

Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5)

**OMB Information Collection Request
0970 - 0043**

Supporting Statement Part A - Justification

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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 Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5) is designed to satisfy the statutory requirements of the Immigration and Nationality Act (INA). Section 412(a)(3) of the INA (8 U.S.C. § 1522(a)(3)) requires that the Director of the Office of Refugee Resettlement (ORR) make a periodic assessment of the needs of refugees for assistance and services and the resources available to meet those needs.

Through this current request, ORR proposes:

- 1) an extension with no changes to the current form until January 31, 2022 to ensure continuous information collection for FY 2021;
- 2) revisions to the form for use starting FY 2022. Revisions include collecting additional client-level data elements on the ORR-5 at two points in time, which will allow the ORR Director to better understand client goals, services utilized, and the outcomes achieved by the population ORR serves.

ORR believes the new proposed data points will better meet INA requirements and ensure the relative needs of the populations ORR serves are assessed.

2. Purpose and Use of the Information Collection

In order to satisfy statutory requirements, ORR requires each state and replacement designee (hereinafter referred to as “states”) participating in the program to annually submit disaggregated individual records containing certain data elements for eligible ORR populations. ORR utilizes the data currently collected to assess the number of clients served in each state, resettlement assistance or services clients received, and to determine the corresponding Refugee Support Services (RSS) allocations.

ORR also proposes collecting new data elements to inform evidence-based policy making and program design. New data elements include additional demographics, primary goals identified and referrals made to assist clients work towards self-sufficiency, progress made towards achieving said goals, and employment status of employable clients 12 months post-enrollment. These revisions also enable ORR and states to monitor implementation of the requirements put forth in ORR Policy Letter 19-07, which provides guidance on RSS family self-sufficiency plans. The revisions will allow the ORR Director to better understand client goals, services utilized, and the outcomes achieved by the populations ORR serves. This deeper understanding of a client’s progress in reaching self-sufficiency will better inform programmatic and policy decision making and ultimately improve programs and services for the populations ORR serves. ORR does not currently collect client-level data regarding demographics, individual goals, or referrals to services and the relationship of these data points to program outcomes. ORR intends to use the proposed new information on the ORR-5 to identify trends and gaps in services and will consider expanding targeted programming or engage other federal agencies to address identified gaps.

It is important that ORR and states have a better understanding of client needs and how services are being utilized. To do this, it is important that ORR approach this in a consistent manner across states, as aggregate and non-standardized reporting limits our ability to fully understand the data and

outcomes. Below are examples of questions the expanded data could begin to help ORR address to strengthen data-informed programmatic and policy decision making:

- If and how does gender impact employment status?
- If and how does location relate to employment status or wage?
- Does English proficiency correlate with a higher wage?
- Is ORR-eligibility status (refugee, asylee, entrant, special immigrant visa holder, trafficking victim) associated with different referrals to various services?
- Are some populations in need of additional supports to achieve their goals?
- Are all those in the family unit participating in a self-sufficiency planning?
- Which types of services are most needed?
- Are elderly populations being connected to services?
- Do medical or mental health needs impact employment status?
- Are secondary migrants re-connected to services?

Addressing these questions will also be of benefit to the states as they make administrative decisions on how to prioritize funding and service design.

If the data indicates that families with young children are less likely to become self-sufficient within 12 months of their date of arrival, ORR or the state may expand targeted programming to support access to child care, or engage the ACF Office of Child Care, ACF Office of Early Childhood Development or the ACF Office of Head Start to determine if other federal programming can be leveraged to help improve refugee outcomes. Or, if the ORR-5 data indicates that an increasing number of clients identify addressing health concerns as their initial primary goal and they are unable to resolve the issue or achieve their goal within 12 months of their date of enrollment, ORR or the state may choose to increase or reallocate funding for the Refugee Health Promotion program to further strengthen connections between clients, resettlement agencies, and health care providers.

Currently ORR collects and analyzes information regarding specific program outcomes through other information collection forms, but does not examine the interconnectedness of existing programs and the benefits of co-enrollment. The additional level of detail provided will enable ORR to hone its programming and allocation methodology.

