

Supporting Statement
Indian Tribes, Tribal Organizations or Tribal Consortia
Letter of Intent to Operate a Title IV-E Program

A. Justification

1. Circumstances making the collection of information necessary

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) added a new section 479B to the Social Security Act (the Act) which allows Indian tribes the option to apply to the Secretary to receive Federal funding to support the administration of their own foster care, adoption assistance and relative guardianship programs under title IV-E of the Act. The law also amended the Act at section 476(c)(2) (iii) to allow Indian tribes to receive one-time development grants of up to \$300,000 to be used to offset the cost of developing a title IV-E plan to carry out the requirements of new section 479B of the Act and required ACF to provide technical assistance and implementation services to Indian Tribes regarding the title IV-E program. In order to plan for the review of Tribal title IV-E plans and technical assistance needs, the Administration for Children and Families (ACF) is requesting that all Federally-recognized Indian tribes, tribal organizations or tribal consortia (hereafter, Tribes) that plan to operate a title IV-E program send a letter of intent regarding whether they will seek to operate a title IV-E program to their ACF Regional Program Manager by December 31, 2008.

A Tribe becomes eligible to apply for direct title IV-E funding beginning in October 2009 (FY 2010). Prior to that ACF needs to get a firm count of the number of Tribes that intend to apply for the title IV-E program so we can budget staff and technical assistance resources accordingly. Without a precise count, ACF is unable to develop an accurate and timely plan for providing technical assistance to Tribes intending to submit plans in FY 2010. Tribes have not previously been able to receive direct funding to operate title IV-E programs and face many issues complying with the numerous requirements of title IV-E. To some extent, the form and substance of technical assistance ACF would provide will depend on the number of Tribes that expect to operate their own title IV-E programs and the relative experience the Tribes have with title IV-E requirements. If ACF cannot get approval to collect this information under the emergency processing procedures of the PRA, we would not be able to begin this planning process until July or August, 2009.

2. Purpose and use of the information collection

ACF will use the information to budget staff and technical assistance resources.

3. Use of improved information technology and burden reduction

We will include a one-page template Tribes may use to provide the information. Tribes will be asked to send the letter to their ACF Regional Office. No special delivery methods or information technology are required for submission.

4. Efforts to identify duplication and use of similar information

NA

5. Impact on small businesses or other small entities

The respondents are the 562 Federally-recognized Tribes according to the Bureau of Indian Affairs' April 2008 *Federal Register* notice.

6. Consequences of collecting the information less frequently

NA – ACF is not requesting this information on a repeating basis.

7. Special circumstances relating to the Guidelines of 5 CFR 1320.5

ACF has requested OMB to authorize emergency processing pursuant to 5 CFR 1320.13 because P.L. 110-351 gives ACF a very narrow window in which to provide technical assistance prior to the effective date of the new sections of the Act. If we are unable to obtain expedited clearance for the information collection, some Tribes will be unable to take full advantage of the available technical assistance and implementation services prior to the effective date of the new sections of the Act.

8. Comments in Response to the Federal Register notice and efforts to consult outside the agency

Awaiting publication. Summary of any public comments will be provided when available.

9. Explanation of any payment or gift to respondents

No payment or gift will be provided to respondents associated with this data collection.

10. Assurance of confidentiality provided to respondents

Data requested is not confidential.

11. Justification for sensitive questions

Data requested is not sensitive.

12. Estimate of annualized burden hours and costs

Information collection	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Letter of Intent	562	1	1	562

Estimated total annual burden hours: 562

This may be an overestimation, as Tribes have the option to consolidate as consortia.

The annualized cost of the response burden is the product of the average hourly wage of Tribal staff times the total burden estimate: $\$30.00 \times 562 = \$16,860.00$.

13. Estimates of other total annual cost burden to respondents and record keepers

None. There are no capital or start-up costs associated with submitting the letters of intent.

14. Annualized cost to the Federal government

No additional costs are associated with the submission of the letter of intent.

15. Explanation of program changes or adjustments

This is a new project.

16. Plans for tabulation and publication and project time schedule

ACF has no plans to publish the number of Tribes that submit a letter of intent.

17. Reasons display of OMB expiration date is inappropriate

We are not seeking approval to not display the expiration date for OMB approval.

18. Exceptions to certification for Paperwork Reduction Act submission

NA

B. Collections of information employing statistical methods

NA