

Supporting Statement for Extension of OMB Clearance for the Final Tribal TANF Data Report, the Tribal TANF Annual Report and the Tribal TANF Reasonable Cause/Corrective Compliance Documentation Process

A. Justification

1. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) amended the Social Security Act and created the opportunity under §412 for Federally recognized Indian Tribes to design and operate their own Temporary Assistance for Needy Families (Tribal TANF) programs. Subject to approval by the Federal government of their plans, Tribes can receive block grants from the Federal government for this purpose (Tribal grantees). Indian, Indian Tribe and Tribal organization are defined by PRWORA as having (except for Alaska) the meaning given such terms by section 4 of the Indian Self - Determination and Education Assistance Act (25 U.S.C. 450b). For Alaska, the non-profit arms of the Alaskan Native Corporations and the Metlakatla Indian Community, Annette Island Reserve are specified as the only entities eligible to be Tribal TANF grantees.

Section 412(g) of PRWORA imposed on Tribal grantees the data collection and reporting requirements of §411. Section 411(a)(1)(A) specifies the data items to be reported. Additional data collection requirements are imposed by §407 (work participation requirements) as modified by §412(c) ('negotiated' Minimum Work Participation Requirements and Time Limits) and §411(b) (Report to Congress).

This report is labeled as a "Final Report" as there was an interim report which was used prior to July 2000 (Final regulations were effective June 18, 2000).

OMB clearance for this data collection has been previously received – Tribal TANF Data Report, Form ACF-343, approved through 09/30/2006 (Control No. 0970-0215). This is a request for an extension of that clearance.

Authority: 42 U.S.C. 607, 611, 612, 613, and 619.

2. The data are used to assess Tribal TANF programs to determine if Tribal grantees have met their negotiated work participation rates and to meet Congressional mandated requirements of §411(a)(1)(A) of PRWORA. The data are also used to measure impacts of Tribal TANF and provide descriptions of the populations served.
3. Tribal grantees file data reports electronically on a quarterly basis using format specifications that we have provided. The decision to use electronic filing was based on a need to reduce the paperwork burden and to increase the efficiency and timeliness of the data collection. A freeware package was developed by ACF and is supplied to Tribes who have started a Tribal TANF program. Because some Tribes do not have the capacity to report electronically, there is an option to report by paper. To date no Tribe has chosen to routinely submit reports by paper.
4. The Tribal TANF program is a relatively new program and there are no specific data available that are similar to those collected.
5. This collection of information does not impact small businesses or other small entities. It will affect only Tribes.
6. Section 411(a) of the statute mandates the collection and reporting of the data quarterly. Other sections of the statute specify when the data collection and reporting required of States is to begin, but Tribes are not

covered by those sections. A ruling by OGC stated that we may use the rules applicable to States. That is, collection of data could begin six months after the effective date of the program and reporting could be done within 45 days after the end of the quarter. Final regulations for Tribal TANF programs contain those specifications.

7. A Privacy Act Amended System of Records Notice was published on June 16, 2004 on page 33644 of Volume 69, No. 115 of the Federal Register.
8. In the context of PRWORA prior to the development of the Tribal TANF Data Report, we consulted on general data collection principles with a number of organizations and individuals, including the National Congress of American Indians (NCAI), American Public Welfare Association (APWA) (now the American Public Human Services Association (APHSA)), the National Governors' Association (NGA), and the National Conference of State Legislators (NCSL).

The 60-day Federal Register Notice was published on June 7, 2006 in Volume 71, page number 32968. We received no comments in response to this notice.

9. This data collection does not involve any payment or gift to respondents other than block grants for the program paid to Tribes with an approved plan. The block grant is for the entire program including administration.
10. A Privacy Act Amended System of Records Notice was published on June 16, 2004 on page 33644 of Volume 69, No. 115 of the Federal Register.
11. This data collection does not contain any questions of a sensitive nature.

12. The estimated burden for this data collection is:

INSTRUMENT OR REQUIREMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	AVERAGE BURDEN HOURS PER RESPONSE	TOTAL BURDEN HOURS
Final Tribal TANF Data Report - §286.30(b)	56	4	451	101,024
Tribal TANF Annual Report - §286.55	56	1	40	2,240
Tribal TANF Reasonable Cause / Corrective Action Documentation Process - §286.200	56	1	60	3,360

Total Burden = 106,624 hours.

We based this estimate primarily on research we conducted into burden estimates for similar OMB approved data collections in our inventory and on consultations with knowledgeable Federal officials. The estimate includes time involved pulling records from files, abstracting information, returning records to files, assembling any other material necessary to provide the requested information, and transmitting the information.

We estimate the annualized cost of the hour burden to be \$4,264,960. This is based on an estimated average hourly wage of \$40.00 (including fringe benefits, overhead, etc.) for the Tribal staff performing the work multiplied by the 106,624 burden hours.

13. We supply a freeware data entry system to Tribes. Tribes have the option of developing their own data entry system as long as the data sent meet the supplied format specifications. The data entered are saved as a text file and submitted via FTP or email. In some instances the file is copied to a disk and shipped via a package delivery service. We estimate the average cost per respondent to be \$5,500 for a total across the 56 Tribes of \$319,000.
14. We estimate total annual Federal burden to be 13,600 hours. This includes the costs of information collection, development, tests, printing forms, mailing list compilation and maintenance, mailing or enumeration, editing, coding, tabulation, analysis, publication of results, technical assistance, monitoring, and (as necessary) uploading Tribal data. Based on an estimated average hourly Federal salary of \$100 (including overhead, fringe benefits, etc.), the total estimated average Federal cost for this interim Tribal TANF is \$1,360,000

15. There are no program changes or adjustments.
16. We began analyzing these data after the Tribes transmitted the first full sample. One of the primary purposes of this information collection is to provide us with the data to calculate negotiated work participation rates as required by section 407(a) of the Social Security Act (SSA) as amended by PRWORA. These data will also provide us with the necessary information to prepare the annual report required by section 411(b) of the SSA. Other analyses will include, but not necessarily be limited to, analyses of the impacts of various TANF provisions and descriptions of the characteristics of the populations served as well as descriptions of the approved plans themselves. We publish these findings in the TANF Annual Report to Congress after we have received all of the data for the fiscal year and complete the necessary editing.
17. Not applicable.
18. Not applicable.

B. Collection of Information Employing Statistical Methods

The "TANF Sampling and Statistical Methods Manual, January 2000" is available for use by all Tribes. However, except for the Navajo Nation, no Tribe is large enough to warrant using a statistical sample approach. The Navajo Nation serves approximately 5,800 families – 3,850 in Arizona; 1,750 in New Mexico; and 230 in Utah. The Nation receives funds from the three States and must allocate costs to each State based on the caseload served. Due to the small sizes of the respective caseloads, a statistical sample does not seem cost effective.