The aggregate level data and anecdotal reports currently collected provide limited insight into the relationships between individual, family and site-specific needs. Individual level data collection enhances ORR and the states' ability to make data-informed programmatic and policy decisions to strengthen services and best support refugee populations on their path to self-sufficiency and integration.

As of February 2021, ORR does not have data sharing agreements with other agencies that require ORR to share any PII collected through ORR-5 and has not received data sharing requests from other agencies on ORR-5 data. Individual information collected will be kept private. ORR currently utilizes the aggregate number of arrivals eligible for ORR refugee benefits and services as reported on the ORR-5 to inform the Annual Report to Congress. ORR will issue a Privacy Act Statement with the legal authority of ORR-5 data collection, purpose, routine uses, and disclosures to states. States will be required to ensure that the Privacy Act Statement is communicated to the individuals from whom they are collecting data.

3. Use of Improved Information Technology and Burden Reduction

This information collection utilizes improved information technology. In the past, states submitted data via email and postal mail. States are now required to submit data through the ORR data collection website system. The data submission website permits states to upload data files and allows ORR to verify receipt of the data, perform front-end verification to immediately reject invalid data with explanations for rejection and enables states to resubmit corrected files. The system will also allow for data correction for some errors on-line after the initial data is loaded. This process ensures that states' final data submissions are complete and correctly formatted to maximize probability of accurate data matching and formula allocations. The system maximizes accuracy, ensures administrative efficiency, and reduces burden on states.

4. Efforts to Identify Duplication and Use of Similar Information

The data proposed to be collected in the ORR-5 has minimal duplication in regard to data collection efforts by other agencies. ORR receives limited demographic and individual level information from the Department of State (DOS) on refugee arrivals, such as nationality. ORR receives demographic individual information such as alien number, full name, date of birth and occasionally, city and state for Cuban/Haitian entrants and asylees from the Department of Homeland Security (DHS). ORR is the recipient of the data as current data sharing agreement stands and ORR does not intend to share personal identifiable information (PII) collected through ORR-5 with other agencies. Unlike DOS or DHS, the ORR-5 collects individual information on all populations served by ORR, including refugees, entrants, asylees, special immigrant visa holders, and victims of trafficking. Additionally, DOS collects outcome information for refugee populations served under the DOS-funded Reception and Placement (R&P) program, however that information is not shared with ORR, and it is limited to the first 90 days of R&P service for refugee arrivals. The proposed ORR-5 intends to collect information beyond demographics, to include service information and outcomes for programs funded by ORR. While there is a slight overlap in terms of individually identifying information, the requested expansion of the ORR-5 collects more specific information on ORR funded-services and outcomes, that is not collected by, or under the purview of, other federal partners.

The proposed ORR-5 information collection was compared with other ORR reports currently utilized to ensure that it is not redundant. ORR believes that similar information currently available cannot be used as a sole resource, nor is it sufficient to meet the statutory requirements described in section 1 above. Data that is currently available can complement, but not replace the full-caseload, cross-programmatic quantitative data received via the ORR-5. A detailed comparison of the proposed ORR-5 with similarly reported information is included in Appendix A (Section I.D.).

5. Impact on Small Businesses or Other Small Entities

ORR does not anticipate any impact on small businesses or other small entities.

6. Consequences of Collecting the Information Less Frequently

The information collection is conducted annually to meet ORR's statutory requirements, as described in the Section 412(a)(3) of the INA (8 U.S.C. § 1522(a)(3)). Information collected in section I of the ORR-5 form will guide resource allocation. If the collection is not conducted or is conducted less

frequently, ORR will be unable to accurately assess the needs of refugees for assistance and services and the utilization and impact of those services. It will also jeopardize ORR's ability to appropriately map and allocate resources to states.

7. Special Circumstances Relating to the Guidelines of 5 C.F.R. § 1320.5

There are no special circumstances relating to the guidelines of 5 C.F.R. § 1320.5.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and the Office of Management and Budget (OMB) regulations at 5 C.F.R. Part 1320 (60 FR 44978, August 29, 1995), the Administration for Children and Families published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on July 8, 2020 (85 FR 41049), and provided a sixty-day period for public comment. During the notice and comment period, 13 sets of public comments were received, two of which were unrelated to improving the administration of this information collection.

