

**Unaccompanied Refugee Minors Program:
ORR-3 Placement Report and ORR-4 Outcomes Report**

**OMB Information Collection Request
0970 - 0034**

Supporting Statement

Part A - Justification

December 2020

Submitted By:

Office of Refugee Resettlement

Administration for Children and Families

U.S. Department of Health and Human Services

SUPPORTING STATEMENT A – JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

The Refugee Act of 1980, 8 U.S.C. 1522, amended the Immigration and Nationality Act to create a domestic refugee resettlement program that provides assistance and services to refugees resettling in the United States. With the enactment of this legislation, the Office of Refugee Resettlement (ORR) issued a series of regulations at 45 CFR Part 400 to establish comprehensive requirements for a State-administered refugee resettlement program including child welfare services to unaccompanied refugee minors (URMs). Originally, the program provided services for refugee youth arriving from overseas unaccompanied by a parent or adult relative. Over the years Congress passed laws making other special populations already in the United States eligible for the URM program.

The URM program currently operates in 14 States and the District of Columbia and provides the same range of child welfare benefits and services available to other foster children in those States and the District as well as services required by ORR regulation. URM benefits and services are provided in accordance with State Title IV-B and IV-E child and family service plans, Federal and State regulations, and ORR policy guidance. Participants in the URM program are placed with licensed providers by the State or local government agencies based on the provider's licensed capacity and the minor's specific needs.

The Director of ORR is required by the Refugee Act of 1980 to prepare and maintain a list of unaccompanied children who have entered the United States; the names and last known residence of their parents (if living) at the time of arrival; and the children's location, status, and progress. Additionally, the Act requires ORR to submit a report to the Congress each year which summarizes the location and status of unaccompanied refugee children admitted to the United States. ORR regulations at 45 CFR 400.120 describe specific URM program reporting requirements (ORR-3 and ORR-4 Reports) prescribed by the Director. This information collection request is to extend approval for the ORR-3 and ORR-4 Report Forms with revisions to improve clarity, secure outcome-based data, increase compliance with reporting requirements, and reduce burden.

2. Purpose and Use of the Information Collection

The information on the ORR-3 and ORR-4 Report Forms enables ORR to meet its statutory obligation to maintain a national, central registry of all unaccompanied refugee minors which could thereby assist parents and other relatives in locating their child relatives anywhere in the United States for purposes of family reunification. Additionally, ORR reports annually to Congress the location and status of unaccompanied refugee children and youth served by the URM Program. ORR also uses information collected from the ORR-3 to verify a minor's ongoing eligibility for the URM program, to track placements, changes in a child's immigration status, and legal responsibility establishment. Information gathered through the ORR-4 contributes to ORR's tracking of client progress over time in education attainment, personal

functioning, family reunification activities, and transition to adulthood services and outcomes. Both the ORR-3 and ORR-4 allow for effective program monitoring.

3. Use of Improved Information Technology and Burden Reduction

Currently, the ORR-3 and ORR-4 Report Forms are completed by URM provider agencies and submitted by State grantees via a web-based data collection system, known as the Refugee Arrivals Data System (RADS). The use of this technology has helped:

- Simplify information collection for providers and the review process by states;
- Standardize data entry and increase reporting accuracy;
- Allow information to reach ORR in a timely manner;
- Enable ORR to centrally manage the data collection process;
- Improve ORR's ability to analyze data along several parameters to assess program performance and client outcomes; and
- Enhance quality control.

4. Efforts to Identify Duplication and Use of Similar Information

The ORR-3 and ORR-4 Report Forms are unique to ORR and there is no duplicative data collection on URM youth, except for the transition to adulthood services and outcomes on the ORR-4 Report Form. The Children's Bureau's National Youth in Transition Database (NYTD) collects services and outcome data on current and former domestic foster care youth. While approximately 40% of URMs are in public custody of the state or county, a majority (60%) are in private agency custody and therefore, would not be included in NYTD. Also, NYTD only captures data on a sample of foster youth every other year, so few URM youth would be included in the reporting sample. Therefore, ORR made the decision in 2010 to incorporate ORR-4 baseline and follow-up reports to perform the following two functions: (1) track the independent living services (i.e. transition to adulthood services) provided to youth, and (2) develop outcome measures to mirror the NYTD outcome data collection. However, after 10 years, ORR proposes to remove the ORR-4 baseline report for youth who enter the URM program at 17 years of age, as it was determined unnecessary.

