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

OMB Information Collection Request
0970 - 0043

Supporting Statement Part A - Justification

April 2024

Type of Request: Revision

Submitted By:
Office of Refugee Resettlement
Administration for Children and Families
U.S. Department of Health and Human Services

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 to make minor updates to the ORR-5 to improve formatting and to improve functionality. See sections A3 and A15 for additional information.

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 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 collects data elements to inform evidence-based policy making and program design. New data elements were added in 2021, including 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. This was done to 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. 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.

The information provided through the current ORR-5 not only allows ORR to assess refugees needs for assistance and services and the resources available to meet those needs, but it also provides ORR with a better understanding of 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 informs programmatic and policy decision making and supports ORR's efforts to improve programs and services for the populations ORR serves. ORR also uses the 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 ORR-5 can 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.

Some examples of how ORR or the state may use this information include:

- 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 childcare, 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.
- 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.
- As of 2023, ORR has data sharing agreements with other agencies that requires ORR to share any personal identifiable information (PII) collected through ORR-5. 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.

3. Use of Improved Information Technology and Burden Reduction

This information collection utilizes improved information technology. 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 also allows 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. Updates for the collection period include a data element that permits sub-recipients to indicate that the initial FSSP assessment was completed and resolved spacing issues in the header of ORR-5 columns which impact the import of collected data.

4. Efforts to Identify Duplication and Use of Similar Information

The data collected in the ORR-5 has minimal duplication regarding 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). 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 ORR-5 collects 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 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.

When developed, the current ORR-5 information collection was compared with other ORR reports 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.

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 December 4, 2023 (88 FR 84145) and provided a sixty-day period for public comment. During the notice and comment period, ORR received 6 sets of public comments. Please refer to Attachment A for more detail on ORR's decision to delay collection of client e-mail and phone number in the ORR-5.

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 February 8, 2022 at 87 FR 7178), and the secure location where ORR-5 data is stored. As noted below, ORR issued the Privacy Act Statement with the legal authority of ORR-5 data collection, purpose, routine uses, and disclosures to states. States are 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.

ORR's authority to collect and maintain data on its beneficiaries is governed by its own regulations (*see* 45 CFR §§ 400.27 – 400.28) and its System of Records Notices (SORN) (*see* 87 FR 7178).

ORR's regulations describe how States must safeguard beneficiary information and the limited condition under which they can disclose PII without consent, which is for the administration of the refugee resettlement program. The regulations outline how States must maintain beneficiary records, which include PII, for Federal monitoring of the refugee resettlement program. They also describe how States must submit statistical or programmatic information that the ORR Director determines is required to fulfill his or her responsibility under the Refugee Act.

ORR's SORN allows the agency to keep records on its beneficiaries for the following purposes:

- To ensure that appropriate assistance, care, and services are provided to all populations served by ORR;
- To generate data needed to allocate funds for Formula Social Services and other grants according to statutory formulas established under 8 U.S.C. 1522(c)(1)(B) and (c)(2)(B);
- To extract samples for the Annual Survey of Refugees, which collects information on the economic adjustment of refugees; and support other budget and grant requirements and data requests from within and outside ORR; and
- To verify that legal responsibility for Unaccompanied Refugee Minors is established, under state law, and to ensure that the minors receive the full range of assistance, care, and services that are available to all foster children in the state, and any additional services for which they are eligible.

The SORN outlines the categories of individuals covered under the system; categories of records in the system; routine uses of records maintained in the system (including allowable disclosures); policies and practices for the storage, retrieval, retention, and disposal of records; administrative, technical, and physical safeguards; record access procedures; contesting record procedures; and notification procedures.

ORR's SORN is governed by the Privacy Act of 1974 as amended to present (*see* 5 U.S.C. 552a), which limits and restricts an agency's records containing PII; allows individuals the right seek access to records on themselves and request correction, if applicable; and requires agencies to comply with statutory norms for collection, maintenance, and dissemination of records.

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 updated burden estimates in 2021 based on feedback from states. The current estimates are consistent with those estimates. There are currently 50 respondents, which include states, replacement designees, and the District of Columbia.

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 2023,[1] which is $21.27 per hour. To account for fringe benefits and overhead, the rate was multiplied by two, totaling $42.54.

Table 1: Proposed Burden for ORR-5

Information Collection Title	Total Number of Respondents	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Refugee Data Submission for Formula Funds Allocations (ORR-5)	50	1	140	7,000	$42.54	$297,780

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

ORR does not anticipate any additional cost burdens to respondents and/or record keepers as a result of this data collection.

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 2024 to FY 2026. The annualized cost to the federal government is estimated at $260,344.

An estimated 40 hours of GS-13 employee time was utilized to update the ORR-5. 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 $65.00.[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 $251,677 annually.

[1] U.S. Bureau of Labor Statistics, *Occupational Employment and Wages, May 2023, 21-1093 Social and Human Service Assistants*, https://www.bls.gov/oes/current/oes211093.htm .

[2] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2024/general-schedule, accessed on April 17, 2024

Table 2: ORR-5 Cost to the Federal Government (FY 2024, FY 2025, and FY 2026)

Cost Category	Total Estimated Costs
Employee: updated the ORR-5 form and instructions	$2,600
Employee: overseeing information collection, data review and analysis	$23,400
Contractor services: • IT support; • O&M of the RADS system for the ORR-5; • Data collection, verification, analysis, and reporting.	$755,031
Total costs over the request period	$781,031
Annual costs	$260,344

15. Explanation for Program Changes or Adjustments

This request is for an extension with minor changes to the ORR-5. There are no adjustments to the burden estimates. ORR incorporated the following minor updates to improve functionality and use in RADS:

- Spacing updates to facilitate more efficient and accurate data processing.
- The addition of a field to indicate that an initial FSSP assessment was completed.

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 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:

- Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Form
- Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Instructions
- Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5): Instructions Attachment
- Attachment A: Response to Public Comments_0970-0043 Extension