

THE SUPPORTING STATEMENT

Specific Instructions

A. Justification

1. Circumstances Making the Collection of Information Necessary

The information collection, Refugee Data Submission System for Formula Funds Allocations, (ORR-5) satisfies the statutory requirements of the Immigration and Nationality Act (INA). Section 412(a)(3) of the Act requires the Director of the Office of Refugee Resettlement (ORR) to make a periodic assessment, based on refugee populations and other relevant factors, of the relative needs of refugees for assistance and services and the resources available to meet those needs. This includes compiling and maintaining data on the secondary migration of refugees within the United States after arrival. Further, INA 412(c)(1) (B) states that formula funds shall be allocated based on the total number of refugees, taking into account secondary migration.

In order to meet the statutory requirements, ORR requires each state to submit disaggregated individual records containing certain data elements for eligible refugee populations. ORR uses the data from this information collection to measure secondary migration for the purposes of formula funds allocation to states. The submission of individual records via the Refugee Data Submission System for Formula Funds Allocations website is a reliable and secure process for collecting data for the purposes of tracking secondary migration and allocating formula funds. Data submitted by the States via the secure website are compiled and analyzed by the ORR data contractor for the purpose of refugee formula funds allocation. The contractor also prepares a summary report, which is included in ORR's Annual Report to Congress.

ORR is requesting OMB to grant emergency processing of an expanded collection of information for the continued use of the Refugee Data Submission for Formula Funds Allocations (ORR-5). ORR asks for this expanded information collection for two reasons. First, by statute, ORR must submit to Congress each year a report profiling refugees who have been dependent on welfare and describing the extent to which refugees received medical assistance and screening, social services and cash assistance. See 8 U.S.C. § 1523(a) and (b). Specifically, the INA requires:

. . . an updated profile of the employment and labor force statistics for refugees who have entered the United States within the five-fiscal year period immediately preceding the fiscal year within which the report is to be made and for refugees who entered earlier and ***who have shown themselves to be significantly and disproportionately dependent on welfare*** as well as a ***description of the extent to which refugees received the forms of assistance or services under the chapter during that period.*** . . . 8 U.S.C. § 1523(b)(1)(emphasis added).

The statute requires ORR to provide an accounting of refugees dependent on welfare in its Annual Report to Congress. It also requires information about the “extent” to which refugees received assistance, including medical, social services and cash assistance. In order to determine the length and the extent of refugee use of all these services, ORR must know the enrollment and exit date for each of these services. Moreover, exit date from services goes directly to an end of dependence on welfare and entry into the employment and labor force, also required by the statute. ORR cannot determine the extent of refugee use of its services and assistance without knowing the enrollment and exit dates for these critical services.

The INA also requires:

. . . ***evaluations of the extent to which (A) the services provided under this***

chapter are assisting refugees in achieving economic self-sufficiency, achieving ability in English, and achieving employment commensurate with their skills and abilities . . . 8 U.S.C. § 1523(b)(5)(emphasis added)

Again, to determine “extent,” ORR must know the enrollment and exit date for the use of medical, cash and social services assistance. Exit from assistance programs also signifies achievement in economic self-sufficiency, another benchmark in the ORR assessment of refugee use of assistance programs.

2. Purpose and Use of the Information Collection

This information collection, which allows States to submit individual records on eligible refugee populations via the Refugee Data Submission System for Formula Funds Allocations website, is a reliable and secure process for collecting data for the purposes of tracking secondary migration and allocating formula funds. Data submitted by the States via the secure website are compiled and analyzed by the ORR data contractor for the purpose of refugee secondary services formula funds allocation, per a formula described at INA 412(c)(1)(B).

This information collection will allow ORR to fully comply with its statutory obligations under the INA to report annually on the extent of refugee assistance and services. *See* 8 U.S.C. 1523 and 1524. ORR cannot determine the full extent of the use of services without enrollment and exit dates for assistance programs.

3. Use of Improved Information Technology and Burden Reduction

This information collection utilizes improved information technology. The data submission website allows States to upload data files and gives ORR the ability to provide verification to States of receipt of the data, perform front-end editing to reject invalid data immediately after receipt with explanation of reasons for rejection and allow States to resubmit corrected files. This process ensures that States’ final data submissions are complete and correctly formatted to maximize probability of accurate data matching and formula allocations. Because the system maximizes accuracy, it reduces burden on respondents. Further, the website itself is secure, and ORR issues usernames and passwords to only two users per State.

4. Efforts to Identify Duplication and Use of Similar Information

No similar data are available from other sources. Though ORR receives data from many sources on refugee populations present in the U.S., there are no available data that track secondary migration of refugees from the state of initial resettlement. ORR must collect data on these individuals, as well as other populations whose data may be incomplete in our system, directly from grantees.

5. Impact on Small Businesses or Other Small Entities

None.

6. Consequences of Collecting the Information Less Frequently

If information is not collected on an annual basis, ORR will be unable to meet the requirements under INA Secs. 412(a)(3) and (c)(1)(B) to distribute formula funds to assist refugees in obtaining the skills that are necessary for rapid self-sufficiency and to include information in the Annual Report to Congress on secondary information.

