



# Freedom Network USA

November 8, 2022

Office of Management and Budget  
Paperwork Reduction Project  
[OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV)

ATTN: Desk Officer for the Administration for Children and Families

**RE: Domestic Victims of Human Trafficking Program Data Collection, OMB No.: 0970-0542**

ACF Desk Officer:

Freedom Network USA (FNUSA) commends the HHS Office on Trafficking in Persons (OTIP) for seeking to improve the Domestic Victims of Human Trafficking Services and Outreach Program (DVHT-SO). DVHT-SO is critical for building the capacity of service providers to serve the complex needs of domestic survivors. We understand that collecting information from the DVHT-SO grantees is necessary to meet this goal.

FNUSA is the nation's largest coalition of service providers and advocates working directly with human trafficking survivors in the United States. We are committed to the human rights-based approach to human trafficking, placing a trafficked person's priorities and narrative at the center of anti-trafficking work. Our 87 members include survivors, former prosecutors, civil attorneys, criminal attorneys, immigration attorneys, and social service providers who have assisted thousands of trafficking survivors.

We appreciate OTIP's consideration of comments from FNUSA and other advocates in previous years. The steps taken to protect survivor confidentiality in the modified forms are crucial to meeting the needs of survivors served by DVHT-SO grantees. We offer these additional comments on the modified forms subject to OMB review to support ACF's interests in ensuring the most effective programs.

We believe some of the data requested on the proposed forms goes far beyond what the program requires, is irrelevant to the primary objectives of DVHT-SO, and, in some cases, may cause re-traumatization of survivors. Service providers **should not be required** to ask detailed questions related to a survivor's trauma history and details of their trafficking experience at any point, especially not to ensure program enrollment, as the details of the exploitation are not relevant. Requiring a survivor to discuss their trauma history in order to receive services is re-traumatizing and could lead to the individual withdrawing completely from needed services, increasing their risk of re-exploitation.

We are also concerned by the lack of an estimate of total reporting burden hours for grant recipients in the revised performance indicators. This is a necessary component for

consideration by OMB and should have been provided in the documents made available for comment.

Our concerns and recommendations are detailed below, by form. We refer to those organizations that are direct recipients of DVHT-SO funding from OTIP as DVHT-SO grantees. We refer to service providers who are compensated by the DVHT-SO grantees to work directly with trafficking survivors as DVHT-SO subgrantees or subgrantee service providers.

### **Victim Assistance – Client Characteristics and Enrollment Form**

The purpose of this form should be to ensure that service providers are enrolling clients who are eligible to receive services under DVHT-SO. We appreciate that ACF has reduced the information gathered and has removed some of the most invasive questions about the survivor and their trafficking experience. However, we still find this form to include overly invasive questions that are unrelated to the purpose of the form and could be harmful to survivors. We also note that the form does not include a marking indicating which fields are required and which are optional. It should be clear to those administering the form which questions are optional, so clients do not feel obligated to provide information they are uncomfortable sharing. It is noted in the “Summary of Proposed Changes” that OTIP has added language clarifying that multiple of the questions are voluntary, but that is not reflected in the provided Revised Performance Indicators or Reference Guide. This should be very clear to grantees, subgrantees, and survivors on the form itself.

Therefore, the following **information is unnecessary and inappropriate** for the determination of eligibility:

Referral Source: this information is unrelated to the determination of whether the individual meets the eligibility criteria listed above. **Therefore, this question should be deleted.**

Does the victim have a disability?: this information is unrelated to the determination of whether the individual meets the eligibility criteria listed above and is potentially PII when combined with other details. **Therefore, this question should be deleted.**

Living Situation at Intake: this information is unrelated to the determination of whether the individual meets the eligibility criteria listed above. **Therefore, this question should be deleted.**

If the client is a minor, are they enrolled in school?: this information is unrelated to the determination of whether the individual meets the eligibility criteria listed above.

**Therefore, this question should be deleted.**

Exploitation Industry, Commercial Sex Venue: this information is unrelated to the determination of whether the individual meets the eligibility criteria listed above.

Additionally, details about the survivor’s description of the trafficking experience should be discussed only with an attorney or law enforcement to ensure that information is protected in case of a law enforcement investigation. Records also need to reflect the distinction between information that is “not reported” and when a client chooses not to share unnecessary details about their trafficking experience and trauma. **Therefore, these**

**questions should be deleted or clearly marked as Optional, and the option Client Chooses Not to Answer should be added to each list.**

Though *some* of this information can be useful for DVHT-SO grantee and subgrantee service providers to collect and assess to complete a thorough case plan, oversee case management, and ensure quality service provision, it is not information that should be required to be collected nor required to be reported to HHS on an individualized basis. It is not relevant to the information needed to determine eligibility for services. **Therefore, we recommend that these questions be removed from any required forms HHS proposes to implement across the program.**

### **Victim Assistance – Barriers to Service Delivery Form**

No concerns with this Form.

### **Victim Assistance – Client Case Closure Form**

The Client Case Closure Form should *only* include the date on which the case is closing and the reason for case closure. The survivor’s living situation at the time of case closure is neither necessary nor relevant to maintaining accurate records of the program. It is also not appropriate for OTIP to know the living situation of individual survivors at any point during their service provision, and certainly inappropriate for survivors who are no longer receiving services. **Therefore, we recommend removing these questions (Living Situation upon Case Closing, Did the client receive a referral for continued case management services?).**

### **Victim Outreach Form**

No concerns with this Form.

### **Training Form**

No concerns with this Form.

### **Subrecipient Enrollment Form**

Type of Subrecipient Organization: This list includes a mixed list of corporate structures (Government, Private Sector, Faith Based, School, Service Provider, Child Welfare, etc.) and program areas (Advocacy, Education, Health Care, Law Enforcement, Housing, Legal, etc.). It is unclear which element ACF the grantee should prioritize. For example, should a law firm be represented as Private Sector, Legal, Service Provider, or Advocacy? **We recommend that this list be revised to focus on one element.**

### **Victim Assistance – Client Service Use and Delivery Form**

Again, the purpose of the DVHT-SO program is to help survivors access all services and benefits for which they are eligible. **Therefore, instead of requiring the service provider to report on *which* benefits the client was connected to, the question should be replaced with Yes/No questions, such as: “Was the client connected to any of the following public benefits during the reporting period?” with a list of benefits as reference. The service provider should only be required to report *yes* or *no*.**

## Categories of Assistance Form

No comments on this Form.

## Partnership Development and Expansion: Exit Form

No comments on this Form.

Freedom Network USA recognizes the important role of HHS in supporting victims of severe forms of trafficking. We applaud your dedication to ensuring survivors have quick access to needed services and assistance to support their safety and healing. We believe the recommended changes will help ensure survivors are supported and protect their information and privacy.

I can be reached at [jean@freedomnetworkusa.org](mailto:jean@freedomnetworkusa.org) if you have any questions or need any further information or explanation.

Sincerely,

A handwritten signature in black ink that reads "Jean Bruggeman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Jean Bruggeman  
Executive Director  
Freedom Network USA