

Attachments – Information Collection ORR 0970-0043

Relevant Authorizing Legislation

Immigration and Nationality Act (INA): ACT 412 - AUTHORIZATION FOR PROGRAMS FOR DOMESTIC RESETTLEMENT OF AND ASSISTANCE TO REFUGEES Sec. 412. [8 U.S.C. 1522]

(a) Conditions and Considerations.-

(3) In the provision of domestic assistance under this section, the Director shall make a periodic assessment, based on refugee population and other relevant factors, of the relative needs of refugees for assistance and services under this chapter and the resources available to meet such needs. The Director shall compile and maintain data on secondary migration of refugees within the United States and, by State of residence and nationality, on the proportion of refugees receiving cash or medical assistance described in subsection (e).

In allocating resources, the Director shall avoid duplication of services and provide for maximum coordination between agencies providing related services.

(c) Project Grants and Contracts for Services for Refugees.-

(1) (B) The funds available for a fiscal year for grants and contracts under subparagraph (A) shall be allocated among the States based on the total number of refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and who are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year.

First Federal Register Notice

[Federal Register: October 6, 2008 (Volume 73, Number 194)]

[Notices]

[Page 58245-58246]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr06oc08-82]

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Refugee State-of-Origin Report (Form ORR-11).

OMB No.: 0970-0043.

Description: The information collection of the ORR-11 (Refugee

State-of-Origin Report) is designed to satisfy the statutory requirements of the Immigration and Nationality Act. Section 412(a)(3) of the Act requires the Office of Refugee Resettlement to compile and maintain data on the secondary migration of refugees within the United States after arrival. In order to meet this legislative requirement, ORR requires each State to submit an annual count of the number of refugees who were initially resettled in another State. The State does this by counting the number of refugees with social security numbers indicating residence in another State at the time of arrival in the United States. (The first three digits of the social security number indicate the State of residence of the applicant.) Data submitted by the States are compiled and analyzed by the ORR statistician, who then prepares a summary report, which is included in ORRs Annual Report to Congress. The primary use of the data is to quantify and analyze the refugee secondary services formula allocation.

Respondents: State, local and tribal government.

[[Page 58246]]

Annual Burden Estimates

Instrument	Number of respondents	Number of responses/ respondent	Average burden hours per response	Total burden hours
ORR-11 State-of-Origin Report.....	50	1	4.33	216.65

Estimated Total Annual Burden Hours: 216.65.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Administration, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. E-mail address: infocollection@acf.hhs.gov. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: October 1, 2008.
 Janean Chambers,

Reports Clearance Officer.
[FR Doc. E8-23499 Filed 10-3-08; 8:45 am]
BILLING CODE 4184-01-P

Draft Revised Privacy Act System of Records Notice for Refugee Arrivals Data System

Refugee Arrivals Data System (RADS) of Records Notice
Version 1.6
February 25, 2009

System Number: to be assigned later

System Name:

Refugee Arrivals Data System (RADS)

System Location:

Office of Refugee Resettlement, Administration for Children and Families (ACF), U.S. Department of Health and Human Services, 370 L'Enfant Promenade, SW, Washington, DC 20060. A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of Individuals Covered By the System:

- Persons who are paroled as a refugee or asylee under 8 U.S.C. § 1182(d)(5) [section 212(d)(5) of the Immigration and Nationality Act (INA)].
- Persons admitted as a refugee under 8 U.S.C. 1157 (section 207 of INA).
- Persons granted asylum under 8 U.S.C. 1158 (section 208 of INA).
- Cuban and Haitian entrants, in accordance with requirements in 8 U.S.C. 1522 (note) and 45 CFR part 401.
- Certain Amerasians from Vietnam who are admitted to the U.S. as immigrants pursuant to 8 U.S.C. § 1101 note (Amerasian Immigration).
- Iraqi or Afghan Special Immigrant Visa-holders admitted under the Consolidated Appropriations Act of 2008 (Public Law 110-161, Division G, Title V, Section 525) or the National Defense Authorization Act for FY 2008 (Public Law 110-181, Division A, Title XII, Section 1244).
- Certified victims of a severe form of human trafficking as defined under 22 U.S.C. § 7102(13) (Trafficking Victims Protection Act of 2000).
- Persons admitted for permanent residence, provided the individual previously held one of the statuses identified above.

Categories of Records in the System:

The records contain personal information on individuals covered by the system, including: Alien Number, Full Name, Birth Date Arrival Date or Date of Grant of Asylum, Immigration Status

(Refugee, Asylee, etc), Marital Status, Age, Gender, Ethnicity (for populations other than Asylees), Full Address (City, State, Zip Code), County, Birth Country, Citizenship Country, Country of Origin, English Ability, Occupational Skills, Health Status, Administrative Data (e.g., voluntary resettlement agency).

Authority for Maintenance of the System:

8 U.S.C. 1521 et seq.

Purpose(s):

To generate data to allocate funds for Formula Social Services and Targeted Assistance grants according to statutory formulas established under 8 U.S.C. §§ 1522(c)(1)(B) & (c)(2)(B); extract samples for the Annual Survey of Refugees, which collects information on the economic adjustment of refugees; and support other budget and grant requirements and data requests from within and outside ORR. This system of records does not collect new information but consolidates information on eligible populations obtained from other agencies. Some individuals whose records are in this system are not citizens of the United States or aliens lawfully admitted for permanent residence who have formal rights under the Privacy Act of 1974. However, the Department may, in its discretion, allow those whose records are maintained in this system to exercise some or all of the rights granted under the Privacy Act of 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These routine uses specify circumstances, in addition to those provided by statute in the Privacy Act of 1974, under which ACF may release information from this system of records without the consent of the data subject. Each proposed disclosure of information under these routine uses will be evaluated to ensure that the disclosure is legally permissible, including but not limited to ensuring that the purpose of the disclosure is compatible with the purpose for which the information was collected.