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

The Refugee Arrivals Data System, to which data submitted through this information collection is added, is a Privacy Act System of Records.

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

Department of Health and Human Services
Administration for Children and Families
Proposed Information Collection Activity; Comment Request

Proposed Projects:
Title: Revised ORR-5
OMB No.: 0970-0043

Pgs. 31064-31065/ Vol. 82, No. 127 / Wednesday, July 5, 2017

- A. Comment: Many of the new data requirements on the revised ORR-5 form are for federally funded programs not administered or funded by ORR and therefore should not be collected.

ORR's response: ORR intends on modifying the expanded match data collection tool to only request data on the following ORR provided benefits and services: Cash Assistance, Medical Assistance, Health Screening, and Refugee Social Services.

- B. Comment: The burden estimate of 22 hours per respondent is not an accurate representation of the public burden on the states.

ORR's response: No Action.

- C. Comment: The submission date does not provide sufficient time to collect and submit data.

ORR's response: No Action.

- D. Comment: The data fields requested must be clarified and further defined for accurate data submissions.

ORR's response: FY2018 State Match Instructions will be sent to each state clearly defining each data field on the ORR-5 form.

- E. Comment: The proposed collection of information is not necessary for the proper performance of the functions of the agency, does not have practical utility, and will not meet the goals stated in the August 2, 2017 DCL, including: ensuring that all arriving populations are accurately counted when ORR funding is allocated for formula or reimbursement grants;

provide a mechanism to track the continuum of services; or calculate the length of time that benefits and services are provided to ORR-eligible populations.

ORR's response: The information collection, Refugee Data Submission System for Formula Funds Allocations, (ORR-5) satisfies the statutory requirements of the Immigration and Nationality Act (INA). Section 412(a)(3) of the Act requires the Director of the Office of Refugee Resettlement (ORR) to make a periodic assessment, based on refugee populations and other relevant factors, of the relative needs of refugees for assistance and services and the resources available to meet those needs. This includes compiling and maintaining data on the secondary migration of refugees within the United States after arrival. Further, INA 412(c)(1) (B) states that formula funds shall be allocated based on the total number of refugees, taking into account secondary migration. Moreover, this particular request will allow ORR to determine the "extent" of the use of refugee assistance and services and to improve programming in the future based on specific outcome data.

- F. Comment: Consent and legal agreements should be in place prior to the release of Personally Identifiable Information (PII).

ORR's response: ORR intends on modifying the expanded match data collection tool to only request data on the following ORR provided benefits and services: Cash Assistance, Medical Assistance, Health Screening, and Refugee Social Services.

- G. Comment: Consent and legal agreements should be in place prior to the release of Protected Health Information (PHI).

ORR's response: ORR intends on modifying the expanded match data collection tool to only request data on the following ORR provided benefits and services: Cash Assistance, Medical Assistance, Health Screening, and Refugee Social Services.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

The Refugee Arrivals Data System, to which data submitted through this information collection is added, is a Privacy Act System of Records.

11. Justification for Sensitive Questions

Not applicable.

12. Estimates of Annualized Burden Hours and Costs

INSTRUMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	AVERAGE BURDEN HOURS PER RESPONSE	TOTAL BURDEN HOURS
Secondary Migrant File for Formula Funds Allocations	50	1	22	1,100
TOTAL				1,100

Annual Hour Burden is estimated based on ORR's understanding of the data collection methodologies utilized by States to meet this information collection requirement. It is an average, since some States will have a larger burden based on type and number of individuals served, number of grantees, and strategy for gathering data. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers.

No annual marginal cost burden associated with information collection (only costs are associated with the use of existing resources, e.g. staff, PCs, etc.).

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

None.

14. Annualized Cost to the Federal Government

No additional annual cost to Federal Government as a result of this information collection; cost of website submission system development and maintenance is included in existing Refugee Arrivals Data System contract.

15. Explanation for Program Changes or Adjustments

For the FY2018 expanded state matching process, ORR is requesting that states provide dates of service for Medical Screening, Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), and the Social Services Formula Program that were provided to all eligible ORR populations: Refugees, Asylees, Cuban/Haitian Entrants, Special Immigrant Visas (SIVs), and Victims of Trafficking (VOT) during FY2017. The collection of service dates will allow for ORR populations to be counted more consistently and will facilitate a more accurate budget formulation process and allocation estimates for formula and reimbursement grants. The additional data will also provide a tracking mechanism of the continuum of care for those that we serve and assist with the ability to respond to shifting arrival patterns. This information collection will also allow ORR to fulfill its statutory obligation to submit an Annual Report to Congress, including refugee use of welfare and the extent to which refugees use all forms of assistance provided by ORR, including medical, cash and social services assistance.

16. Plans for Tabulation and Publication and Project Time Schedule

Data submitted by the States via the secure website are compiled and analyzed by the ORR data contractor for the purpose of formula funds allocation. The results of the analysis are tabulated and published as part of the Final Notices of Refugee Social Services and Targeted Assistance Formula Allocations. Data submission via the website is slated to be complete by February of each year, with data analysis complete by April and publication of the final notices by mid-summer.

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

Data submission will be done via a website system, with files directly uploaded to the system. OMB expiration date and disclaimers will be displayed on website home page.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

None.