

1 Supporting Statement for Paperwork Reduction Act Submissions Application for Job Placement and Training Services, 25 CFR 26 OMB Control Number 1076-0062

Note: This collection expired before the renewal process was completed because of delays in the surname process. The office now has someone tracking information collection actions to ensure there are no unnecessary delays. In addition, the streamlined process that delegates signature authority to a lower level and relieves the Office of the Solicitor of reviewing routine documents is being proposed. This will save weeks from beginning to end of the signature process.

Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. Section B of the Supporting Statement must be completed when statistical use is made of the data collection. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

P.L. 84-959 and 25CFR 27, the Act of Nov.2, 1921 (the Snyder Act) and 25CFR 26 authorize the Department of the Interior, to assist adult Indians who reside on or near Indian reservations (or in Alaska) to obtain meaningful and satisfactory employment. The information collection documents provide data necessary to administer a Job Placement program and/or a (vocational/technical) Training program. The Department is authorized to undertake a program of vocational/technical training including related counseling, guidance, job placement services and limited financial assistance for any recognized vocation, apprenticeship, trade, or on-the-job training. The program is available to Indians who are not less than 18 years old and who reside within DOI approved service areas. Authorizing legislation and subsequent regulations authorize the DOI to enter into contracts and other agreements with Federal, State, Tribal governments, and the private sector to provide various types of training that lead to skilled employment. The same application form is being used for both 25 CFR Part 26 (Employment Assistance [Job Placement]) and 25CFR Part 27 (Vocational [Job] Training).

This information collection is necessary to comply with Government Performance Results Act, (GPRA), address Performance Assessment Rating Tool, (PART), program monitoring and evaluation. The White House has also established "Common Performance Measures" for all Job placement and training programs. This information collection document satisfies all of these requirements.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

The information is used by DOI and Tribal PL93-638 contractors to determine eligibility and need of an applicant to receive benefits under 25 CFR Parts 26 and 27. In response to OMB's concerns about whether the data provides an opportunity to assess the performance of the training and employment program, the information requested provides information about the applicant's current employment abilities as well as any physical limitations that might need to be considered in developing a workable training plan; it also allows the applicant to express desires about type of employment that applicant desires. Annual reports of progress are given under Government Performance Results Act, which addresses the Government-wide performance standards for all employment, training and related programs.

The information contained in this form has been used on a regular basis. The information, incorporated into the quarterly GPRA submission, was included as data during our recent PART review; it has been used to monitor status of the program, used to develop new program initiatives and to address high unemployment on Indian reservations.

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The first two rows of the form ask for personal information that provides the family situation of the applicant.

The third row provides information about services requested, whether services have been provided before, and emergency contact.

The fourth row provides educational information about the applicant.

The fifth row provides the training interest of the applicant and also income sources, if any.

The next three rows provide employment information relevant to the career goals of the applicant, starting with the most recent.

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This page requires applicant to initial form if for training only. It also requires applicant to read the Paperwork Reduction Act and Privacy Act statements, and then sign and date that applicant has done so.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and

specifically how this collection meets GPEA requirements.].

During December, 2001, Indian Affairs (IA) was forced to disconnect from the internet by a court order issued by the judge in the Cobell litigation. Hence, IA cannot implement GPEA until reconnection to the Internet is completed.

Individual contractors may automate the form, but this is not required. This form will be placed on the Office of Indian Energy and Economic Development, Department of the Interior web page, when available. The individual respondents will not use an automated electronic form because of the nature of the interview and guidance that the bureau or contractor provide is best conducted face to face.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Within the Department of Interior, parts of Indian Affairs, such as Social Services, Office of Indian Education, and Economic Development collect similar information to determine program eligibility. The Department of Labor through its Job Training Program also collects similar data. Tribes use the form required by the federal agency they deal with, so that those receiving grants directly from the Department of Labor will use that form, while those dealing with DOI will use our form. Tribes and contractors who work with any of these federal agencies may be able to automate their information to the point that they use one data base to respond to several agencies. However, tribes that participate in the Pub.L. 102-477 program are not required to complete any form unless it is part of the 477 program. Any application developed must document eligibility for services. The data collection does not duplicate any other collection efforts.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This information collection form does not impose an adverse impact on even a small tribe, or an individual seeking assistance because funding is provided to administer the program.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The statutes authorize the BIA to provide vocational training and employment assistance through contracts or agreements with tribes, certified organizations, and local or state governments who meet the requirements established by BIA. Funding for the program is now provided via Tribal Priority Allocation (TPA). The information collection form provides the current information which can be used to prioritize applications. Funding is limited and tribes must make the best use possible of funds to ensure that Indians can become satisfactorily employed.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * *requiring respondents to report information to the agency more often than quarterly;*
- * *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- * *requiring respondents to submit more than an original and two copies of any document;*

