next generation of human rights leaders.

The Request for Comment

The DS-158 form is used to locate DOD supervisors, and, according to the Request for Comment, the form is “limited to that necessary to locate the supervisor through DoD and Veteran's Affairs. . .” The Department of State requests comments to

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

IRAP writes to note that much of the information collected on the form is not “necessary for the proper functions” of the Department; suggests alternatives to “enhance the quality, utility, and clarity of the information” on the form, including collecting information related to the supervisor; and “minimize the reporting burden” by suggesting deletions of the irrelevant information.

IRAP's Recommendations to the Department of State on the DS-158 form

IRAP writes with three recommendations to improve this form.

First, the form is most notable, and most obviously concerning, in what it does *not* ask for: the name, military unit, and other identifying information of the supervisor. Without providing applicants with an opportunity to provide the information of the individual they are trying to locate, the supervisor locator form is highly unlikely to be successful. **Fields relating to the supervisor's name, title, military unit, and other identifying information should be added to the form.** This is essential to enhancing the quality and utility of the information to be collected.

Second, the Form requests unnecessary information that does not assist DOD or the Department of Veterans; Affairs in finding the supervisor, but instead serves to discourage applicants from using the form. The DS-158 requires information for the applicant's phone number as well as information about the applicant's spouse, parents, and siblings—information that is obviously irrelevant to finding the applicant's supervisor.

Even more concerningly, the form requires the applicant to provide information for two contacts in the applicant's country. Most SIV applicants go to great lengths to conceal their work, location, and identity, and applicants may not have two contacts who they are willing to list. In IRAP's experience providing legal representation to hundreds of Afghan SIV applicants, this question dissuades many applicants from completing the form. **The questions requesting information about the applicant's family members and contacts in the applicant's country should be deleted in their entirety.**

The current fields about the applicants' phone number, family members, and points of contact in their country are not necessary for the proper function of the Department, are not useful to the Department, and impose unnecessary burdens on applicants.

Third, the format and title of the form demonstrate that it was designed for a purpose other than its current use. For example, the form is entitled "Contact Information and Work History for Nonimmigrant Visa Applicant," even the the application is actually used for an *immigrant visa* applicant. **The form should be retitled to reflect the form's current use, "Special Immigrant Visa Supervisor Locator."** This is important to improve the clarity of the form and the information to be collected in the form.

In summary, the form should ask for the name and dates of service of the applicant, the name and military unit of the supervisor, and provide an opportunity for the applicant to provide other identifying information, including a key anecdote, fact, or attachments such as photographs that

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might assist a supervisor in remembering the applicant. By not asking for information relating to the supervisor, the form can only fall short of its potential, and these questions should be added. By asking for significant information beyond the necessary information, the form imposes an unnecessary burden on applicants that is unnecessary to the Department's function, and this information should be deleted.

We would be pleased to discuss any of our recommendations further with your office should you have any additional questions or comments.

Thank you for your time and consideration.

Sincerely,



Betsy Fisher
Policy Director
International Refugee Assistance Project
40 Rector St., 9th. Floor
New York, NY 10006
bfisher@refugeerights.org

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