

Katie Hobbs
Governor



Vacant
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The following is a response from the State of Arizona, Department of Economic Security, Arizona Refugee Resettlement Program to Federal Register Notice, FR Doc No: 2023-26552 - Proposed Information Collection Activity; Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5) (OMB #0970-0043), December 4, 2023, Volume 88, Number 231, page 84145.

This Federal Register Notice refers to a proposed revision of the Refugee Data Submission System for Formula Funds Allocations and Service Analysis (ORR-5) by the Office of Refugee Resettlement (ORR) within the Administration for Children and Families (ACF), U.S. Department of Health and Human Services.

Response

Administration for Children and Families, Office of Refugee Resettlement
Attn: ACF Reports Clearance Officer
Via email: infocollection@acf.hhs.gov

Background

The Arizona Refugee Resettlement Program (RRP) recognizes the value and importance of data collection on the services provided and the results achieved. RRP understands that this information is vital to the Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement's (ORR) understanding of resettling refugees and their needs for assistance and services. RRP encourages ORR to consider the privacy and trust of the people served by the United States Refugee Program. The "Privacy Rule" used under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) can help ensure proper protection. One key tenant in HIPAA is to disclose and collect the minimum amount of information necessary. This strikes a balance that permits important uses of information while protecting the privacy of people who seek ORR-funded support and services. The collection of traceable Personally Identifiable Information (PII) without clear benefits to clients may cause hesitation among ORR beneficiaries coming forward for benefits/services. RRP has noted that in the expansion of Refugee Cash Assistance under the Public Private Partnership (RCA) Program, Cuban and Haitian Entrants are initially reluctant to engage with government entities. This concern was alleviated by providing cash benefits, however, outside of that context the increase in requests for PII might inadvertently deter qualifying populations

without permanent legal status from seeking critical support. This information does not have practical utility, and it will not lead to ORR's desired results. RRP encourages ORR to withdraw this proposal and seek other avenues to assess the needs of refugees.

RRP can adapt its database to track the additional information, however, doing so would add a significant burden to an already unmet capacity workload that is untenable for local resettlement service providers. Local resettlement providers are struggling under the increased caseload as a result of the uptick in overseas arrivals and the amassing arrival of domestic border populations, such as Cuban and Haitian Entrants.

RRP collects initial telephone numbers when clients have them at account creation and are admitted into Refugee Support Services (RSS) or Refugee Cash, Medical, and Administrative-funded services (RCMA); however, these telephone numbers and emails often change. For RRP to ensure the quality of the data flow, it would need to add check-in processes into contracts whereby RSS and RCMA direct service providers would need to annually review telephone numbers and emails and update as needed. This would take approximately 30 minutes per client - with missed calls, interpretation, and documentation. When calculated across the 11,000 clients served during FFY 2023, to do this work would require 2.6 FTEs, or approximately \$212,000 in Arizona to ensure that the data is accurate. The aforementioned calculation would only be to have an updated telephone/email annually and would represent collecting the individual telephone numbers and emails from all participants, not just primary applicants. If RRP provides only the information currently collected, there would be very little additional cost; however, this data is known to be unreliable as collecting telephone numbers and emails is not mandatory for services. RRP cannot impose this as a prerequisite to services as this would violate meaningful access requirements.

Is collecting emails and telephone numbers necessary for the proper performance of the functions of ORR? Does this information have practical utility?

Per the Federal Register Notice, ORR proposes to add client email addresses and telephone numbers to "...enable ORR to obtain updated contact information for refugees who received ORR-funded services." This implies that the ORR intends to contact people who have received services through sub-recipient organizations contracted through the State Refugee Coordinator (SRC) Offices. Within the RCA program staff members must maintain monthly contact with all beneficiaries to conduct monthly re-determinations. It is often noted by RCA staff that without the incentive of funding being offered the transitional nature of the conversation would not lead to clients staying in contact and providing updated contact information. Thus, the feasibility of requesting contact information for clients without a clear benefit exchange would be questionable. Disclosing this information could deter participants from seeking benefits and services, were they aware of this process and associated risks of the information being breached

or shared with another federal agency. It is suggested that should ORR wish to maintain reliable contact information with clients, clear tangible benefits to the clients be made available.

How accurate is the agency's estimate of the burden of the proposed collection of information?

While there are 50 state respondents, there are far more partnering entities involved in the direct collection of ORR-5 data that are potentially impacted by the proposed changes. Each state partners and contracts with sub-recipient organizations to provide direct services to eligible individuals in their local communities. Every state has multiple programs and services that might have particular ways of collecting and sharing information with the State Refugee Coordinator. The data collection tool used to gather domestic health screening information might, for example, be different from the tool tracking employment and training services. Many of these different programs and services currently need to capture email and telephone numbers for every client served. As such, dozens of providers locally, and thousands nationally, will likely be impacted by this data collection request, with each provider potentially having a different phone number and or email on record. To report this information to ORR, states would first need to update data collection tools that, depending on complexity, could take hundreds of hours to change per state, and then would need to develop tools for addressing the validity of conflicting information. In addition, training and technical assistance for each subrecipient provider would then need to be provided to support the collection of the new information. Requiring providers to collect emails and telephone numbers will add time for every provider across the country to collect and report to the state. The SRC Office will then, in turn, need to collect and clean the data for reporting.

It should be noted that, historically, email addresses are not a reliable way to communicate with the clients served through ORR-funded programs. Experiences indicate that many recipients of these services only use their email addresses for immigration application processes. They often do not check their email addresses regularly, and it is common to share one email address for the whole family and frequently forget email addresses and passwords. Phone numbers often change. If ORR intends to contact clients directly, which would be the only purpose for collecting this information, this would largely be unsuccessful in reaching clients.

What are the ways to minimize the burden of the collection of information on respondents?

A major way to minimize the collection of information burden is to not require data collection whereby proven value; i.e., established benefit or result has not been mutually established and that does not potentially put clients at risk of breach of privacy. Additionally, as states' data

resources and processes vary and, as stated, extend to thousands of providers nationally, it could be useful to have a working group discuss the intended use of the data, barriers and/or challenges to collecting it, and prospective processes for promising practices to support ORR's needs without overly burdening states and their serving partners.