In response to public comments raised regarding the burden hours, ORR surveyed nine states in August 2020 to gain a better understanding of the projected hours and costs associated with the ORR-5 revision. Based on the feedback from eight responding states and information provided in the public comments, ORR revised the burden hour estimates and is able to provide more informed estimates on costs. Appendix A summarizes the questions raised by the public, addresses the concerns, and presents a summary of data field changes to the ORR-5. ORR believes that modifications to the data fields and clarifications to the instructions will further address the questions raised and alleviate challenges associated with this information collection.

In addition, ORR has consulted with stakeholders outside of the agency to obtain their views on the proposed information collection. In August 2018, ORR leadership introduced the concept of enhanced case management through the RSS grant during the annual meeting of the State Coordinators of Refugee Resettlement (SCORR) and formed a workgroup to further explore the concept with SCORR representatives. After considerable discussion and research, ORR determined the most appropriate way to strengthen case management was to clarify the requirements of the family self-sufficiency plan (FSSP) and require additional client-level reporting to illustrate client goals and progress toward meeting them. In the spring of 2019, ORR staff consulted with State Refugee Coordinators (SRCs) in multiple states to assess FSSP practices currently in place. ORR collected sample FSSP materials, analyzed them for trends, and identified promising practices. ORR then clarified and issued FSSP requirements in ORR Policy Letter 19-07 in September 2019. ORR determined that expanding the existing ORR-5 was the most appropriate and least burdensome mechanism to monitor implementation of the new requirements.

9. Explanation of Any Payment or Gift to Respondents

No payments or gifts for respondents are proposed for this information collection.

10. Assurance of Confidentiality Provided to Respondents

The ORR-5 collects PII. States are required to submit ORR-5 data through the ORR internet Refugee Arrivals Data System (RADS). RADS is a Privacy Act System of Records (System of Records Number # 09-80-0325, published on July 18, 2016 at 81 FR 46682), and the secure location where ORR-5 data is stored.. ORR will issue a Privacy Act Statement with the legal authority of ORR-5 data collection, purpose, routine uses, and disclosures to states. States will be required to ensure that the Privacy Act Statement is communicated to the individuals from whom they are collecting data. Individual information collected will be kept private.

11. Justification for Sensitive Questions

The ORR-5 collects information about immigration status and receipt of economic assistance from the government. ORR is required to collect information about immigration status in order to determine eligibility for ORR services. Collecting information on clients' assistance received, and clients' needs for assistance and services is required by the INA, section 412(a)(3). Individuals from whom the information is requested will be informed of the purpose and usage of the collected information. Individuals will be assured that the information collected will be kept private.

12. Estimates of Annualized Burden Hours and Costs

Explanation of Burden Estimates

ORR consulted a sample of nine states to inform the burden hour estimate in August 2020. Based on the feedback received from eight respondents and the statements made in the public comments (Appendix A, Section II.B. for details), ORR has revised the burden estimate for both the current and the revised ORR-5 for FY 2021, FY 2022, and FY 2023 (Table 1).

Estimated Annualized Cost to Respondents

The cost to respondents was calculated using the U.S. Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2019,¹ which is \$17.81 per hour. To account for fringe benefits and overhead, the rate was multiplied by two, totaling \$35.62. The estimated cost to respondents per hour is \$35.62, times 6,166 hours, for an annualized cost of \$219,632.

¹ U.S. Bureau of Labor Statistics, *Occupational Employment and Wages, May 2019, 21-1093 Social and Human Service Assistants*, <https://www.bls.gov/oes/current/oes211093.htm> (last visited Oct. 16, 2020).

Table 1: Proposed Burden for ORR-5

| Information Collection Title | Total Number of Respondents | Total Number of Responses Per Respondent | Average Burden Hours Per Response | Total Burden Hours | Annual Burden Hours | Average Hourly Wage | Total Annual Cost |
|--|-----------------------------|--|-----------------------------------|--------------------|---------------------|-------------------------------------|-------------------|
| Refugee Data Submission for Formula Funds Allocations (ORR-5) – Current (through January 31, 2022) | 50 | 1 | 90 | 4,500 | 1,500* | \$35.62 | \$53,430 |
| Refugee Data Submission for Formula Funds Allocations(ORR-5) – Revised (for use starting FY 2022) | 50 | 2 | 140 | 14,000 | 4,635* | \$35.62 | \$165,099 |
| Estimated Annual Burden Total: | | | | | 6,135 | Estimated Annual Cost Total: | \$218,529 |

* Burden is annualized over the full three-year request period, but the current form will be complete within the first year. Therefore, the total cost of \$53,430 will occur in the first year. The proposed new form will be used for the second and third years. Therefore, the total cost of \$165,099 will occur in the second and third years.

