

THE SUPPORTING STATEMENT

Specific Instructions

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 (HHS) to expand benefits and services to foreign nationals in the United States who are victims of severe forms of trafficking in persons. Such benefits and services may include services to assist potential victims of trafficking.

Section 107(b)(1)(B)(i) of the TVPA (22 U.S.C. § 7105(b)(1)(B)(i)) authorizes the Secretary of HHS to expand non-entitlement benefits and services to victims of severe forms of trafficking in persons in the United States and their family members with derivative T visas. It further states that such benefits and services “may include services to assist potential victims of trafficking in achieving certification and to assist minor dependent children of victims of severe forms of trafficking in persons or potential victims of trafficking.”

Acting under a delegation of authority from the Secretary of HHS, the Administration for Children and Families (ACF) intends to award cooperative agreements in fiscal year 2015 to approximately three organizations that will ensure national coverage. The awarded organization must provide comprehensive case management and referrals to qualified persons, either directly through its own organization or by partnering with other organizations through contracts or both.

Persons qualified for services under this grant are victims of a severe form of trafficking in persons who have received certification from HHS, as defined by the TVPA; potential victims of a severe form of trafficking who are actively seeking to achieve HHS certification; family members with derivative T visas, and minor dependent children of foreign victims of severe forms of trafficking in persons or potential victims of trafficking.

ACF proposes to collect information from Trafficking Victim Assistance Program (TVAP) grant project participants through the grantees on a monthly, quarterly, or annual basis, including participant demographics (age, sex, and country of origin), type of trafficking experienced (sex, labor, or both), immigration status during participation, types of health screening and medical services received, the names of the entities providing medical services, and the amount of money expended on each type of medical service provided.

ACF collects information to provide to Congress in an annual report on U.S. Government activities to combat trafficking that is prepared by the U.S. Department of Justice.

Congress requires HHS and other appropriate Federal agencies to report, at a minimum, information on the number of persons who received benefits or other services under subsections (b) and (f) of section 7105 of Title 22 of the U.S. Code, the TVPA, in connection with programs or activities funded or administered by HHS. Moreover, the House Appropriations Committee directed the Department of Health and Human Services to provide an annual consolidated report to several House committees that must include specific information regarding the types of services provided or referred and the names of the entities providing such medical services, as well as the amount of money expended on each type of medical service provided.

See **Attachment A** for legislative authority for the activities that are the basis of the information collection. See **Attachment B** for House Appropriations Committee Report instructions.

2. Purpose and Use of the Information Collection

ACF will use the information collected in the following ways:

- a) 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.

Another purpose of this information collection is to fulfill a provision in the TVPA of 2000, as amended, that 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). ACF 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 ACF trafficking program grantees is usually included in that report. Both of these reports, in turn, may help inform strategies and policies to prevent trafficking in persons and to identify and protect victims.

3. Use of Improved Information Technology and Burden Reduction

The TVAP grantees will collect the information and report it to ACF. ACF will encourage the electronic collection and submission of information compiled, including the use of 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

The data to be collected relates to the ACF grants to implement the Trafficking Victim Assistance Program. Participants assisted by these grants will not concurrently be assisted by another federal program. ACF is the only agency to collect this information, so there is no duplication.

5. Impact on Small Businesses or Other Small Entities

Not applicable.

6. Consequences of Collecting the Information Less Frequently

The information collected will enable grantees to report information directly linked to grant performance in a 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 grant impact and grantee activities.

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.

TVAP grantees will report information on participants in the aggregate and will not include personally identifiable information.

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

The 60-day Federal Register notice was published May 26, 2015 with page number Notices 30076, Vol. 80, No. 100. **Attachment C** is a copy of the published notice.

The 30-day Federal Register notice was published 8/4/2015 with page number 46285 Volume 80.

During the 60-day comment period, one person submitted a comment on June 6, 2015 in response to the notice. The comment stated opposition to the entire program and to expansion of facilities for illegal immigrants. The commenter said he or she did not support any budget for this program. The commenter did not mention the cost of the information collection or hour burden other than to oppose all funding for any aspect of this program.

While this specific information collection instrument is new, the program it would support is not. Current and past grantees have provided ACF demographic on program participants in the aggregate, which has allowed ACF to further aggregate the information for the purpose of the Attorney General's annual report. Here is an excerpt from the most recently published Attorney General's report:

During FY 2012, a total of 762 individual clients received case management services through all three grants, an increase of five percent from those served by the per-capita contract in the previous year. This number included 252 clients who received services before certification (pre-certified), 225 clients who received services after certification, and 172 family members (spouse, children, or other dependents) who received services. Included in the overall number are 113 clients who received services both before and after certification.