5. Impact on Small Businesses or Other Small Entities

Not applicable.

6. Consequences of Collecting the Information Less Frequently

Current regulations at 45 CFR 400.120 outline the reporting requirements.

The State must submit the ORR-3 Report Form within:

- 30 days of the date of a minor’s placement in the State. This report serves to notify ORR that proper legal arrangements have been made for the minor, that the minor is in care, and that financial claims for the minor’s care will commence.
- 60 days of the date of a change in the minor's placement or legal responsibility of any kind for the minor is established or transferred. This information enables ORR to fulfill its statutory obligation to maintain a record of the minor's location for family reunification purposes, if applicable.
- 60 days of the date of case closure due to emancipation or reunification with a parent or other adult with custody. This information serves to notify ORR that financial support for the case will terminate.

The State must submit the ORR-4 Report Form for each youth annually, beginning approximately 12 months from the date of the initial placement report.

To require either of these reports less frequently would both undermine their purpose and violate legislative and regulatory requirements.

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

No special circumstances are involved. This information collection is consistent with all OMB guidelines specified in 5 CFR 1320.5. The URM database is a part of the RADS and is a Privacy Act System of Records¹.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published notices in the Federal Register announcing the agency’s intention to request an OMB review of this information collection activity. The first Federal Register Notice was published on September 3, 2020, Volume #85, Number 172, page 55015 - 55016, and provided a 60-day period for public comment. During the notice and comment period, ORR received three applicable comments from two commenters, which are noted below.

Comment: Catholic Community Services of Western Washington’s comment related to *Section III: Education* of the ORR-4 Report Form. The commenter stated that “There does not appear to be an appropriate place or consideration for URM youth who are enrolled and attending dual credit programs at the community colleges. So they are working on high school completion programs but enrolled as community college students. Currently those youth are reported as GED program participants which does not appear to accurately reflect their educational level or program. This is an educational option that we are seeing more youth participate in and wonder if there might be some space for these youth in the report.”

¹ The Privacy Act System of Records Notice was initially published in the SSA Privacy Act: Notices of Systems of Records in 1985 (No. 09-60-0216). A system of Records Notice for RADS under 09-80-0325 was published on July 18, 2016.

Response: ORR agrees with this suggestion and modified the ORR-4 Report Form to incorporate dual-credit program as an option under *Alternative to High School* in Section III.

Comment: The Washington State Refugee Coordinator's office recommended an additional category, i.e. X, under the Identifying Data / Sex section of both the ORR-3 and ORR-4 Report Forms. An 'X' category is in consideration of transgender or non-binary youth who may not identify as male or female.

Response: ORR has decided not to adopt the recommendation to collect information on gender identity. ORR is interested in collecting information on sex that is physiologically given at birth and has determined there is not a need for data collection on gender identity at the Federal level. Information about gender identity can be collected as part of the URM provider's case work and can be documented in the case file, if it is relevant to the service plan for the child.

Comment: The Washington State Refugee Coordinator's office recommended greater clarity under ORR-3 Section II. Identifying Data, 9. URM's Children in Care. In relation to this, it was suggested to consider URM's children who are not in care with the URM youth.

Response: ORR does not want to increase the providers' burden for data collection on URM's children but agrees with the recommendation to provide greater clarity on this data element. Therefore, ORR revised the ORR-3 Instructions to exclude dependent children in the ORR-3 Report Form who do not reside with their parents. ORR is most interested in collecting information on the dependent children who are being served by the URM program but are not URM's themselves.

The second Federal Register Notice was published on December 10, 2020, Volume #85, Number 239, page 80113 - 80114, and provided a 30-day period for public comment. During the notice and comment period, OMB received comments from the state of Arizona, which are noted below.

Comment: The Arizona State Refugee Coordinator's office enumerated the need to create new data validation points in the State's database and outlined costs associated with staff time for database development and training.

Response: ORR appreciates the information provided about Arizona's efforts to ensure accuracy in their reporting to ORR. While ORR does not require states to maintain a separate database from RADS for ORR-3 and ORR-4 reporting, states may account for these anticipated costs in their budget estimates to ORR.

Comment: The Arizona State Refugee Coordinator's office requested a minimum of two months to implement the changes in the report forms.

