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State Coordinators of Refugee Resettlement

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Feb. 2, 2024

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

Re: 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)

The State Coordinators of Refugee Resettlement (SCORR) submits this comment on the *Federal Register* Notice published on Dec. 4, 2023, Volume 88, Number 231, page 84145. The 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.

Background

SCORR is an affinity group consisting of State Refugee Coordinators (SRCs) and supports collaborative partnerships between federal, state and local entities.

Comments expressed in this letter are based on the input from multiple states after review of the proposed information collection and collection tool provided by the Office of Refugee Resettlement (ORR).

The Department specifically requested comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Response to the request

The Refugee Act of 1980 designates the role of the State Refugee Coordinator (SRC) to ensure the coordination of public and private resources in refugee resettlement. Each SRC must meet the standards, goals, and priorities, established by the ORR Director, to ensure the effective resettlement of refugees and promote their economic self-sufficiency and the timely and efficient provision of services.

ORR entrusts the careful and responsible management of the refugee resettlement program within states and local communities to State Refugee Coordinators. SRCs are public stewards of

The National Association of State Refugee Coordinators, Administrators and Managers

the refugee resettlement program. To welcome refugees, SRCs build trust with communities to provide culturally responsive quality services. A key component of trust is protecting the privacy, autonomy, and self-determination of the communities served.

SCORR recognizes the value and importance of data collection on the services provided and the results achieved and understands that this information is vital to ORR's understanding of resettling refugees and their needs for assistance and services. As used herein, the term "refugee" or "refugees" refers to [all people eligible for ORR services](#). As public stewards of the refugee resettlement program, SCORR encourages ORR to consider the privacy and trust of the people served in the U.S. Refugee Resettlement Program. The "Privacy Rule" used under the Health Insurance Portability and Accountability Act of 1996 is a standard that could be used here to ensure proper protections are made. One key tenant in HIPPA is to disclose and collect the minimum amount of information necessary. This is intended to strike a balance that permits important uses of information while protecting the privacy of people who seek support and services.

With this letter, SCORR asserts that the collection of email addresses and telephone numbers is a breach of public trust for refugees. Collecting this information does not have practical utility and will not lead to ORR's desired results. SCORR encourages ORR to withdraw this proposal and seek other avenues to assess the needs of refugees.

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

Per the Notice, ORR proposes to add client email address and telephone number 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 SRC Offices. SCORR disputes how this information is necessary for proper performance through the following key points.

- These mechanisms may not be the most effective in reaching people in the community.
- It imposes an unnecessary burden on partner agencies and SRC offices to collect information that may not be useful in actually connecting with people.
- Requiring disclosure of this information could chill participants seeking benefits and services, were they aware of this process and the associated risks of the information being breached or shared with another federal agency.
- The collection and report of client contact information is not required by any other federal agency providing similar services, including the Administration for Children and Family for clients receiving Temporary Assistance for Needy Families, the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) for clients who are enrolled in the Supplemental Nutrition Assistance Program (SNAP), or the Centers for Medicare & Medicaid Services (CMS) for clients on Medicaid.

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

The agency has incorrectly noted that the burden is 50 respondents. 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.

SCORR represents the 49 states that participate in the U.S. Refugee Program. Each state partners and contracts with subrecipient organizations to provide direct services to eligible individuals in their local communities. Every state has multiple programs and services that may have particular ways of collecting and sharing information with the SRC. The data collection tool, for example, used to gather domestic health screening information may be different from the tool tracking employment and training services. Many of these different programs and services do not currently capture email and telephone numbers for every client served. Therefore, thousands of providers may be impacted by this data collection request.

To be able to report this information to ORR, states would first need to update their data collection tools which, depending on their complexity, may take hundreds of hours to change per state. In addition, training and technical assistance for each subrecipient provider would then need to be conducted to support the collection of the new information. The collection of emails and addresses for each client will add a minimum of one to two minutes per individual or household served. Requiring providers to collect email addresses and telephone numbers will add time for every provider across the country to collect and report to the state. In addition, the SRC Office will, in turn, need to collect and clean the data for reporting.

In general, SRCs report spending weeks and hundreds of staff time compiling and cleaning data. ORR currently underestimates the amount of time required for states to submit the ORR-5 in total, and two additional elements will require more time than reported.

c. What is the quality, utility, and clarity of the information to be collected?

The quality of information proposed to be collected will not lead to the outcomes proposed by the Office of Refugee Resettlement. Presumably, ORR is expecting to be able to use the telephone numbers and email addresses to contact refugee and immigrant clients directly to collect information to “better understand client demographics, services utilized, and the outcomes achieved by clients enrolled in certain ORR-funded programs.” This notion, however, is false.

Email addresses are not a reliable way to communicate with the people served through ORR-funded programs. Many recipients of these services may only use their email addresses for immigration application processes. From our experience, many ORR service recipients do not check their email regularly. Similarly, telephone numbers frequently change.

d. 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.

Conclusion

SCORR understands ORR's desire to connect with people served through the U.S. Refugee Resettlement Program, and believes that the voices and lived experience of people needs to be heard and centered in policy and programmatic decision-making. However, we see no practical utility in the collection and report of personal contact information. It is a burden on states to collect and report, and due to the nature of the community we serve, it is not the most effective way to contact and connect with them.

We encourage ORR to consider other pathways to hear from the people served through these programs. SCORR invites ORR to consider creating a work group to find the most effective ways to collect client feedback and elevate community voice.

SCORR requests that ORR withdraw this proposal to collect client email addresses and telephone numbers.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Sarah Peterson", with a stylized, cursive script.

Sarah Peterson
SCORR President