

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

**OMB Information Collection Request
0970 - 0043**

Supporting Statement Part A - Justification

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Submitted By:
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 (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, 2021 to ensure continuous information collection for FY 2020;
- 2) revisions to the form for use after FY 2020. 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 share ORR-5 data with federal agencies such as U.S. Department of State Bureau of Population, Refugee, and Migration or U.S. Department of Homeland Security. ORR uses ORR-5 data solely for internal ORR business operations.

The form with the new data elements would be implemented after January 2021.

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 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 personal identifiable information (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. Respondents will be assured that the 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 2020, FY 2021, and FY 2022 (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 8,500 hours, for an annualized cost of \$302,770.

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, 2021)	50	1	90	4,500	1,500*	\$35.62	\$53,430
Refugee Data Submission for Formula Funds Allocations(ORR-5) – Revised (for use after January 2021)	50	3	140	21,000	7,000	\$35.62	\$249,340
Estimated Annual Burden Total:					8,500	Estimated Annual Cost Total:	\$302,770

* Burden is annualized over the full 3-year request period, but this form will be complete within the 1st year. Therefore, total cost of \$53,430 will occur in the 1st year.

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 2021 to FY 2023 ranges from \$25,780 to \$113,000.

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).

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 5 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

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

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 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:

1. 30-Day Federal Register Notice
2. Refugee Data Submission System for Formula Funds Allocations (ORR-5): Form (current)
3. Refugee Data Submission System for Formula Funds Allocations (ORR-5): Instructions (current)
4. Refugee Data Submission System for Formula Funds Allocations (ORR-5): Form (revised)
5. Refugee Data Submission System for Formula Funds Allocations (ORR-5): Instructions (revised)
6. Refugee Data Submission System for Formula Funds Allocations (ORR-5): Instructions Attachment (revised)
7. Appendix A: ORR Response to Public Comments on Refugee Data Submission System for Formula Funds Allocations (ORR-5)