

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Affidavit of Relationship for Minors who are Nationals of El Salvador, Guatemala, or Honduras

**OMB Number 1405-0217
DS-7699**

A. JUSTIFICATION

1. The Department of State's (hereafter "the Department") 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, as well as with the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS), in carrying out this responsibility. A critical part of the 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" as to 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.

In September 2021, PRM and USCIS restarted an expanded "in-country" program known as the Central American Minors (CAM) program to provide a means for certain persons in the United States (qualifying parents or qualifying legal guardians, hereafter "qualifying individuals") to claim a relationship with children in Honduras, El Salvador, and Guatemala and to assist the Department in determining whether those children are qualified to seek access to the USRAP for family reunification purposes. Department-funded domestic Resettlement Agency (RA) representatives, who assist persons with this form, are knowledgeable about who is eligible to file the form. This form also assists USCIS to verify parent-child relationships during refugee case adjudication. The main purpose of the DS-7699 is for the qualifying individuals to provide biographical information about children overseas who may subsequently seek access to the USRAP for verification by the U.S. government.

In April 2023, PRM and USCIS announced the intention to further expand access to a broader number of potential applicants pursuant to approval of an updated DS-7699.

The first step to requesting access for a child to USRAP consideration will be for a qualifying individual to file an Affidavit of Relationship (AOR), DS-7699 for qualifying family members in Honduras, El Salvador, and Guatemala. Qualifying individuals

are parents or legal guardians who are lawful permanent residents or who currently fall into one of the following 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
- Applicant for Asylum with a pending I-589 filed by April 11, 2023
- Applicant for U visa with a pending I-918 filed by April 11, 2023
- Applicant for T visa with a pending I-914 filed by April 11, 2023

Qualifying individuals must be at least 18 years of age and may file an AOR for sons and/or daughters under the age of 21 who are nationals of El Salvador, Guatemala, and Honduras, and their qualified “add-ons” as defined in the AOR. These include siblings of the sons and daughters over the age of 21 regardless of marital status, the in-country biological parent of the qualified child regardless of marital status, and caregivers of a qualified child who are also related to the U.S.-based lawfully present parent or child.

Information listed in the AOR is essential to determining qualification for access to the USRAP. The AOR also informs a qualifying parent that DNA evidence of all claimed biological parent-child relationships between the qualifying parent and unmarried children under the age of 21 will be required as a condition of access to the program.

DHS is responsible for determining who is eligible for admission to the United States as a refugee. Section 207(c)(1) of the INA, 8 U.S.C. section 1157(c)(1), authorizes the DHS Secretary 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), 8 U.S.C. section 1101(a)(42), is not firmly resettled in any foreign country, and is otherwise admissible as an immigrant. DHS 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 an RA, qualifying individuals in the United States must complete the AOR and submit supporting documentation to: a) establish that they meet the requirements for being a qualifying individual who currently falls into one of the aforementioned categories; b) provide a list of qualifying family members who may seek access to refugee resettlement in the United States. Once completed, the AOR is sent by the RA 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 individual falls into one of the aforementioned categories; and by the Resettlement Support Center (RSC) for case prescreening and further processing after DHS interview. The International Organization for Migration (IOM) administers the RSC in Latin America under a Memorandum of

Understanding with the Department to conduct case prescreening and assist in the processing of refugee applicants.

After receiving the DS-7699 from the RPC, the RSC will conduct an initial prescreening interview. Once the RSC has conducted initial prescreening of the overseas case, it will contact the qualifying individual through the RA with instructions on arranging for DNA relationship testing to verify all claimed biological parent-child relationships between the qualifying parent and biological children. 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 START, the case management system for the USRAP, 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 will not retain the DNA sample.

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

3. PRM maintains cooperative agreements with ten RAs. These RAs have a network of nearly 300 affiliate offices throughout the United States. The collection of this information currently involves the limited use of electronic techniques. Qualifying individuals in the United States will work closely with an affiliate office of an RA during the completion of the AOR to ensure that the information is accurate. Qualifying individuals may visit any RA affiliate to complete an AOR. Qualifying individuals who have limited English proficiency will often benefit from having a face-to-face meeting with RA 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 by the RA to the RPC for inclusion into START with the signed paper copy remaining with the RA.
4. There is no duplication of information collection efforts.
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 individuals 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. The Department previously published the information collection notice in the Federal Register on June 29, 2023 at 88 FRN 42129, allowing for a 60-day public comment period. The Department received one consolidated public comment in connection with the 60-day notice. The commenters suggested edits to the form related to preserved eligibility from the date the enhancement was announced to the date of the published revised AOR. Upon consideration of the comment and consultation with USCIS, no updates will be made to the revised AOR form as the determination of eligibility for the qualifying parent or legal guardian and qualifying child happens at the time of the filing of the revised AOR. The commenters also recommended adding additional fields to indicate language preferences and the desire to expedite a case. It is noted that additional information can already be provided in comment boxes on the AOR. Once the case is granted access to USRAP there already exists a mechanism to expedite processing so it would be duplicative to include this on the AOR before access to the program is granted.
9. There are no payments or gifts to respondents.
10. 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 3,000. The annual hour burden is estimated to be 2,000 hours, based on 60 minutes per form x 3,000. The annual hour burden was determined after consultation with the RAs, which have many years of experience collecting this type of information. The hour cost burden for this collection is based on estimated wage of \$30.00 x 3,000 respondents x 1 hour = \$90,000.00.
13. There is no monetary burden for the respondent.
13. RPC staff estimates devoting 60 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 \$132,000.00. The cost of payment for applicants for DNA testing is based on the assumption that 3,000 will initiate testing for an average of two children. At an average testing cost of \$600.00 for 3,000 applicants, the total cost for DNA testing is 1,800,000.00. Therefore, the total cost incurred by the government is: \$1,800,000 + \$90,000 = \$1,890,000.00.
14. There are three categories of individuals eligible to file a DS-7699 for sons and daughters under the age of 21, and qualified “add-ons” as defined in the AOR. They include 1) legal guardians 2) individuals with a pending I-589 application for asylum and withholding of removal as of May 15, 2021 and 3) individuals with a pending U visa

application as of May 15, 2021 who have sons and/or daughters under the age of 21 who are nationals of El Salvador, Guatemala, and Honduras. Qualified “add-ons” as defined in the AOR include siblings of the sons and daughters over the age of 21 regardless of marital status, the in-country biological parent of the qualified child regardless of marital status, and caregivers of a qualified child who are also related to the U.S.-based lawfully present parent or child.

15. The Department will not publish the results of this collection.
16. The Department will display the expiration date for OMB approval of the information collection.
17. There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.