Response: Since ORR expects it will take several months to incorporate the report form changes in RADS, states will have ample time to implement the report form changes into their own databases, if needed.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

The RADS, which now includes the URM database, is a Privacy Act System of Records. The Privacy Act System of Records Notice was initially published in the SSA Privacy Act: Notices of Systems of Records in 1985 (No. 09-60-0216). A system of Records Notice for RADS under 09-80-0325 was published on July 18, 2016.

11. Justification for Sensitive Questions

Not applicable.

12. Estimates of Annualized Burden Hours and Costs

The total annual estimated burden for all respondent types – State Agencies, URM Provider Agencies, and URM Youth Participants is 4,137 hours per year. The following tables provide details for each respondent type.

State Agencies

Information Collection Title	Total Number of Respondents (State Agencies)	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
ORR-3 (Unaccompanied Refugee Minors Placement Report)	15	432	0.25 (15 minutes)	1,620	540	\$41.74	\$22,540
ORR-4 (Unaccompanied Refugee Minors Outcomes Report)	15	282	0.50 (30 minutes)	2,115	705	\$41.74	\$29,427
Estimated Annual Burden Total:					1,245	Estimated Annual Cost Total:	\$51,967

The cost to respondents from State Agencies was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data for government workers from May 2019, which is \$20.87 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$41.74. The estimate of annualized cost to respondents for hour burden is \$41.74 x 1,245 hours or \$51,967. <https://www.bls.gov/oes/current/oes211093.htm>

URM Provider Agencies

Information Collection Title	Total Number of Respondents (URM Provider Agencies)	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
ORR-3 (Unaccompanied Refugee Minors Placement Report)	24	270	0.50 (30 minutes)	3,240	1,080	\$35.62	\$38,470
ORR-4 (Unaccompanied Refugee Minors Outcomes Report)	24	162	1.0 (60 minutes)	3,888	1,296	\$35.62	\$46,164
Estimated Annual Burden Total:					2,376	Estimated Annual Cost Total:	\$84,634

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and mean wage data from May 2019, which is \$17.81 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$35.62. The estimate of annualized cost to respondents for hour burden is \$35.62 x 2,376 hours or \$73,120. <https://www.bls.gov/oes/current/oes211093.htm>

URM Youth

Information Collection Title	Total Number of Respondents (URM Youth)	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
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ORR-4 (Unaccompanied Refugee Minors Outcomes Report)	1032	3	0.50 (30 minutes)	1,548	516	\$7.25	\$3,741
Estimated Annual Burden Total:					516	Estimated Annual Cost Total:	\$3,741

The cost to respondents for URM youth was calculated using the Bureau of Labor Statistics (BLS) minimal wage from May 2019, which is \$7.25 per hour based on the Fair Labor Standards Act. <https://www.bls.gov/oes/current/oes211093.htm>

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

There is no other cost burden associated with this information collection other than the above-mentioned estimated burden and cost in section 12.

14. Annualized Cost to the Federal Government

One contractor staff reviews and approves the collected information; the contractor is comparable to the GS-12 level in the Federal government. The 2020 General Schedule (GS) Locality Pay Table annual rate for a GS-12 is \$86,335. Therefore, the estimate of annualized cost to the Federal Government to review and approve the collected information is \$86,335.

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/DCB.pdf>

15. Explanation for Program Changes or Adjustments

The proposed revisions are based upon comments received from State agency staff, URM provider agencies, and ORR's analysis of reporting trends. The estimated number of respondents was updated based on the average number of respondents over the past three years. Additionally, ORR staff factored in current and projected in-care numbers for URM. Overall, ORR is proposing revisions to improve clarity, secure outcome-based data, and increase compliance with reporting requirements. The proposed changes to the ORR-3 and ORR-4 Report Forms would reduce estimated burden of data collection by 23% for State agencies and URM providers.

16. Plans for Tabulation and Publication and Project Time Schedule

ORR staff review the collected information per the required report submission due dates. Annually ORR reconciles the data in order to report the location and status of unaccompanied refugee children and youth served by the URM Program in its Annual Report to Congress.

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

Not applicable; expiration date will be displayed.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions.

ATTACHMENTS:

ORR-3 Placement Report Form
ORR-4 Outcomes Report Form
ORR-3 Placement Report Form Instructions
ORR-4 Outcomes Report Form Instructions
Summary of Revisions to the ORR-3 Report Form
Summary of Revisions to the ORR-4 Report Form