During FY 2012, 86 percent of all clients served by all grantees were adults and 14 percent were children, while 62 percent of clients were female and 38 percent were male.

In addition, the ACF Office of Refugee Resettlement annually reports information and results from the Trafficking Victim Assistance Program. Here are excerpts from the FY 2013 Annual Report to Congress:

During FY 2013, the three [TVAP] grantees have sub-award agreements with 138 agencies with the capacity to serve in 271 locations (service sites). Of those with sub-award agreements, 82 served clients in 79 cities in 32 states.

During FY 2013, a total of 915 individual clients¹ received case management services through all three grants, an increase of 20 percent from those served by the per capita grants in the previous year. This number included 207 clients who received services before certification (pre-certified), 282 clients who received services after certification, and 303 family members (spouse, children, or other

dependents) who received services. Included in the overall number are 123 clients who received services both before and after certification. Refer to Table I-23: Individual Clients Who Received Case Management Services via Per Capita Grants in FY 2013 below.

Table I-23: Individual Clients Who Received Case Management Services via Per Capita Grants in FY 2013

TYPE OF SERVICES	NUMBER OF CLIENTS
Prior to certification (pre-certified)	207
Post-certification	282
Pre- and post-certification	123
Family derivative	303

During FY 2013, 80 percent of all clients served under the contract were adults and 20 percent were children, while 63 percent of the clients were female and 37 percent were male. Of the clients who were victims of trafficking, approximately 67 percent were subjected to labor trafficking, 25 percent to sex trafficking, and 8 percent to both sex and labor trafficking. Refer to Table I-24: Breakdown of All Victims Served under the Per Capita Grants in FY 2013 below.

Table I-24: Breakdown of All Victims Served Under Per Capita Grants in FY 2013

TYPE OF VICTIM	NUMBER (PERCENT)
Labor Trafficking	408 (67 percent)
Sex Trafficking	155 (25 percent)
Sex and Labor Trafficking	49 (8 percent)

The demographic information of program participants that ACF proposes to collect in the aggregate from TVAP grantees is very similar to the information currently reported and to which grantees to date have posed no objections or concerns. The only addition that is not part of the instructions received from the House Appropriations Committee is for the length of time for a pre-certified victim to obtain one of two forms of temporary immigration status during program participation.

In general, trafficking program grantees understand the importance and potential policy impact of informing ACF, Congress, and others of the results of their work to assist foreign victims of human trafficking to achieve HHS certification and enroll in needed public benefit programs.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

Respondents are participants working with case managers who will abide by confidentiality agreements established by the grantee organization for which they work. The grantees will aggregate the information collected and report the information on participants reached through program activities in this way to ACF. No personally identifiable information will go beyond the grantee to which the participant may report it.

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 assisting participants, and agencies will follow their own policies on obtaining consent from their clients.

ACF currently has no intention to use the information requested by the House Appropriations Committee other than to fulfill the Committee's instructions.

12. Estimates of Annualized Burden Hours and Costs

Based on past performance of the Trafficking Victim Assistance Program grants, ACF estimates that the grants to be awarded in FY 2015 will collectively assist approximately 1250 participants in each fiscal. Each of these participants constitutes one respondent who will provide this information to their case manager during the course of the participant's receipt of TVAP assistance, which may be as long as 12 months. There will not be any cost to the respondent for hour burdens for collection of information, which is included in the grant expenses.

Respondents: Individual participants in Trafficking Victim Assistance Program projects

ANNUAL BURDEN ESTIMATES

Instrument	Number of	Number of	Average Burden	Total Burden
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	Respondents	Responses per Respondent	Hours per Response	Hours
Request for Information	1250	1	.25	312.5

Estimated Total Annual Burden Hours: 312.5

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

There are no direct monetary costs to respondents.

14. Annualized Cost to the Federal Government

Grant Performance Progress Reports (SF-PPRs) are reviewed by salaried staff who assess program performance as a regular part of their work. ACF anticipates that the review of the additional information reported by the grantees will not substantially increase the hour burden for those activities by the grant Project Officer. 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

Most results will only appear in the aggregate in the previously mentioned federal reports and other ad hoc requests from within the Administration. As an example, see pages 96-97 of the FY 2011 Attorney General's Report to Congress.

Some results may also be discussed in the narrative part of the quarterly PPRs and used as illustrations of specific activities undertaken by grantees.

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

TVAP grantees will establish their own procedures for the collection of the information.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.

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

ACF will not employ statistical methods because these are not applicable to the collection, which gathers information through approximately three grant recipients.

1. Respondent Universe and Sampling Methods

Not applicable.

2. Procedures for the Collection of Information

TVAP grantees will establish their own procedures for the collection of the information.

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.

