

# **Trafficking Victim Assistance Program (TVAP) Data**

**OMB Information Collection Request  
0970 - 0467**

## **Supporting Statement Part A - Justification**

**October 2023**

Submitted By:  
Office on Trafficking in Persons  
Administration for Children and Families  
U.S. Department of Health and Human Services

## Summary

This request is for nonsubstantive changes to an approved and ongoing data collection under Office of Management and Budget (OMB) Control Number 0970-0467. Current OMB approval of the collection expires on February 28, 2026. Minor updates have been made to performance indicators under this collection in consultation with existing grant recipients to reduce respondent burden and to bring the collection into alignment with new programmatic requirements, which replace training activities for the general public with activities focused on building public awareness<sup>1</sup>. As such, we are requesting to remove the training indicators from this information collection and to make a minor update to the Outreach form. Additionally, based on information about clients served, we are requesting an update to the Client Case Closure form. See sections A8 and A15 for additional details about proposed changes.

### 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. 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), Office on Trafficking in Persons (OTIP) funds time-limited comprehensive case management services to foreign national adult confirmed and potential victims of a severe form of human trafficking, as defined by the TVPA of 2000, as amended, who are seeking or have received HHS certification. The Trafficking Victims Assistance Program (TVAP) must also establish local regional presence to coordinate project activities and direct services. Case management services must be provided to qualified persons directly by full-time case managers that are staffed by the prime recipient and may also be provided through a network of per capita service providers, which provide direct services and community referrals.

This is an existing collection that is necessary to measure grant project performance, provide technical assistance to grant recipients, assess program outcomes, inform program

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<sup>1</sup> OTIP distinguishes between outreach and public awareness. Outreach is direct contact with individuals who may have experienced labor and/or sex trafficking or populations who are vulnerable for or are considered to be at a higher risk for human trafficking. Examples include street outreach, targeted online outreach, and human trafficking screening carried out in court diversion programs, detention centers, community organizations, agricultural settings, hospitality industry, construction industry, restaurants, factories, domestic work settings, migrant health centers, and foster care settings. Public awareness includes education efforts aimed at the general public to increase awareness and understanding of labor trafficking of foreign national individuals. Examples include community awareness raising, newspaper articles, radio or television interviews, tabling at conferences, print media, electronic media, etc.

evaluation, respond to congressional inquiries and mandated reports, and inform policy and program development that is responsive to the needs of victims. Information from this collection also enables OTIP 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” (22 USC 7103(d)) and to prepare a required annual report to Congress 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 22 USC 7105(b)(f), in connection with programs or activities funded or administered by HHS.

This request is to extend approval with changes to an ongoing data collection under OMB Control Number 0970-0467. The proposed changes are intended to reduce respondent burden and strengthen privacy and confidentiality. An overview of changes is provided in A15.

## **2. Purpose and Use of the Information Collection**

The main purpose of this information collection is to improve OTIP’s monitoring of grant recipients providing services to foreign national victims of a severe form of trafficking in persons, and to assess the extent to which grant recipients are meeting required program activities to:

1. Provide comprehensive, culturally and linguistically responsive case management to foreign national adults who have experienced labor and/or sex trafficking;
2. Develop and maintain a nationwide network of community service providers (per capita and full-time case managers) to conduct human trafficking outreach and to provide direct services and community referrals; and,
3. Establish regional coordinators within each of the 10 ACF geographic regions to coordinate project activities and support the delivery of services through the nationwide network of providers.

The information obtained through this collection will allow OTIP to evaluate service delivery efforts, inform prevention programming, and monitor program outcomes. Additionally, this information will enable OTIP to understand and disseminate insights related to human trafficking cases and trends to inform anti-trafficking strategies and policies. The information collected is also used to prepare a required annual report to Congress and the annual Attorney General's Trafficking in Persons Report, as noted previously.

## **3. Use of Improved Information Technology and Burden Reduction**

The TVAP grant recipient has historically submitted information under this collection via structured, macro-enabled Excel workbooks. Beginning in FY 2021, HHS strengthened its security posture, no longer allowing macro-enabled workbooks for use, which increased the level of manual data entry required by the grant recipient. Previously, OTIP staff needed to

manually extract and process grant performance reporting data contained within the spreadsheets that grant recipients upload as an attachment to the Performance Progress Report (PPR) within GrantSolutions.gov, a cumbersome process that was time consuming for OTIP staff and grant recipients.

