

Request for Certification of Adult Victims of Human Trafficking

**OMB Information Collection Request
0970 - 0454**

Supporting Statement Part A - Justification

March 2025

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

1. Circumstances Making the Collection of Information Necessary

The U.S. Department of Health and Human Services (HHS) provides letters of certification to foreign national victims of severe forms of trafficking in persons under the authority of the Trafficking Victims Protection Act of 2000 (TVPA), as amended 22 U.S.C. Section 7105(b) (1)(C) and (E). HHS delegated this authority to the Administration for Children and Families (ACF) Office of Trafficking in Persons (OTIP).

OTIP developed a form for potential victims and their advocates, including case managers, attorneys, law enforcement officers, service providers, and other representatives to provide the required information for certification to HHS in accordance with the TVPA of 2000, as amended. The information provided through the completion of the RFC form is essential for OTIP to fulfill its mandate in accordance with the TVPA of 2000, as amended and to issue Certification Letters to eligible foreign national adults. Without a form, OTIP would be limited to notifying potential requesters about the assistance the law permits and providing a phone number or email address at OTIP for further information. An OTIP Case Specialist would then have to describe to each potential requester the information sought in the form, which would likely require multiple follow-up calls and ultimately delay assistance.

2. Purpose and Use of the Information Collection

The purpose of this form is to collect information necessary to issue a Certification Letter to eligible foreign national adult victims of a severe form of trafficking in persons in accordance with the TVPA of 2000, as amended. Use of this form facilitates OTIP's review of the information submitted and enables OTIP to act expeditiously and consistently in receiving and reviewing requests for certification.

This is an ongoing data collection under OMB Control Number 0970-0454. OTIP is seeking to extend the form without updates.

3. Use of Improved Information Technology and Burden Reduction

OTIP launched Shepherd, an online case management system, in December 2019. This system allows users to submit RFCs on behalf of foreign national adults who may be victims of a severe form of trafficking in persons. This system provides a secure, streamlined way for individuals to submit the RFC form electronically and access real-time updates about the status of their request. If a requester encounters issues submitting a request through Shepherd, they may submit the RFC to OTIP as a password protected PDF to Trafficking@acf.hhs.gov.

4. Efforts to Identify Duplication and Use of Similar Information

OTIP is the only agency to collect the requester's identifying information, information on the foreign national adult, and information demonstrating eligibility for assistance under the TVPA of 2000, as amended through the issuance of an HHS Certification Letter. Therefore, there is no similar information collection and no duplication.

5. Impact on Small Businesses or Other Small Entities

Not applicable.

6. Consequences of Collecting the Information Less Frequently

The information provided to OTIP is not be submitted on a fixed schedule. Rather, to meet its statutory requirements, OTIP must receive and process requests for certification on behalf of foreign national adults who have experienced a severe form of trafficking in persons upon receipt of the required documentation demonstrating eligibility in accordance with the TVPA of 2000, as amended.

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 December 9, 2024 (89 FR 97622) and provided a sixty-day period for public comment. OTIP did not receive any substantive public comments.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

The information in the collection instrument will be treated in accordance with the Privacy Act of 1974, as applicable (i.e. if the foreign national adult attains citizenship or lawful permanent residency status). On Page 4 of the form, the Information Sharing and Consent section explains the following:

“HHS will use the information collected in the HHS Certification form for one or more of the following purposes, and to comply with the TVPA of 2000, as amended:

1. To coordinate the delivery of a HHS Certification Letter to a foreign national adult present in the United States who has been subjected to a severe form of trafficking in persons;
2. To refer a foreign national adult victim of trafficking in the United States to a case manager to assist the person in obtaining needed benefits and services; and

3. To report aggregated data on trafficking victims assisted by HHS in federal reports and to the public.

Security of Client's Personal Information

The personally identifiable information (PII) that is shared with HHS through this form will be stored securely. Information gathered, including PII, will remain in HHS' custody for 15 years. After 15 years, such records will be transferred to the National Archives of the United States under the HHS record disposition authority, unless required for business use by HHS. The records will be stored securely indefinitely. HHS uses the information to evaluate and determine the certified client's eligibility for benefits, for consultation purposes, for reporting requirements, and for research and analysis in anonymous datasets. To protect the privacy of clients, HHS will never share any PII such as the client's name or alien number in reports or publicly available data sets. The information contained in the form may be disclosed for a legitimate law enforcement purpose, including in response to a discovery request or otherwise in the course of criminal or civil litigation. If you have any questions about this form, you may contact a HHS Trafficking Specialist at 866-401-5510 or Trafficking@acf.hhs.gov.

