

SUPPORTING STATEMENT
Registration for Classification as a Refugee
OMB Control No.: 1615-0068
COLLECTION INSTRUMENT: I-590

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Section 207 of the Immigration and Nationality Act (Act) provides for the admission of refugees into the United States. Procedures for admission of refugees into the United States are contained in 8 CFR 207.2(a). A refugee is defined in 8 U.S.C. 1101(a)(42) and Section 101(a)(42) of the Act.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Form I-590 is the primary document in all refugee case files and becomes part of the applicant's A-file. It is the application form by which a person seeks refugee classification and resettlement in the United States. It documents an applicant's legal testimony (under oath) as to his or her identity and claim to refugee status, as well as other pertinent information including marital status, number of children, military service, organizational memberships, and violations of law.

In addition to being the application form submitted by a person seeking refugee classification, Form I-590 is used to document that an applicant was interviewed by United States Citizenship and Immigration Services (USCIS) and record the decision by the USCIS Officer to approve or deny the applicant for classification as a refugee. Regardless of age, each person included in the case must have his or her own Form I-590. Refugees applying to CBP for admission must have a stamped I-590 in their travel packet in order to gain admission as a refugee. They do not have refugee status until they are admitted by CBP.

In addition, a person who has requested refugee classification and resettlement in the United States and who has been notified by USCIS that their request has been or will be denied may submit a Request for Review (RFRs) to USCIS. USCIS has no standardized form for submitting an RFR for a denied refugee application. They are typically submitted as a free-form letter, average one page in length, and are accompanied by evidence intended to rebut the reason for the denial.

Many RFRs include evidence from the applicant to demonstrate that they are entitled to refugee status as accompanying relatives or derivatives of a principal refugee. An applicant for refugee classification and resettlement will be denied if the principal refugee failed to demonstrate by a preponderance of the evidence that a claimed derivative has the required relationship to the principal. USCIS may require Blood Group Antigen testing or Human Leukocyte Antigen (HLA) blood testing, to establish a biological parent-child relationship. See INA §207(c)(2)(A); 8 C.F.R. §207.7(a). While USCIS does not have authority to require DNA testing, USCIS will also accept voluntary submission of a reputable DNA test that supports the claimed relationships where testimony and other evidence have been found to be insufficient.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The Department of State is responsible for determining who has access to the U.S. Refugee Admissions Program (USRAP). Representatives from Resettlement Support Centers (RSCs), who are Department of State contractors serving overseas, help persons with access to the USRAP complete Form I-590. The completed form is presented to a USCIS officer who reviews the form while interviewing the applicant to determine eligibility for classification as a refugee. Otherwise, the process does not lend itself to automation because the respondent must present the document in person for verification purposes.

USCIS is making an effort to upgrade all forms to full automation through its Business Transformation process, and will review Form I-590 to determine if any parts of it are amenable to electronic submission. The form cannot be fully automated as required by the Government Paperwork Elimination Act. The basis for this is that a refugee cannot simply download and apply for refugee status. They need UNHCR (P-1) or a group referral (P-2), which is established each year by the president in consultation with Congress. The title of the I-590 does not include the word "application." A refugee cannot apply without a ticket to the interview (a referral). Nonetheless, USCIS requests a three-year approval under the Paperwork Reduction Act.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information required to process the application for refugee status is not duplicated by any other USCIS collections.

As stated above, each person included on the case must have his or her own I-590 form, regardless of age. Although individuals may derive refugee status from their close family

members, applications for refugee status must be on an individual basis, and one application cannot include the information for family members. This may require that identical descriptive information be collected for multiple family members who are applying simultaneously for refugee status. As mentioned above, applicants tentatively approved for refugee status overseas must apply to CBP for admission; at the time of inspection, they must have a stamped I-590 in their travel packet in order to gain admission as a refugee. Each derivative applicant on a case must independently qualify for admission based on their relationship to the principal applicant. Past instances of relationship-based fraud have made it necessary to obtain a sworn statement from each person on the case so that remedial action may be taken against the appropriate individual if fraud is discovered later. Additionally, each person on the case must independently establish his or her admissibility to the United States, and thus each individual must provide individual information concerning admissibility under 212(a) of the Act. Finally, because the Form I-590 also serves to document the decision to approve or deny the applicant, separate forms are necessary since each member of the case may not receive the same decision.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

There is no impact to businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Section 101(a)(42) of the Act defines a refugee as a person who has suffered past persecution or has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Form I-590 requests the information necessary to determine if an applicant's refugee claim is legitimate. If the information on the Form is not collected, DHS will not be able to identify refugees eligible for admission to the United States pursuant to section 207 of the Act.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

- 8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

On September 11, 2020 USCIS published Collection and Use of Biometrics by U.S. Citizenship and Immigration Services (RIN 1615-AC14) Notice of Proposed Rulemaking in the Federal Register at 85 FR 56338.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.**

Information provided on the I-590 is not disclosed to the authorities in the country the

applicant fled. Agency policy requires that refugee-related information remain confidential to the same extent as required of asylum-related information under 8 C.F.R. 208.6, which allows an applicant to waive confidentiality requirements. The form includes a release of information consent to facilitate the sharing of information with UNHCR, other U.S. Government agencies, and other resettlement countries. Signing the consent section is not required.