OTIP built and, as of September 2022, deployed the Anti-Trafficking Information Management System (ATIMS) for grant recipients to manage client and programmatic information required under the TVAP program. ATIMS allows OTIP to better monitor grant performance, eases the reporting burden for grant recipients, enables robust analytics, and supports OTIP's HHS Certification and Eligibility processes through a separate, now integrated module, the Shepherd Case Management System. The data collection system provides for increased quality controls such as structured, multi-select reporting options, as well as tooltips, to define key terms and definitions within the system user interface. The ATIMS system reduces the amount of manual data entry, easing the burden of reporting on grant recipients and increasing the accuracy and overall quality of the data submitted. ATIMS also provides grant recipients with real-time analytics pertaining to their awards and performance, so that recipients may track their progress towards targets.

#### **4. Efforts to Identify Duplication and Use of Similar Information**

The data to be collected relates to the OTIP grants to implement the TVAP Program. As required under the funding opportunity, recipients must describe how TVAP funds will complement and not duplicate existing anti-trafficking efforts and services in the proposed geographic area. If the recipient is receiving other federal funds to implement a human trafficking program, the recipient is required to provide the name of the awarding federal agency, the name of the grant, the project period, the amount they currently receive, and will be expected to ensure any funds awarded through the TVAP Program will not be used to supplant or augment any other related federal funding. Because participants assisted by these grants will not concurrently be assisted by another federal program, OTIP is the only agency to collect this information, and 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 on clients enrolled in the TVAP program is submitted on a quarterly and annual basis to monitor grant recipient performance throughout the fiscal year as outlined in the Notice of Funding Opportunity (NOFO). Grant recipients are required to demonstrate progress towards achieving grant project activities and a less frequent collection would impede the project officer's ability to assess grant performance and weaken the analysis used during the annual non-competing continuation application process to award

funding. Further, information obtained under this collection informs OTIP's ability to provide timely responses to congressional and other ad hoc requests pertaining to federal efforts to serve foreign national victims of a severe form of trafficking in persons, as well as the annual Attorney General's Trafficking in Persons Report.

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

Not applicable.

## **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 Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF 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 27, 2022, Volume 87, Number 143, pages 45106-45107, and provided a sixty-day period for public comment. OTIP did not receive comments.

### ***Consultation***

OTIP engaged its existing grant recipient providing services to foreign national victims of trafficking in persons to discuss their views on feasibility and relevance of the requested data, frequency of collection, and the reporting format to gather feedback for the purposes of ATIMS development, and to identify ways to reduce the overall reporting burden. The grant recipient highlighted the importance of requesting only that information, which is necessary for OTIP to oversee case management, ensure quality service provision, and monitor recipients' fulfillment of objectives under their awards, given large caseloads and capacity constraints. The grant recipient also highlighted the level of rapport clinicians and case managers need to obtain certain pieces of information from clients (as related to their trafficking experiences, trauma histories, and varying service needs) and the operational workflows to obtain information from regional subrecipients. To the maximum extent practicable, OTIP incorporated this feedback into the collection by removing data elements that did not directly inform OTIP's monitoring activities, by collapsing certain data elements for simplicity, and by embedding grant recipients' feedback pertaining to ATIMS mock-ups into the user interface/experience (Ui/Ux) within the system (see section 3).

OTIP also leveraged best practices in service delivery as identified by the [National Human Trafficking Training and Technical Assistance Center \(NHTTAC\)](#) and NHTTAC's [Human Trafficking Leadership Academy \(HTLA\)](#), as well as existing research examining the trafficking experiences of particular demographic groups, to update certain data elements and field values to bring those elements and values into alignment with best practice. For example, OTIP removed the 'Screening Tools Used' outreach indicator, recognizing that practitioners may use a series of screeners, or conduct screenings over multiple points of contact with clients, to obtain information needed to coordinate case response and service

delivery, and this information was not necessary for OTIP’s monitoring purposes. Other examples include removing the indicator ‘Trafficker’s Relationship to Victim’ as this information was not frequently known by recipients or reported by clients, changing ‘LGBTQ2S+’ to ‘2SLGBTQIA+’ for consistency with the term used by practitioners in the field, and updating the gender identity categories to mirror those proposed by National Academies of Science, Engineering, and Medicine (NASEM)’s [2022 report](#), Measuring Sex, Gender Identity, and Sexual Orientation).