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

As mentioned previously, ORR surveyed nine states to determine the costs associated with the ORR-5 revision. Eight states responded with cost estimates in two components, in addition to costs listed in section 12 above: (a) total start-up cost; and b) total operation and maintenance (O&M), and purchase of services component. The estimated total annual cost burden to respondents from FY 2022 to FY 2023 ranges from \$25,780 to \$113,000.

Start-up costs include, among other items, contracted or in-house information system development or modification, testing, deploying, labor time, and contract procurement, ranging from \$3,900 to \$140,000. Therefore, annualized start-up over the expected useful life of the information system or software ranges from \$780 to \$28,000 (assuming an expected useful life of five years).

Operation and maintenance, and purchase of services components resulting from collecting information for the ORR-5 include, among other items, user fees, continual system improvements and adjustments, system updates, hosting and licensing fees, administrative access and design rights, contracted or in-house employee labor time, document storage, and periodic training for staff and service providers, ranging from \$25,000 to \$85,000 annually.

14. Annualized Cost to the Federal Government

Annualized cost to the federal government consists of both federal employee labor and the cost of contractor services throughout the life cycle of the ORR-5 information collection. Table 2 presents a breakdown of cost items for the ORR-5 from FY 2021 to FY 2023. The annualized cost to the federal government is estimated at \$252,568.

An estimated 1,200 hours of GS-13 employee time was utilized in developing the revised ORR-5 form, instructions, and OMB clearance documentation. An estimated 120 hours of GS-13 employee time will be used on annual information collection oversight and support, data review, and data analysis. The average hourly rate of GS-13 employees is \$43.40.² ORR has a firm-fixed-price (FFP) contract with the contractor on various ORR program data collection activities. The cost of contractor services spent on the ORR-5 is based on the percentage of time the contractor works exclusively on ORR-5 activities. The cost of contract service for the revised ORR-5 is estimated to be \$230,000 annually.

Table 2: ORR-5 Cost to the Federal Government (FY 2021, FY 2022, and FY 2023)

| Cost Category | Total Estimated Costs |
|--|------------------------------|
| Employee: revised ORR-5 form and instructions development and OMB clearance (one-time) | \$52,080 |
| Employee: overseeing information collection, data review and analysis | \$15,624 |
| Contractor services: <ul style="list-style-type: none">• IT support;• O&M of the RADS system for the ORR-5;• Data collection, verification, analysis, and reporting. | \$690,000 |
| Total costs over the request period | \$757,704 |
| Annual costs | \$252,568 |

15. Explanation for Program Changes or Adjustments

This request is for additional data collection under OMB #0970-0043 to collect client-level data elements on the ORR-5 at multiple points in time, which will allow the ORR Director and states to better understand client goals, services utilized, and the outcomes achieved by the population ORR serves. New data elements include additional demographics, primary goals identified and referrals made to assist clients work towards self-sufficiency, progress made towards achieving said goals, and employment status of employable refugees 12 months post-enrollment. The data collected will inform evidence-based policy making and program design. These revisions also enable ORR and states to monitor implementation of the requirements put forth in ORR Policy Letter 19-07.

16. Plans for Tabulation and Publication and Project Time Schedule

Data submitted by states via RADS 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 Support Services Formula Allocations. Data submission via the website

² <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/>), accessed on September 29, 2020

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

All instruments will display the expiration date for OMB approval.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions are necessary for this information collection.

Attachments:

2. Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Form (current)
3. Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Instructions (current)
4. Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Form (revised)
5. Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Instructions (revised)
6. Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Instructions Attachment (revised)
7. Appendix A: ORR Response to Public Comments on Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5)