

## THE SUPPORTING STATEMENT

### A. Justification

#### 1. Circumstances Making the Collection of Information Necessary

The Trafficking Victims Protection Act of 2000 (TVPA), as amended, authorizes the Secretary of Health and Human Services (Secretary) to expand benefits and services to victims of severe forms of trafficking in persons in the United States. Such benefits and services may include services to assist potential victims of trafficking in achieving certification (Section 107(b)(1)(B) of the TVPA, 22 U.S.C. § 7105(b)(1)(B)). It also authorizes the President, acting through the Secretary and the heads of other Federal departments, to establish and carry out programs to increase public awareness, particularly among potential victims of trafficking, of the dangers of trafficking and the protections that are available for victims of trafficking (Section 106(b) of the TVPA, 22 U.S.C. § 7104(b)).

Congress has appropriated funding annually to the Refugee Assistance program in the HHS Administration for Children and Families (ACF) for the purpose of implementing Section 107(b) of the TVPA. In 2004 the HHS Secretary delegated authority to carry out public awareness activities to the Assistant Secretary for Children and Families who in 2008 further delegated the authority to the Director of the Office of Refugee Resettlement (ORR).

The intent of the Rescue & Restore Victims of Human Trafficking campaign, launched in 2004, is to increase the identification of trafficking victims in the United States and to help those victims receive the benefits and services they need to restore their lives. The purpose of the Rescue & Restore Victims of Trafficking Regional Program (Rescue & Restore Program) is to increase the identification and protection of foreign victims of human trafficking in the United States and to promote local capacity to prevent human trafficking and protect human trafficking victims. The Rescue & Restore Program also seeks to remove barriers to prevention and protection specific to foreign human trafficking victims who live in the United States.

The Rescue & Restore Program has the following objectives:

- 1) To identify foreign victims of trafficking and refer them to service delivery systems.
- 2) To build local capacity by providing training and technical assistance on human trafficking to local organizations not involved in a local coalition.
- 3) To lead or actively participate in a community-led effort to bring together and leverage local resources to address human trafficking in a region, such as a Rescue & Restore Coalition or law enforcement task force ("coalition").

- 4) To promote the public's awareness of human trafficking by educating the public about the dangers of human trafficking, possible indicators of sex and labor trafficking, and the protections available to victims.

ACF proposes to require grantees to input numbers for each numeric indicator into a spreadsheet during the 36-month project period.

The primary purpose of this information collection is to assess the performance of the Rescue & Restore Regional Program grants individually, and to assess the effectiveness of the strategies embodied in the program. Each measure in the project objectives chart is tied to a performance indicator included in the funding opportunity announcement, which is in turn tied to one of the four goals of the program.

The information collected in the victim identification chart supports two ORR objectives. The first is measuring grantees' performance through the verification of their referral of victims for services and those persons' subsequent receipt of immigration status and ORR certification. The second is to fulfill a provision in the TVPA of 2000, as amended, which requires the Attorney General to submit annually "a report on Federal agencies that are implementing any provision of this chapter;" that is, the Trafficking Victims Protection Act (22 USC Chapter 78). The Office of Refugee Resettlement annually submits information on activities it undertakes under Sections 106(b) and 107(b) of the TVPA. Information specifically required includes the number, age, gender, country of origin, and citizenship status of victims identified in each fiscal year.

In addition to the Attorney General's *Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons*, since 2010 the U.S. Department of State has been reporting annually on the performance and activities of the United States of America in combatting human trafficking and protecting victims, and the information received from ORR anti-trafficking grantees is usually included in that report. These reports, in turn, may help inform strategies and policies to prevent trafficking in persons and to identify and protect victims.

## 2. Purpose and Use of the Information Collection

ACF will use the information in the following ways:

- a) to assist the Program Office, ORR, to measure each grant project's performance progress and the success of the program,
- b) to assist the individual grantees to assess and improve their projects over the course of the project period, and
- c) to provide information to Congress, other federal agencies, the public, and other countries and international bodies on the aggregate outputs and outcomes of the grants.

3. Use of Improved Information Technology and Burden Reduction

ACF will encourage the electronic collection and submission of information compiled. The instrument used will be an Excel spreadsheet that will allow grantees to be able to sort information collected, both for self-monitoring and program improvement purposes and for quarterly Program Performance Reports to ACF. The use of Excel will also allow ACF to merge and sort data from all grantees in an efficient way and minimize errors in reporting. Grantees will submit reports electronically by email or through GrantSolutions.

4. Efforts to Identify Duplication and Use of Similar Information

ACF ORR is the only agency to collect this information, so there is no similar information and no duplication.

5. Impact on Small Businesses or Other Small Entities

Not applicable.

6. Consequences of Collecting the Information Less Frequently

The use of this form will provide a useful tool to grantees to report information directly linked to grant performance in an ordered and concise way that can also support ongoing program improvements. The information collection will also reduce the time it would otherwise take U.S. Government staff to compile and report on data for multiple reports and in response to various ad hoc requests within the U.S. Government. The consequence of not using the collection will be the inconsistent reporting of data by numerous grantees that may well result in inaccurate aggregate reporting on grantee activities. Without an instrument such as this collection, even an individual grantee's performance may be difficult for ACF to assess. At a minimum, it would require more time by the ORR Project Officer to sift through information provided by other means to determine how and whether the grantee is achieving its stated objectives as detailed in the project timeline. It is standard practice for the ORR Anti-Trafficking in Persons Program to request Program Performance Reports quarterly.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances relating to the Guidelines of 5 CFR 1320.5.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

The 60-day Federal Register notice was published April 7, 2014 with page number Notices 19089, Vol. 79, No. 66.