Additionally, since the last revision to this collection, OTIP removed the training requirement for TVAP recipients in FY 2022 and FY 2023 NOFOs.<sup>2</sup> The primary objective of OTIP’s victim assistance programs, including TVAP, is to provide comprehensive, culturally and linguistically responsive case management to individuals who have experienced a severe form of trafficking in persons. The training requirement was removed based on grant project officer consultation with existing grant recipients and a review of historic performance data. TVAP recipients reported concerns over competing requirements and priorities, which made it difficult to balance direct service provision against training activities for community-based providers and members of the general public. Current grant recipients also cited concerns over the lack of foundational knowledge within their communities as to what constitutes human trafficking victimization, which continues to impact their ability to identify potential victims and connect those individuals with services. Beginning in FY 2024, so as to reduce reporting burden on recipients and strengthen public awareness within the geographic service areas where recipients implement their programs, training is no longer required or an allowable activity under TVAP. Training activities will be limited to professional capacity building to support staff employed directly by the prime recipient who interact with individuals who have experienced human trafficking. Program funds may be used to cover costs associated with continuing education for project staff and if applicable, any subrecipient(s). These updated requirements will allow TVAP recipients to devote more resources toward required victim assistance and public awareness activities.

## **9. Explanation of Any Payment or Gift to Respondents**

Not applicable.

## **10. Assurance of Confidentiality Provided to Respondents**

Grant recipients under this program are required to submit a protocol, inclusive of relevant organizational policies and procedures, to prevent disclosure of confidential, private, or personally identifiable information concerning clients or their immediate family members without informed, written, and reasonably time-limited consent from the person whose information is sought. The protocols must also include the plan for how the full-time Case Managers (staffed by the prime), Regional Coordinators (staffed by the prime) and, if applicable, its subrecipient(s) (i.e., per capita service providers) to inform clients of the limits

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<sup>2</sup> TVAP is currently inclusive of three distinct award programs: the Trafficking Victim Assistance Program , Aspire: Child Trafficking Victim Assistance Demonstration Program, and Lighthouse: Services, Outreach, and Awareness for Labor Trafficking (Lighthouse) Demonstration Program. The performance indicators and data collection instruments under OMB #0970-0467 apply to all three TVAP programs.

to confidentiality prior to disclosures (e.g., mandated reporting requirements, etc.). The prime recipient must ensure compliance with 45 CFR § 75.303(e) to take reasonable measures to safeguard clients protected personally identifiable information. The protocol must also include a plan for how protected personally identifiable information and other information that is considered sensitive, consistent with applicable federal, state, local and tribal laws regarding privacy and obligations of confidentiality, will be collected and safeguarded. Grant recipients must provide the methods and/or systems that will be used to ensure that confidential and/or sensitive information is properly handled and if applicable, address the process for subrecipient(s) and/or contractors, as well as a plan for the disposition of such information at the end of the project period, as a condition of their awards. The prime grant recipient (and their subrecipients) must maintain confidentiality agreements/privacy disclosures explain what information will be shared through routine reporting to the funding organization (OTIP) for analysis, assessment of the program's success, congressional reporting, evaluation, and research. The grant recipients provide the information collected from their subrecipients sharing a system generated client identifier in lieu of personally identifiable information such as the client's name or social security number.

## 11. Justification for Sensitive Questions

OTIP has received inquiries and direction from anti-trafficking stakeholders, including the U.S. Advisory Council on Human Trafficking, to collect data on specialized populations who disproportionately experience human trafficking or may be at risk, including individuals with disabilities and those who identify as lesbian, gay, bisexual, transgender, or queer. Research shows that lesbian, gay, bisexual, transgender, queer (or questioning), Two-Spirit, and other (LGBTQ2S+) persons, as well as Black, Latinx, and Native American individuals are disproportionately likely to experience trafficking in persons and other forms of abuse and exploitation. Men and boys are also under-identified among this victim population, particularly non-heterosexual men and boys who have experienced sex trafficking.