PIAs:

- DHS/USCIS/PIA-068 Refugee Case Processing and Security Vetting.

SORNS:

- DHS/USCIS-017 Refugee Case Processing and Security Screening Information System of Records, October 19, 2016, 81 FR 72075;
- STATE-59 Refugee Case Records, February 6, 2012, 77 FR 5865;
- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, November 21, 2013, 78 FR 36950; and
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950.

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person's from whom the information is requested, and any steps to be taken to obtain their consent.**

The Form I-590 documents an applicant's legal testimony (under oath). Each person on a refugee case must have their own I-590 form, regardless of age. Form I-590 includes questions related to: an applicant's identity; an applicant's refugee claim; an applicant's immigration status in third countries (potential firm resettlement); and an applicant's admissibility to the United States. In addition, Refugee Officers must also determine whether an applicant ever assisted or participated in the persecution of others.

In order to assist USCIS Officers making these complex determinations, Form I-590 includes several questions of a sensitive nature. Sensitive questions are asked to determine: whether an individual might be inadmissible to the United States due to illegal, unlawful, political, terroristic, or moral reasons. These questions are required by statute as follows:

INA 212(a)(3)(A) – (F), Security Grounds for Unlawful Activity, Control or Overthrow of the U.S. Government, Terrorist grounds, Adverse Foreign Policy Consequence, Communist or Totalitarian Affiliation;

INA 212 (a)(2)(A)(i)(I) – Conviction or Commission of a Crime Involving Moral Turpitude (CIMT);

INA 212(a)(2)(A)(i)(II), (B), or (C) – Controlled Substance Violations, Multiple Criminal Convictions, or Controlled Substance Traffickers

Obtaining information concerning an applicant’s substantive refugee claim also requires a number of sensitive questions. By statute, such claims must be based on past persecution or a fear of future persecution on account of the applicant’s race, religion, nationality, membership in a particular social group, or political opinion. Thus, it is necessary to obtain information concerning an applicant’s political, religious, and ethnic affiliations and to inquire into an applicant’s past harm which is sometimes of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Individuals or households	I-590 / Registration for Classification as a Refugee	50,000	1	50,000	3.25	162,500	\$35.54	\$5,775,250
Individuals or households	Request for Review	1,500	1	1,500	1	1,500	\$35.54	\$53,310
Individuals	DNA	100	1	100	2	200	\$35.54	\$7,108

or households	evidence			0				
Individuals or households	Biometric Processing	51,600	1	51,600	0.33	17,028	\$35.54	\$605,175
				103,200		181,228		\$6,440,843

* The above Average Hourly Wage Rate is the [May 2018 Bureau of Labor Statistics](#) average wage for All Occupations of \$24.98 times the wage rate benefit multiplier of 1.47 (to account for benefits provided) equaling \$36.72. The selection of “All Occupations” was chosen because respondents to this collection could be expected from any occupation.

** DNA evidence is received with a small number of RFRs. The burden for applicants to obtain and provide results of Blood Group Antigen testing or Human Leukocyte Antigen (HLA) blood testing to establish a biological parent-child relationship is contained in the 3 hours and 20 minutes estimated total average burden per response for the completion of the Form I-590 and the required supporting evidence.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information**

collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.

For informational purposes, there are no fees associated with this collection of information. Registrants travel to Resettlement Support Centers (RSCs), which are under Department of State contracts, for both pre-screening interviews and USCIS interviews. RSCs inform registrants when they are scheduled for interviews. The distance a registrant travels for an interview depends on whether they live in a refugee camp or a city.

If applicants are unable to establish a claimed family relationship, USCIS may request Blood Group Antigen testing or, if that is inconclusive, Human Leukocyte Antigen (HLA) blood testing, to prove a required biological parent-child relationship. USCIS will also accept DNA test results that are provided voluntarily. Regardless of the option selected to demonstrate eligibility, the cost of such testing is paid by the individuals seeking refugee classification. The estimated cost for Blood Group Antigen testing is number of estimated respondents (100) times the estimated cost per respondent (\$120), totaling \$12,000.

There is an \$85 biometric services processing fee associate with this information collection.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

The estimated cost to the Government is \$10,578,000. This figure is calculated by multiplying the estimated number of respondents 51,600 x [3.00 hours (time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits) + \$85 biometric service fee].

- 15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
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I-590				162,500	162,500	0
Request for Review				1,500	1,500	0
DNA evidence				200	200	0
Biometric Processing				17,028	17,028	0
Total(s)				181,228	181,228	0

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USCIS will display the expiration date for OMB approval of this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

USCIS does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.