

# **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. Circumstances Making the Collection of Information Necessary**

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).

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

### **2. Purpose and Use of the Information Collection**

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. Use of Improved Information Technology and Burden Reduction**

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. Efforts to Identify Duplication and Use of Similar Information**

The Tribal TANF program is a relatively new program and there are no specific data available that are similar to those collected.

**5. Impact on Small Businesses or Other Small Entities**

This collection of information does not impact small businesses or other small entities. It will affect only Tribes.

**6. Consequences of Collecting the Information Less Frequently**

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. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

This collection of information does not involve any special circumstances and will not result in a system of records.

**8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency**

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 April 23, 2009 in Volume 74, page number 18577. We received no comments in response to this notice.

**9. Explanation of Any Payment or Gift to Respondents**

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. Assurance of Confidentiality Provided to Respondents**

This data collection does not constitute a Privacy Act System of Records.

**11. Justification for Sensitive Questions**

There are no sensitive questions.

**12. Estimates of Annualized Burden Hours and Costs.**

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)	62	4	451	111,848
Tribal TANF Annual Report - §286.55	62	1	40	2,480
Tribal TANF Reasonable Cause / Corrective Action Documentation Process - §286.200	62	1	60	3,720

Total Burden = 118,048 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 \$4,721,920. 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 118,048 burden hours.

**13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers**

There is no annual burden, as we supply a freeware data entry system to Tribes. The data entered are saved as a text file and submitted via FTP or email.

**14. Annualized Cost to the Federal Government**

We estimate total annual Federal burden to be 243 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 is \$24,300.

**15. Explanation for Program Changes or Adjustments**

There are no program changes. However, there has been an increase in the number of tribes that submit data. It increased from 56 to 62. This then changes the total number of annual burden hours from 106,624 to 118,048. Because of this the number responses were adjusted upward.

Also, there was an adjustment to zero in annual costs due to a change in methodology.

**16. Plans for Tabulation and Publication and Project Time Schedule**

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. Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

Not applicable.

**B. Collection of Information Employing Statistical Methods**

Not applicable.