

Trafficking Victim Assistance Program Data

**OMB Information Collection Request
0970 - 0467**

Supporting Statement Part A - Justification

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Submitted By:
Office on Trafficking in Persons
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 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. Such benefits and services may include services to assist potential victims of trafficking.

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) awards cooperative agreements to up to three organizations that will ensure national coverage. The awarded organization must provide comprehensive case management and referrals to qualified persons, either directly through its own organization or by partnering with other organizations through contracts or both.

ACF proposes to collect information from Trafficking Victim Assistance Program (TVAP) grant project participants through the grantees on a monthly, quarterly, or annual basis. Information collected includes participant demographics (age, sex, and country of origin), type of trafficking experienced (sex, labor, or both), enrollment status, types of services and benefits provided, types of health screening and medical services received, the names of the entities providing medical services, the amount of money expended on each type of medical service provided, types of partnerships developed through the grant with subrecipients, and the types of training and technical assistance provided to subrecipient organizations or other partners.

ACF collects information to provide to Congress in an annual report 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 subsections (b) and (f) of section 7105 of Title 22 of the U.S. Code, the TVPA, in connection with programs or activities funded or administered by HHS. Moreover, the House Appropriations Committee directed the Department of Health and Human Services to provide an annual consolidated report to several House committees that must include specific information regarding the types of services provided or referred and the names of the entities providing such medical services, as well as the amount of money expended on each type of medical service provided.

See **Attachment A** for legislative authority for the activities that are the basis of the information collection. See **Attachment B** for House Appropriations Committee Report instructions.

2. Purpose and Use of the Information Collection

This request is a revision to a previously approved information collection. Historically, ACF collected aggregate information such as the number of clients who experienced each type of human trafficking. However, ACF is requesting to collect client level information on those served through the Trafficking Victim Assistance Program to better evaluate service delivery efforts, inform prevention programming, and monitor program outcomes. ACF is requesting to collect information on the type and cost of services provided through the program to respond to congressional inquiries related to program spending and to provide technical assistance to grantees on managing available funding for individuals and households enrolled in the program. ACF is requesting to collect information on the type of services being provided by subrecipients of the grantee to better understand service gaps across the United States. ACF is requesting information on the types of barriers the grantee experiences while trying to deliver services to clients to inform the development of technical assistance, policy, and resources to mitigate barriers and improve service delivery to clients.

The central purpose of TVAP is to efficiently provide trauma-informed, person-centered, comprehensive case management services on a per capita basis to foreign national victims and potential victims of a severe form of trafficking in persons seeking HHS certification so they can re-establish their ability to live independently. Thus, ACF will use the information collected in the following ways:

- a) To measure grant project progress and performance;
- b) To assess program outcomes and success;
- c) To assist the individual grantee(s) to assess and improve their projects over the course of the project period through technical assistance;
- d) To improve the program over time through evaluation;
- e) To provide information to Congress, other federal agencies, the public, and other countries and international bodies on the outputs and outcomes of the grant; and
- f) To inform policy and program development that is responsive to the needs of victims of human trafficking.

Another purpose of this information collection is 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;” that is, the Trafficking Victims Protection Act (22 USC Chapter 7103(d)(7)(Q)(i)). ACF annually submits information on activities it undertakes under Sections 106(b) and 107(b) of the TVPA. Information specifically required includes the number, age, gender, country of origin, and citizenship status of victims identified in each fiscal year.

In addition to the Attorney General's *Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons*, since 2010 the U.S. Department of State has been reporting annually on the performance and activities of the United States of America in combatting human trafficking and protecting victims, and the information received from ACF trafficking program grantees is usually included in that report. Both of these reports, in turn, may help inform strategies and policies to prevent trafficking in persons and to identify and protect victims. ACF has also used this information to create infographics that share program successes and inform program evaluation efforts.

3. Use of Improved Information Technology and Burden Reduction

The TVAP grantee(s) will collect the information and report it to ACF through Grant Solutions. ACF will continue to look into developing technology that will allow for automated, secure data transfers in the future to further reduce the burden of reporting by the grantee(s).

4. Efforts to Identify Duplication and Use of Similar Information

The data to be collected relates to the ACF grants to implement the Trafficking Victim Assistance Program. Participants assisted by these grants will not concurrently be assisted by another federal program. ACF is the only agency to collect this information, so 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 Trafficking Victim Assistance Program is submitted on a quarterly and annual basis to monitor grantee performance throughout the fiscal year as outlined in the Funding Opportunity Announcement. Grantees 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 for these cooperative agreements.

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

There are no special circumstances relating to the Guidelines of 5 CFR 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 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 17, 2018, Volume 83, Number 241, page 64580, and provided a sixty-day period for public comment. During the notice and comment period, 11 comments were received, which are attached.

