

**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 (22 U.S.C. § 9006(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) 22 U.S.C. § 9008, 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” 22 U.S.C. § 9008(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, the U.S. Central Authority includes the paper form in an informational package it distributes 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 the U.S. Central Authority. The U.S. Central Authority 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 U.S. Central Authority 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 the processing of applicants' claims under the Convention and facilitate the relevant foreign central authority's efforts in locating an abducted child and effecting 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:

<https://eforms.state.gov/Forms/ds3013.PDF>.

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 22 U.S.C. § 9008, 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 Department published a 60-day notice in the *Federal Register* on October 13, 2022. No comments were received. The Department is publishing a 30-day notice for public comment.
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 332 respondents will complete the DS-3013 annually, and that each response will take one hour, yielding an hour burden of 332 hours.

The annualized cost to all respondents for the hour burden for collections of information, based on appropriate wage rate categories, is \$13,017.72. The annualized hour cost to respondents for the collection of information, based on appropriate wage rate categories, using mean hourly wage for all occupations reported by the U.S. Bureau of Labor Statistics for 2021, is \$28.01. \$28.01/hr. was multiplied by 1.4 to get a weighted hourly wage of \$39.21/hr. \$39.21/hr. was then multiplied by 332 burden hours. The final calculation equals \$13,017.72.

13. All 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 332 respondents by \$30, which equals \$9960.

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 for FY 2018, FY 2019, and FY 2020 is \$67.13 per hour. With 565 forms used for budget and cost, the grand total is $\$67.13 \times 565 = \$37,928$.
15. The estimated annual number of respondents to this information collection has stayed the same.

Below are the following changes made to the DS-3013 information collection:

In the Privacy Act Statement the following changes need to be made:

- In the “Purpose” section, remove the words “inform applicants about available legal remedies” and the commas before and after this statement.

In the Paperwork Reduction Act Statement the following changes need to be made:

- Replace “CA/OCS/L” with “CA/OCS/CI” ; replace “10th Floor” with “9th Floor”.

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.