1. Disclosure for Law Enforcement Purpose

Information may be disclosed to the appropriate Federal, State, local, tribal, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, if the information is relevant to a violation or potential violation of civil or criminal law or regulation within the jurisdiction of the receiving entity.

2. Disclosure for Private Relief Legislation

Information may be disclosed to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A 19.

3. Disclosure to Congressional Office

Information may be disclosed to a congressional office from the record of an individual in response to a written inquiry from the congressional office made at the request of the individual.

4. Disclosure to Department of Justice

Information may be disclosed to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the Agency is authorized to appear, when:

1. The Agency, or any component thereof; or
2. Any employee of the Agency in his or her official capacity; or
3. Any employee of the Agency in his or her individual capacity where the Department of Justice or the Agency has agreed to represent the employee; or
4. The United States, if the Agency determines that litigation is likely to affect the Agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Agency is deemed by the Agency to be relevant and necessary to the litigation provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

5. Disclosure to the National Archives

Information may be disclosed to the National Archives and Records Administration in records management inspections.

6. Disclosure to Contractor

Information may be disclosed to a contractor performing or working on a contract for the Agency and who has a need to have access to the information in the performance of its duties or activities for the Agency.

7. Disclosure for Administrative Claim, Complaint, and Appeal

Information may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other person properly engaged in investigation or settlement of an administrative grievance, complaint, claim, or appeal filed by an employee, but only to the extent that the information is relevant and necessary to the proceeding. Agencies that may obtain information under this routine use include, but are not limited to, the Office of Personnel Management, Office of Special Counsel, Merit Systems

Protection Board, Federal Labor Relations Authority, Equal Employment Opportunity Commission, and Office of Government Ethics.

8. Disclosure in Connection with Litigation

Information may be disclosed in connection with litigation or settlement discussions regarding claims by or against the Agency, including public filing with a court, to the extent that disclosure of the information is relevant and necessary to the litigation or discussions and except where court orders are otherwise required under section (b)(11) of the Privacy Act of 1974, 5 U.S.C. 552a(b)(11).

9. Disclosure Incident to Requesting Information

Information may be disclosed (to the extent necessary to identify the individual, inform the source of the purpose of the request, and to identify the type of information requested), to any source from which additional information is requested when necessary to obtain information relevant to an agency decision concerning benefits.

10. Disclosure to Federal Agencies for Hearings

Information from this system of records may be disclosed to federal agencies in connection with hearings and other activities that determine the immigration or citizenship status of data subjects.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in a computer database operated by a contractor.

Retrievability: Records can be retrieved by "A" (alien) number or by name, date of birth, or date of entry.

Safeguards: Safeguards conform to the HHS Information Security Program, <http://www.hhs.gov/ocio/securityprivacy/index.html>.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:

Division Director, Division of Budget Policy and Data Analysis, Office of Refugee Resettlement, Administration for Children and Families (ACF), U.S. Department of Health and Human Services, 370 L'Enfant Promenade, SW, Washington, DC 20060.

Notification procedure:

Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the System Manager. The request should include the name, telephone number and/or email address, Alien Number, and address of the individual, and the request must be signed. Verification of identity as described in the Department's Privacy Act regulations may be required. 45 CFR 5b.5. The requestor's letter must also provide sufficient particulars to enable ACF to distinguish between records on subject individuals with the same name.

Record access procedures:

Individuals seeking access to a record about themselves in this system of records should address written inquiries to the System Manager. The request should include the name, telephone number and/or email address, Alien Number, and address of the individual, and should be signed. Verification of identity as described in the Department's Privacy Act regulations may be required. 45 CFR 5b.5. The requestor's letter must also provide sufficient particulars to enable ACF to distinguish between records on subject individuals with the same name.

Contesting record procedures:

Individuals seeking to amend a record about themselves in this system of records should address the request for amendment to the System Manager. The request should 1) include the name, telephone number and/or email address, Alien Number, and address of the individual, and should be signed; 2) provide the name or other information about the project that the individual believes contains his or her records; 3) identify the information that the individual believes is not accurate, relevant, timely, or complete; 4) indicate what corrective action is sought; and 5) include supporting justification or documentation for the requested amendment. Verification of identity as described in the Department's Privacy Act regulations may be required. 45 CFR 5b.5.

Record source categories:

Record subjects, Department grantees, and social service agencies. Refugee arrival data from the Department of State's Worldwide Refugee Arrivals Processing System (WRAPS); legacy refugee arrival data from the Department of State's Refugee Data Center; Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services (USCIS) asylum corps grant data and I-730 asylee derivative data with some data elements provided by Customs and Border Protection; DHS/Customs and Border Protection (CBP) data regarding Cubans and Haitians entering the U.S. at land borders or Ports of Entry other than Miami, FL, as well as Iraqi and Afghan Special Immigrants (starting in FY 2008); the Department of Justice (DOJ) Executive Office of Immigration Review (EOIR) asylum grant data; the United States Conference of Catholic Bishops (USCCB) and Church World Services in Miami, FL data for Cuban and Haitian entrants and Havana parolees (including data on Cuban Medical Parolees) entering the U.S. through the Port of Miami; the I-643 form (OMB No. 1615-0070), completed by refugees and asylees, Cuban and Haitian entrants, and Amerasians and submitted to USCIS or ORR when filing an application for adjustment of status.

Exemptions claimed for the system: None