- * *requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*
- * *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
- * *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- * *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
- * *requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

There are no special circumstances that would require the respondents to report more than once a quarter; applications are filled out by individuals on an as needed basis; programs cannot exceed 12-24 months with the exception of the nursing program which can last 36 months. The application is not subject to a statistical survey. Some of the information is covered by the Privacy Act and applicants are informed of this and assured that the data will be handled in accordance with the Privacy Act. No proprietary information is collected.

Respondents are not required to submit written responses in fewer than 30 days after receipt and they are not required to submit more than one original and two copies. Respondents are not required to retain records for longer than three years. The information is not used with any statistical survey and not used for statistical data classification.

8. **If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Two national meetings which included tribal contractors were held by DOI in which the government-wide performance measures from the White House were discussed as well as information on the combined rules and the impact on information collection. The revised form was the result of one of the meetings. The form has been revised using plain language. The public was invited to comment during a 60-day Federal Register Notice period which began July 6, 2007 (72 FR 37043). No comments were received.

No telephone conversations have been received concerning this data collection.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

We have consulted with members of the 477 tribal work group representing 243 federally recognized tribes. There have been no issues with the existing forms. We have consulted

with BIA regional offices and agencies. Brenda Davis uses this form with the tribes and may be consulted at 701-477-6176.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Confidentiality of personal information is maintained in accordance with the Privacy Act, 5. U.S.C. 552a. The BIA Privacy Act System of Records "BIA-23 Employment Assistance Case Files" explains how we maintain personal information in accordance with the Act. Personal information is not disclosed without the written consent of the individual to whom the record pertains.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No information of a sensitive nature, such as sexual behavior and attitudes or religious beliefs, is needed or requested.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- * **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

One form: "Application for Training or Employment Assistance" is used for 25 CFR 26 and 27. Service providers earn an estimated \$16.6635/hr, this includes benefits, for staff collecting the data. There are 4,900 responses; at 30 minutes each, there is a total of 2,451 hours. At \$16.6635/hr, the total cost to respondents for both regulations equals \$40,842.239. This salary

cost is based on Table 1 of National Compensation Survey: 07-03, for office and administrative support, state and local governments.

CFR Part	Number of Respondents	Frequency of Responses	Total Annual Responses	Burden Hours per Response	Annual Burden Hours	Cost to Respondents
26.4 Application Requirements	955		955	.5	478	526 X \$16.6635 per hr. = \$8,765.001
26.6 job details	95	1	95		48	(\$15.87 x 1.05 is salary + benefits per hour)
27.4 Application Requirements	2,000	1	2000	.5	1,000	1925 X \$16.6635 per hour = \$32,077.238
27.6 Report of Progress	850		850		425	
27.9 OJT Approved	1,000		1,000		500	
Totals			4,900		2,451	\$40,842.239

Note that in 26.6, the respondents are businesses that are providing jobs for the applicants; they also are the ones providing progress reports.

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or

contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The total cost burden for recordkeepers resulting from the collection of information is zero. Service providers normally maintain such records and the responsibility is a normal part of their business. Respondents complete the one form and are not required to perform any other record maintenance. No equipment is used. In addition, the grant comes with administration funds.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

The total estimated annual cost to the Federal Government for collection of the data from service providers is \$3,840 per year. This estimate is based upon collecting summary data 4 times per year, once a quarter. Each quarter's data collection and summary of the data requires about 16 hours of work times 4 times per year = 64 hours per year @ \$60.00 per hour = \$3,840 per year. The estimated \$60.00 per hour is based upon actual Federal employee salaries and benefits (GS-13/14) for those responsible for data collection summaries.

- 15. Explain the reasons for any program changes or adjustments reported.**

This is a reinstatement so all burden is an increase.

- 16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

There are no plans for publication. Information is collected as employment and training assistance requests are made. This is an ongoing information collection with no ending date established, and no plans for publication.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We will display the expiration date and OMB number on the information collection form.

- 18. Explain each exception to the certification statement identified in 5 CFR 1320.8(b)(3) and 5 CFR 1320.9.**

There are no exceptions to the certification.