By signing this form, you acknowledge that the client gives consent to share the information contained in the HHS Certification form as necessary to obtain HHS Certification and for reporting purposes. The client acknowledges that they have been notified that their information will be used in federal reports or data available to the public in a way that does not disclose PII.

By signing this form, you acknowledge that the client has been informed that the information provided in this form might be shared with other federal agencies as part of aggregate data reporting, and with public and nongovernmental organizations for the purpose of confirming eligibility for benefits, or for processing referrals for case management services.”

11. Justification for Sensitive Questions

The RFC form requests demographic and contact information to issue letters to eligible foreign national adults who have experienced a severe form of trafficking in persons in accordance with the TVPA of 2000, as amended and to connect those individuals to trafficking-specific, comprehensive case management services. The form does not ask for specific details pertaining to the forced commercial sex or forced labor the individual may have experienced or other potentially sensitive information.

OTIP leverages data anonymization and k-anonymization to deidentify information pertaining to foreign national adults seeking certification before any information is disclosed to authorized parties or published in publicly available datasets. Data anonymization refers to the process by which any information that could lead to an individual being identified is removed or obscured from the dataset. OTIP applies a “[Safe Harbor](#)” method of removing identifiers and masking data, for example, any information or dataset that is publicly

disseminated will **never** contain the name, date of birth, or alien number of victims or requesters. K-anonymization is a data anonymization technique that redacts or removes information falling into sets with fewer than k members, where each set is defined by a unique combination of values of the different variables in a dataset. This means that it is not possible to query a dataset and return fewer than a pre-determined (k) number of results, regardless of the query. The appropriate threshold for the number of results depends on the nature of the dataset and its size. Based on research and testing, OTIP uses k=10 for all variables. This approach mirrors the suppression techniques used for other large datasets containing human trafficking-specific administrative data, see the Counter Trafficking Data Collaborative [Global Data Hub on Human Trafficking](#)).

12. Estimates of Annualized Burden Hours and Costs

The fluctuation in certification letters issued by HHS primarily reflects changing patterns in law enforcement investigations and the number of T visas and Continued Presence status issued by the Department of Homeland Security (DHS). Burden estimates have been calculated based on the average number of RFCs received and certification letters issued over the last two periods that the information collection has been in effect (Fiscal Year 2019 to 2024), where OTIP received approximately 8 to 12 RFCs per week (416-624 RFCs per year) and issued an average of 525 certification letters per year. The time to complete the RFC remains the same.

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
Request for Certification of Foreign National Adult Victims of Human Trafficking	1,872	1	1	1,872	624	\$104.44	\$65,170.56

Victims, case managers, attorneys, law enforcement officers, child welfare workers, and other representatives submit RFCs. The cost to respondents was calculated using the most current Bureau of Labor Statistics (BLS) wage data (May 2023) for job codes [11-9151] Social and Community Service Managers and [23-0000] Legal Occupations.

The average of the combined mean hourly rates of Social and Community Service Managers (\$40.10) and Legal Occupations (\$64.34) is \$52.22. To account for fringe benefits and overhead the rate is multiplied by two which is \$104.44.

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 form.

14. Annualized Cost to the Federal Government

RFC forms are reviewed by OTIP Case Specialists and salaried staff. The cost to the federal government was calculated using the most current Bureau of Labor Statistics (BLS) wage data (May 2023) for job codes [43-4061] Eligibility Interviewers, Government Programs and [15-2041] Statisticians.

The average of the combined mean hourly rates of Eligibility Interviewers, Government Programs (\$24.92) and Statisticians (\$52.50) is \$38.71. The estimated annualized total cost to the government is \$72,465.12, which reflects 1,872 hours (1 hour of review per 1,872 RFCs received) times \$38.71.

15. Explanation for Program Changes or Adjustments

OTIP continuously monitors the RFCs received and certification letters issued. The fluctuation in certification letters primarily reflects changing patterns in law enforcement investigations by DHS. In FY 2024, ACF issued 466 certification letters, a 15 percent decrease from FY 2023. Burden estimates have been calculated based on the average number of RFCs received and certification letters issued over the last two periods that the information collection has been in effect (Fiscal Year 2019 to 2024), where OTIP received approximately 8 to 12 RFCs per week (416 to 624 RFCs per year) and issued an average of 525 certification letters per year. The time to complete the RFC remains the same and no changes are proposed.

16. Plans for Tabulation and Publication and Project Time Schedule

OTIP will provide aggregate information on information collected for the purposes of submitting information for the annual Attorney General’s report to Congress on federal activities responding to human trafficking as authorized under the Trafficking Victims Protection Act. OTIP may also provide analysis of the information for other public purposes such as research reports and briefings of interest to the public. As outlined in Section 10, PII will not be shared with the public.

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

Not applicable. The OMB control number and expiration date will be displayed on the form.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.