Based on broad consultation with existing grant recipients providing services to foreign national victims of trafficking in persons, best practices identified by the [National Human Trafficking Training and Technical Assistance Center \(NHTTAC\)](#) and NHTTAC's [Human Trafficking Leadership Academy \(HTLA\)](#), and existing research examining the trafficking experiences of particular demographic groups, OTIP has retained questions asking about clients' disability status, sexual orientation and gender identity, and trafficking experience to better understand the populations at risk of human trafficking, inform program development, assess the unmet needs of these populations, and respond to recommendations articulated in the [2021](#) and [2022](#) reports from the United States Advisory Council on Human Trafficking.<sup>3</sup>

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<sup>3</sup> The Council was established on May 29, 2015, in section 115 of the Justice for Victims of Trafficking Act of 2015, Pub. L. 114-22, also known as the Survivors of Human Trafficking Empowerment Act. In December 2019, June 2020, and January 2021, the President appointed members of the Council to provide advice and recommendations to the U.S. government, specifically the Senior Policy Operating Group (SPOG) and the President's Interagency Task Force (PITF), to strengthen federal policy and programming efforts that reflect best practices in the anti-trafficking field; review federal U.S. government policy and programs intended to combat human trafficking, including programs relating to the provision of services for victims; serve as a point of contact for federal agencies reaching out to human trafficking survivors for input on anti-trafficking programming and policies in the United States; and represent the diverse population of human trafficking survivors across the United States, among other responsibilities.

Clients have the right not to disclose this information, meaning that this information is not required to receive benefits and services under this grant program, and the grant recipients will inform their subrecipients and clients of how their information will be used through their confidentiality agreements/privacy disclosures. All client-level information reported to OTIP is deidentified before it is received.

## 12. Estimates of Annualized Burden Hours and Costs

| 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   |
|---|-----------------------------|--|-----------------------------------|--------------------|---------------------|-------------------------------------|---------------------|
| Client Characteristics and Program Entry    | 6600                        | 1  | 0.75                              | 4950               | 1650                | 40                                  | 66,000.00           |
| Client Case Closure                         | 6600                        | 1  | 0.167                             | 1102.2             | 367.4               | 40                                  | 14,696.00           |
| Barriers to Service Delivery and Monitoring | 386                         | 4  | 0.167                             | 257.85             | 85.95               | 40                                  | 3,438.00            |
| Client Service Use and Delivery             | 6600                        | 1  | 0.25                              | 1650               | 550                 | 40                                  | 22,000.00           |
| Victim Outreach                             | 386                         | 4  | 0.3                               | 463.2              | 154.4               | 40                                  | 6,176.00            |
| Subrecipient Enrollment                     | 193                         | 2  | 0.167                             | 64.5               | 21.5                | 40                                  | 860.00              |
| Categories of Assistance                    | 193                         | 1  | 0.5                               | 96.5               | 32.2                | 40                                  | 1,288.00            |
| <b>Estimated Annual Burden Total:</b>       |                             |  |                                   |                    | <b>2,861.45</b>     | <b>Estimated Annual Cost Total:</b> | <b>\$114,458.00</b> |

### ***Burden Estimates***

Burden estimates were informed and calculated through consultation with existing grant recipients, through ATIMS system development efforts, and an environmental scan of human trafficking screening forms and protocols, to estimate the time needed for grant recipients to engage in client-centered and trauma-informed approaches as they screen victims and obtain and document pertinent grant administration information. As it specifically relates to the client-level indicators, different screening forms and protocols may be leveraged by grant recipients depending on the target population to be screened, the environment where the screening will take place, and the professional background of the clinician or case manager conducting the screening, among other factors. Burden estimates were calculated based on



the average amount of time required to populate all fields on the various forms after several indicators were removed (see section 15), however, clients served have the right not to disclose information and this information is not required to receive benefits and services under this grant program. These factors together mean that the estimates for grant recipients to report client-specific indicators, in particular, may be slightly higher or slightly lower, depending on what information clients feel comfortable sharing upon intake. Burden estimates for the other grant administration indicators were reduced according to the time taken to gather and enter information within the new ATIMS environment based on consultation and user testing with existing grant recipients (see section 3).

### ***Cost Estimates***

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2022, which is \$20.00 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$40.00. The estimate of annualized cost to respondents for hour burden is \$40.00 times 2,861.45 hours or \$114,458.00.