The 30-day Federal Register notice was published November 12, 2014 with page number 67169 Volume 79, No. 218.

During the 60-day comment period, one person submitted a comment on April 7, 2014 in response to the notice. The comment called for better enforcement at the border, improvement at the State Department, and for the U.S. Government to return traffickers and their victims to their own countries immediately. The commenter said he or she did not support any budget for this program and made numerous unfavorable comments about the proposed beneficiaries of the program and the current Administration. The commenter did not mention the cost or hour burden.

While this specific information collection instrument is new, the program it would support is not and there have been numerous discussions since approximately 2008 between the ORR Anti-Trafficking in Persons (ATIP) Program and individual grantees about the purpose and use of the information that grantees are required to report to ACF on their activities under the grants and information about the persons reached. Grantees understand the importance and potential policy impact of informing ORR ATIP, Congress, and others of the results of their work to identify and refer victims of human trafficking and to raise public awareness about this crime. ORR ATIP notified numerous parties interested in trafficking data collection, including many prior grantees, of the opportunity to review and comment on the proposed information collection, and also notified all new grant awardees of this opportunity when ACF finalized the 18 awards.

In addition, the ORR ATIP Project Office held conference calls with the affected grantees on November 21 and November 24, 2014 to discuss the chart and to receive their comments and answer their questions. As a result of those comments, ACF has modified its original draft of the chart to address grantees' concerns. For example, rather than requiring both the initials and data of birth of the identified victim of trafficking, the chart now only requires the date of birth to reduce greatly the possibility that the information might lead to the identification of the person with if shared with parties outside ORR. ACF has also eliminated columns asking grantees to identify the trafficking topic and public awareness purpose under the Public Awareness section. These areas are better discussed in the narratives that comprise the Performance Progress Reports (SF-PPRs).

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

#### 10. Assurance of Confidentiality Provided to Respondents

Respondents will report on participants reached through program activities, but no personally identifying information will be part of the information collection. Respondents will use a unique identifier for their own purposes in tracking progress related to individual participants identified as potential trafficking victims and referred for assistance.

#### 11. Justification for Sensitive Questions

While the report will contain information on persons identified as victims of sex or labor trafficking, or both, the collection will not include personally identifying information, and will not contain more than broad categories regarding the trafficking, such as the industry involved in the case of labor trafficking, or the venue in the case of sex trafficking. This information will allow the agency to inform current and future grantees of sectors where victims of trafficking are more likely to be identified, and allow them to better focus their work in these areas. The information will be collected in the course of identifying and/or referring participants for assistance, and agencies will follow their own policies on obtaining consent from their clients.

#### 12. Estimates of Annualized Burden Hours and Costs

ACF ORR awarded 18 Rescue & Restore Victims of Human Trafficking Regional Program grants in fiscal year 2014. Each of these grantees constitutes one respondent, and each respondent submits an updated report each quarter (every three months) during the three-year project period. The information on the spreadsheet is cumulative; respondents will update and submit the chart as part of their quarterly Program Performance Reports to ACF ORR. ACF ORR estimates that updating the report will require four hours by each respondent each quarter. It is our expectation that grantees will update the chart as a regular part of their activities, perhaps on a daily or ad hoc basis as a case progress or an activity is completed rather than gathering information and updating the spreadsheet at one time.

All 18 grantees are expected to meet all four main objectives of the award and so we do not expect the hour burden on respondents to vary widely. The cost to the respondent for hour burdens for collection of information is included in the grant expenses.

Respondents: Rescue & Restore Victims of Human Trafficking Regional Program grantees

## ANNUAL BURDEN ESTIMATES

Instrument	Number of Respondents	Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
	18	4	4	288

Estimated Total Annual Burden Hours: 288

### 13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no direct monetary costs to respondents other than their time to complete the form.

### 14. Annualized Cost to the Federal Government

Grantee PPRs are reviewed by salaried staff who assess program performance as a regular part of their work. ACF anticipates that the use of the collection will decrease rather than increase the hour burden for those activities by grant Project Officers. Documents will be received, viewed, and stored electronically.

### 15. Explanation for Program Changes or Adjustments

Not applicable.

### 16. Plans for Tabulation and Publication and Project Time Schedule

The collection will begin upon OMB approval of the collection and continue through the final report on the grantees, which grantees will submit within 90 days of the end of the three-year project period, which should be no later than October 31, 2017. Most results will only be published in the aggregate in the previously mentioned federal reports and other ad hoc requests from within the Administration. Some results may also be discussed in the narrative part of the quarterly PPRs and used as illustrations of specific

activities undertaken by grantees. As an example, see pages 96-97 of the FY 2011 Attorney General's [Report](#) to Congress.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.

**B. Statistical Methods (used for collection of information employing statistical methods)**

ACF ORR will not employ statistical methods because these are not applicable to the collection, which gathers information from 18 grant awardees.

1. Respondent Universe and Sampling Methods

Not applicable.

2. Procedures for the Collection of Information

ACF will provide grantees electronically the template for the collection, which they will use to record information and update at least quarterly.

3. Methods to Maximize Response Rates and Deal with Nonresponse

Not applicable.

4. Test of Procedures or Methods to be Undertaken

Not applicable.

5. Individuals Consulted on Statistical Aspects and Individuals Collecting and/or Analyzing Data

Not applicable.