

## The Supporting Statement

### Title IV-E Plan Information Collection

#### A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Sections 471 and 479B under title IV-E of the Social Security Act (the Act) authorize collection of information through the Title IV-E plan. The Title IV-E plan information collection is approved under OMB control number 0980-0141.

A compilation of the Social Security Act containing title IV-E Sections 471 and 479B, 45 CFR 1355 and 1356, ACYF-CB-PI-08-07, ACYF-CB-PI-07-04 and ACYF-CB-PI-07-02 are posted on the Children's Bureau website at

[http://www.acf.hhs.gov/programs/cb/laws\\_policies/index.htm#laws](http://www.acf.hhs.gov/programs/cb/laws_policies/index.htm#laws).

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law (P.L.)110-351) amended the Social Security Act to allow Indian Tribes, Tribal Organizations and Tribal Consortia (Tribes) an option to operate a Title IV-E program. In addition PL 110-351 provided an option for both States and Tribes to opt to operate a Title IV-E Guardianship Assistance Program. An approved Title IV-E Plan is required

before the programs can be implemented. The effective date for the Guardianship Assistance Program for States was upon enactment of PL 110-251 (October 7, 2008).

For Tribes to directly operate title IV-E programs for foster care, adoption assistance and guardianship assistance the effective date is October 1, 2009.

2. Indicate how, by whom, and for what purpose the information is to be used.

Each State or Territorial public child welfare agency or Tribal Title IV-E agency (IV-E Agency) requesting Federal funding under the Act for the foster care, adoption assistance and guardianship assistance programs is required to submit a Title IV-E plan. The plan is used by the IV-E Agency to provide assurances the programs will be administered in conformity with specific requirements stipulated in title IV-E. The plan must include all applicable State or Tribal statutory, regulatory, or policy references and citation for each Federal requirement as well as supporting documentation. The Federal government has used the Title IV-E plan to evaluate and monitor State program implementation; identify State practice and systemic issues; target areas for potential or enhanced technical assistance; and support monitoring reviews in the States. Tribes will be eligible to begin a Title IV-E program October 1, 2009 upon approval of a Title IV-E Plan.

3. Describe whether and to what extent the collection of information involves the use of

automated, electronic, mechanical, or other technological collection techniques to reduce burden.

An electronic version of the Title IV-E plan pre-print can be accessed through the Children's Bureau website which may be submitted electronically or on a compact disc to the Children's Bureau. A IV-E Agency may use the pre-print plan format issued by the Children's Bureau or a different format, on the condition that the format used includes all of the title IV-E plan requirements of the law.

Electronic submission of Title IV-E plans has resulted in significantly reducing paperwork for a Title IV-E Agency.

4. Describe efforts to identify duplication.

This information collection does not duplicate information collected for other purposes or from other data sources. Through extensive contacts with organizations and individuals in the public and private sectors, program staff is certain there is no similar information available.

5. If the collection of information impacts small businesses or other small entities (Item 5 of

OMB Form 83-I), describe any methods used to minimize burden.

This information collection does not impact small businesses or other small entities.

Only Title IV-E Agencies are required to collect and report this information.

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 reduce burden.

A Title IV-E Agency cannot receive Federal reimbursement for allocable program activities if the information collection is not conducted or is conducted in a manner contrary to Federal provisions. The Title IV-E Plan is required by Federal statute. Legislative change is the only means to reduce or eliminate this burden.

Once the initial Title IV-E Plan has been submitted by the Title IV-E Agency and approved by the Department, the plan remains in effect until an amendment is required due to a significant and pertinent change in the plan information. Requiring a Title IV-E Agency to submit the plan only when necessary rather than during regular intervals has substantially reduced the reporting burden on Title IV-E Agencies. Experience has demonstrated that on average a plan is submitted by a IV-E Agency once every four years.

7. Explain any special circumstances that require a specific manner of collection.

There are no special circumstances that require the collection of the requested information in a manner other than that required by OMB.

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.

The Department of Health and Human Services, Administration for Children and Families (ACF) published a notice in the Federal Register, according to the requirements in 5 CFR 1320.8 (d), on March 11, 2009 (Volume 74, Number 46 Pages 10594-10595).

The ACF received comment in response to that 60-day Federal Register Notice questioning whether this requirement applied to the States. ACF's response is that this applies to all States.

ACF has met annually with Title IV-E Agency State representatives responsible for foster care and adoption services. These meetings discuss innovations in the field and allow ACF to provide a forum for discussing critical child welfare issues. These experts expressed no concerns regarding the collection of information in the Title IV-E Plan.

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

No gift or payment will be provided to any respondents other than reimbursement for legitimate financial claims under this program.

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

Title IV-E Plans are public documents. Title IV-E Plans do not contain identifying, personal information on individuals and must be made available for public review. The plans must include assurances of compliance with section 471(a)(8) of the Act, which provides for safeguarding the use and disclosure of information on applicants and recipients of services.

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.

There are no questions or other information of a sensitive nature in this information collection.

12. Provide estimates of the hour burden of the collection of information.

ANNUAL BURDEN ESTIMATES

INSTRUMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENTS	AVERAGE BURDEN HOURS PER RESPONSE	TOTAL BURDEN HOURS
Title IV-E State Plan	33	1	16	528

Estimated Total Annual Burden Hours: 528

An initial Title IV-E Plan is submitted by the Title IV-E Agency for approval to participate in the title IV-E program. Plan amendments are submitted whenever necessary to reflect changes in Federal statute or regulation, or, material changes in State or Tribal law, policy or program operation. The ACF's experience with States is that a

Title IV-E Agency will amend a plan once every four years and that about one-fourth, or 13 agencies, will amend their plans annually. It is estimated that it will take approximately 16 hours to abstract, assemble and transmit necessary information. The basis for the estimate of burden is prior experience and informal reports from the Title IV-E Agencies in States. In addition, the Department used information from Tribes regarding interest in a Title IV-E program based on a Notice published in the Federal Register, March 11 2009, Volume 74, Number 46, Pages 10594-10595 to estimate the number of Tribes interested in a Title IV-E program.

13. Provide an estimate of the annual cost burden to respondents or recordkeepers resulting from the collection of information.

There is no additional cost burden to a Title IV-E Agency associated with generating, maintaining, disclosing or providing the information. Any costs incurred are related to the use of existing resources in a Title IV-E Agency. Title IV-E Plan preparation and maintenance are considered standard operating procedures necessary for efficient and proper performance of the Title IV-E Agency; therefore, associated costs may be claimed for Federal reimbursement at the 50 percent administrative rate.

14. Provide estimates of annualized cost to the Federal Government.



There are no additional costs to the Federal government resulting from this collection of information. Any costs incurred are associated with the use of existing resources in ACF.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

A program change occurred from a new statute that increase burden and responses. P.L. 110-351 amended the Social Security Act to expand the title IV-E program to allow Tribes the option to implement their own program. In addition, PL 110-351 provided an option for States and Tribes to implement a Guardianship Assistance Program. Prior to implementing these options, States and Tribes must have an approved Title IV-E Plan.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

The ACF does not plan to publish the information collected.

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.

The OMB control number and expiration date are displayed on the front page of the pre-print format issued by ACF.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," on Form OMB 83-I.

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

The information that must be submitted in the Title IV-E Plan collection does not require the use of statistical methods.