



# Freedom Network USA

May 6, 2024

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Submitted via Email

## **RE: Proposed Information Collection Activity; Request for Assistance for Child Victims of Human Trafficking OMB no. 0970-0362**

ACF Reports Clearance Officer:

Freedom Network USA (FNUSA), established in 2001, is a coalition of 101 non-governmental organizations and individuals that provide services to and advocate for the rights of trafficking survivors in the US. FNUSA members include attorneys, survivors, academics, and service providers who provide direct services to survivors across the country, both US citizens and foreign nationals. Many of our members serve foreign national children seeking eligibility letters to access necessary services in the US.

We appreciated OTIP taking much of our feedback on the proposed forms in 2017 to prevent unnecessary retraumatization of children during the Interim Assistance request process. By separating the form into two parts, it is clearer that only certain information needs to be submitted within the first 24 hours of identifying a potential child trafficking survivor, preventing requestors from having to ask unnecessary questions. We recommend a few additional changes to the forms that will clarify the process to ensure the instructions are clear and only the information necessary for OTIP to determine eligibility is collected.

### **Request for Assistance Form**

#### **A. Process for Requesting Assistance**

The instructions for submitting the form should be consistent with those provided in the separate “Instructions for Requests for Assistance” document. Both documents should clearly state that the form should be submitted through Shepherd, and only submitted via email if there are issues with submitting through Shepherd. By having different sets of instructions, the two documents create confusion.

#### **B. Issuance of Eligibility Letters**

We recommend that you list the Interim Assistance Letter first and then the Eligibility Letter, so that they are listed in the order they are issued. By placing the Eligibility Letter first, the instructions create confusion about the order in which the letters are issued and the amount of information that needs to be shared in the first 24 hours.

#### **C. Form Part A**

- a. We recommend that you change the heading to: “Part A: Request for Interim Assistance.” This would clarify that only Part A needs to be submitted in the first 24

hours so that extensive interviews are saved for later when more trust has been built with the child.

**b. Section (3) Potential Trafficking Concerns**

**i. Have trafficking concerns been reported in accordance with state and local child welfare reporting requirements (i.e. has a report been made to child protective services)?**

This question directs those who answer “yes” to provide more information in the narrative, which is in Part B of the form. This will mean requesters will have to submit both parts of the form if a report has been made to a child welfare agency, unless they interpret the directions to indicate they should provide details in the text box under the following question, which is not labeled as a “narrative.” Instead, a separate box should be provided under this question to provide more information, but only if this information is necessary to make an Interim Assistance determination.

**ii. What is the basis of the trafficking concerns checked above?**

This question is unnecessary to make an Interim Assistance determination and should be removed. The checkboxes above provide sufficient information for a determination and inclusion of this question encourages requestors to request more information than necessary from the child.

**D. Form Part B**

a. We recommend that you change the heading to: “Part B: Request for Eligibility Letter.” It is crucial that these forms make it clear that Part B does *not* need to be submitted in the first 24 hours so that extensive interviews are saved for later when more trust has been built with the child.

**b. Section (6) Trafficking Experience**

i. None of the information requested in this section is necessary to make an eligibility determination and it should be removed entirely. By stating “HHS may use the information below to evaluate and determine the child's eligibility for benefits,” the instructions mislead requestors by indicating the optional information could be helpful to receiving an Eligibility Letter. The trafficker’s relationship to the child, locations of trafficking incidents, and risk factors and adverse childhood experiences are entirely unnecessary to make an eligibility determination. No unnecessary information should be collected in any part of this form because it creates an undue burden on requestors and clients. Optional questions complicate the form and confuse requestors.

ii. If HHS would like to collect additional data for research and analysis, it should do so separately by requesting anonymized information from requestors twice a year with proper IRB verification provided to respondents. This will ensure information collected for research purposes is collected with the proper consent.

**c. Information Sharing and Consent**

The Information Sharing and Consent form that is included in Part A should be included again at the end of Part B. The information is submitted separately by requestors and the agreement for information sharing should be made again when the second set of information is submitted.

## Instructions for Requests for Assistance

### A. Process for Requesting Assistance

- a. The instructions for submitting the form should be consistent with those provided in the "Request for Assistance" form. Both documents should clearly state that the form should be submitted through Shepherd, and only submitted via email if there are issues with submitting through Shepherd. By having different sets of instructions, the two documents create confusion.
- b. As mentioned above in the Request for Assistance form comments, the titles of Parts A and B should include the letter each part is requesting. For example, "Part A: Request for Interim Assistance" and Part B: Request for Eligibility Letter," more clearly state the purpose of each part.

### B. Instructions

The order of the sections in this document does not match the order of the sections in the Request for Assistance form and should be fixed. Section 6: Information Sharing and Consent is listed as Section 4 on the form.

### C. Issuance of Eligibility Letters

We recommend that you list the Interim Assistance Letter first and then the Eligibility Letter, so that they are listed in the order they are issued. By placing the Eligibility Letter first, the instructions create confusion about the order in which the letters are issued and the amount of information that needs to be shared in the first 24 hours.

We hope OTIP will consider our suggested changes to ensure avoiding retraumatization of child survivors is prioritized throughout the eligibility determination process and unnecessary information is removed. Thank you for your consideration of these comments. Please reach out to me at [emma@freedomnetworkusa.org](mailto:emma@freedomnetworkusa.org) if you have any questions.

Sincerely,



Emma Ecker  
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Freedom Network USA