



**STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Economic Services Administration
Office of Refugee and Immigrant Assistance
1700 East Cherry Street
Seattle, Washington 98122-466**

October 27, 2020

Administration for Children and Families
Office of Planning, Research and Evaluation
Via Email: infocollection@acf.hhs.gov

Attn: ACF Reports Clearance Officer

RE: OMB No.: 0970-0034, ORR-3 and ORR-4, Report Forms for the Unaccompanied Refugee Minors Program

Dear ACF Reports Clearance Officer:

On behalf of the State of Washington, the Department of Social and Health Services' Office of Refugee & Immigrant Assistance ("ORIA") submits this official response to the proposed changes for the ORR-3 and ORR-4 report forms as referenced in the *Federal Register* (the "Notice"), published on September 3, 2020, Vol. 85, No. 172, pages 55015-55016.

Background

The ORR-3 and ORR-4 reports gather background information on the demographics, placement, legal status, and functioning of youth in the Unaccompanied Refugee Minors (URM) Program. Proposed changes to these reports will primarily improve clarity on data collection and outcome reporting. The current ORR-3 and ORR-4 forms are collected annually (or more often as needed, in the case of the ORR-3) and expire on 01/31/2021.

Quality, Utility and Clarity of Information to be Collected

The ORR-3 and the ORR-4 forms both collect demographic information on the URM caseload. In addition to name and date of birth, 'Sex' is asked in the ORR-3, Section II Question #1, and in the ORR-4, Section II Question #2. The answer options for this question are limited to 'Female' or 'Male.' Increasing numbers of youth in the URM program identify as transgender, non-binary or non-conforming, and often times the youth's gender identity may be the basis of their refugee or asylum claim. A number of youth in the URM program have fled severe persecution, violence, and family rejection based on their gender identity. The answer choices as currently proposed do not allow the URM provider to answer accurately.

Washington State's Department of Licensing allows individuals to identify as Male, Female, or X on their state identification cards. This change was made to allow a non-binary option for individuals not identifying as either male or female. In November 2020, the Department of Social and Health Services' Community Services Division will begin documenting in its systems individuals that identify as non-binary or non-gender conforming. The current binary options of female and male do not reflect the gender diversity represented within the URM program.

On a separate topic, Section I of the ORR-3 outlines the actions that would trigger a required ORR-3 report. One of these categories is “Became a Parent.” Section II, Question #9 asks for a list of ‘URM’s Children in Care.’ The instructions for this section do not adequately account for situations when the URM is a parent to a child/children who are not currently under the URM’s care. When URM caseworkers have in these instances listed the children in Section II Question #9, ORR has at times denied the report because the children do not reside in care with the URM, even though the question does not specify whether it applies only to children in the URM’s care or any children.

Recommendations

Washington State recommends broadening the ORR-3 and ORR-4 questions in order to be more inclusive and affirming of the gender identities of youth served in the program, particularly those fleeing persecution based on their gender identity. ORR should consider expanding the questions on Sex (Female or Male) by asking for the youth’s self-described gender (answered through either a fill-in-the blank answer, or a broad array of multiple choice answer options).

ORR should provide greater clarity in reporting and in instruction regarding information to be collected on youth who parent children, but do not reside together with those children.

Washington State welcomes further discussion around ORR-3 and ORR-4 reporting so that the data collected can be accurate as well as affirming of the diversity of youth in the program.

Sincerely yours,



Sarah Peterson, MSW

Washington State Refugee Coordinator

DSHS Office of Refugee & Immigrant Assistance