[https://www.bls.gov/oes/current/oes\\_stru.htm](https://www.bls.gov/oes/current/oes_stru.htm)

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

There are no direct monetary costs to respondents other than their time to complete the forms.

## **14. Annualized Cost to the Federal Government**

Grant recipient performance progress reports are reviewed by salaried staff who assess program performance as a regular part of their work. OTIP anticipates that the review of the information reported by the grant recipients will cost \$50.73 per hour (job code 15-2041 and wage data from May 2022) and take 100 hours annually costing \$5,073.00 annually. This includes the time it takes for the data to be cleaned, organized, interpreted, and summarized into usable information. An additional 40 hours will be spent annually by the grant officer to review and discuss the submissions with the grant recipient at \$45.46 per hour (job code 19-3099 and wage data from May 2022) for an annual total of \$1,818.40. The annual cost to the federal government is \$6,891.40 in staff time.

## **15. Explanation for Program Changes or Adjustments**

This change request includes removal of the Training form and changes to the Outreach and Client Case Closure forms.

This collection captures information on TVAP participant demographics (e.g., age, gender identity, race/ethnicity), type of trafficking experienced (sex, labor, or both), types of services and benefits provided, along with aggregate information on outreach activities

conducted and subrecipients enrolled. Minor updates have been made to performance indicators under this collection in consultation with existing grant recipients and stakeholders, to reduce respondent burden and to bring the collection into alignment with new programmatic requirements. These updated requirements pertaining to allowable and required programmatic activities were made public through the most recent NOFOs and grant award processes and are already in effect. Additionally, a minor update has been made to a single data element on the Client Case Closure form based on information about clients served during the most recent fiscal year.

The revisions made to this collection, as summarized in full below, bring the collection into alignment with new programmatic requirements and allow for clients served to be more accurately represented in post-award reporting datasets.

### ***Overview of Revisions***

#### **Training form**

To reduce burden and bring the collection into alignment with new programmatic requirements, OTIP is requesting to discontinue use of and remove the Training form data elements. We have removed the Training form from the collection and updated the burden accordingly.

#### **Outreach form**

OTIP proposes to add one indicator to the Outreach form: “Number of Public Awareness Activities Conducted”. The Lighthouse Demonstration Program under TVAP seeks to improve foreign national victim identification through service delivery and outreach and adds a necessary public awareness component to improve the general public’s understanding of labor trafficking. The addition of “Number of Public Awareness Activities Conducted” to the Outreach Form will bring the collection into alignment with revised TVAP requirements necessitating Lighthouse recipients to engage in public awareness activities.

#### **Client Case Closure form**

OTIP proposes to add back one additional response option under the data element, “Did the client obtain Continued Presence or a T Visa?” on the Client Case Closure form: “Bona Fide T Visa”. The most recent revision request, submitted in October 2022 and approved in February 2023, included the following item:

- Did the client obtain Continued Presence or a T Visa?
  - Continued Presence
  - T Visa
  - Unknown

Prior to this revision request, the item included an option for “Bona Fide T Visa”. Based on our analysis of historical data submitted by recipients under this program, OTIP had not

served a client in receipt of a bona fide T visa<sup>4</sup> in more than ten years. Therefore, the option was removed. However, based on a fiscal year 2023 analysis of clients served in fiscal year 2022, an individual with this certification type was referred to our program., an individual with this certification type was referred to our program. Accordingly, OTIP is seeking to add this back in as a response category.

#### **16. Plans for Tabulation and Publication and Project Time Schedule**

OTIP will conduct univariate analysis to describe the service population and ascertain patterns. Summary findings will be presented in briefings, infographics, fact sheets, federal reports, responses to congressional inquiries or Freedom of Information Act requests, and presentations.

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

Not applicable.

#### **18. Exceptions to Certification for Paperwork Reduction Act Submissions**

No exceptions are necessary for this information collection.

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<sup>4</sup> A bona fide T visa application is different from an application receipt from USCIS/DHS. A bona fide T visa application is a formal notice from USCIS/DHS that the application has been through initial review and was found to be complete, properly filed, contains proper evidence, and is clear of fraud. An application receipt from USCIS/DHS does not make an individual eligible. A foreign national adult must have Continued Presence, a T Visa, or a bona fide T Visa application to request an HHS Certification letter. Additional information about bona fide determinations can be found on [the USCIS website](#).