ACF received comments suggesting an increase to the estimated time for completing the Client Characteristics and Enrollment Form, removing all information that is not needed to determine client eligibility for the program, limiting the capture of information through the Partnership Development Forms to subrecipient organizations, and removing detailed medical information from the TVAP Spending Form. ACF increased the burden rate of Client Characteristics and Enrollment Form to one hour and eliminated data elements on the client's victimization history, risk factors, employment status, school enrollment, English fluency, county level geographic locations, and systems involvement in response to public comment. ACF maintained data elements necessary for grant performance monitoring and program evaluation, such as the services needed and received by clients while enrolled in the program, and provided guidance that the disclosure of detailed information about the client's trafficking experience is not required for services and that the grantee should mark unknown when the information is not provided. ACF limited the collection of partnership data to the grantee's subrecipients only and modified the TVAP Spending Form to collect aggregate information on the costs of services to include behavioral health, physical health, dental care, etc. by a preset list of types of providers (e.g., Federally Qualified Health Centers, Clinics, Private Physicians, Indian Health Services, and Urgent Care/Emergency Room/Hospital).

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

Respondents include participants working with case managers who will abide by confidentiality agreements established by the grantee organization for which they work. The grantee's confidentiality agreements/privacy disclosures explain what information will be shared through routine reporting to the funding organization (ACF) for analysis, assessment of the program's success, congressional reporting, evaluation, and research. The grantee(s)

will 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 alien number.

11. Justification for Sensitive Questions

ACF 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. ACF has retained questions asking about the client’s disability status, sexual orientation or 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 from the Advisory Council’s 2019 report. Clients have the right not to disclose this information and the grantee will inform their subrecipients and clients of how their information will be used through their confidentiality agreements/privacy disclosures.

12. Estimates of Annualized Burden Hours and Costs

Instrument	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 Enrollment Form	3300	1	1	3300	1100	\$43.06	\$47,366
Client Service Use and Delivery Form	3300	1	.25	825	275	\$43.06	\$11,841.50
Client Case Closure Form	3300	1	.167	551.1	183.7	\$43.06	\$7,910.12
Barriers to Service Delivery and Monitoring Form	261	15	.167	653.81	217.935	\$43.06	\$9,384.28
TVAP Spending Form	261	3	.75	587.25	195.75	\$43.06	\$8,429
Partnership Development Enrollment Form	1	261	.25	65.25	21.75	\$67.82	\$1,475.09
Partnership Development Exit Form	1	261	.083	21.663	7.221	\$67.82	\$489.73

Training Form	1	12	.5	6	2	\$67.82	\$135.64
Technical Assistance Form	1	12	.5	6	2	\$67.82	\$135.64
Estimated Annual Burden Total:					2,006	Estimate d Annual Cost Total:	\$87,167

The job code for the forms is 21-1099 and wage data from May 2017 is \$21.53 per hour. Therefore to account for fringe benefits and overhead the rate is multiplied by two which is \$43.06. This accounts for the forms filled out at the subrecipient level (e.g., client forms, barriers to service delivery, and spending forms). The other job code for the forms is 11-9151 and wage data from May 2017 is \$33.91 per hour. Therefore to account for fringe benefits and overhead the rate is multiplied by two which is \$67.82 for those forms filled out exclusively at the grantee level (e.g., partnership, training, and technical assistance forms). The estimate of annualized cost to respondents for hour burden is \$43.06 times 1,972 or \$84,930.90 along with \$67.82 times 33 or \$2,236.09 for a total cost to respondents of \$87,166.99.

<https://www.bls.gov/oes/current/oes211093.htm>

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

There are no other costs to respondents and record keepers.

14. Annualized Cost to the Federal Government

Grant performance progress reports are reviewed by salaried staff who assess program performance as a regular part of their work. ACF anticipates that the review of the information reported by the grantee(s) will cost \$85.56 per hour (job code 15-2041 and wage data from May 2017 of \$42.78 per hour multiplied by two to account for fringe benefits and overhead) and take 130 hours annually costing \$11,122.80 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 grantee at \$80.02 per hour (job code 19-3099 and wage data from May 2017 of \$40.01 per hour multiplied by two) for an annual total of \$3,200.80. The annual cost to the federal government is \$14,323.60 in staff time.

15. Explanation for Program Changes or Adjustments

This is a revised collection under OMB #0970-0467. ACF seeks to request additional information from respondents to measure grantee progress and performance, improve program evaluation, inform policy development, assess program outcomes, and build a response to human trafficking that is responsive to the needs of survivors.

16. Plans for Tabulation and Publication and Project Time Schedule

ACF 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.