

SUPPORTING STATEMENT FOR THE NATIVE EMPLOYMENT WORKS (NEW) PROGRAM PLAN GUIDANCE AND PROGRAM REPORT

A. Justification

1. Circumstances Making the Collection of Information Necessary

Section 412(a)(2) of the Social Security Act (42 U.S.C. 612(a)(2)), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Balanced Budget Act of 1997, created a new tribal work activities program – the Native Employment Works (NEW) program. The NEW program began July 1, 1997.

The NEW program plan guidance and the NEW program report document contain requirements for information needed by the Department of Health and Human Services (HHS) to evaluate and approve plans for funding and to monitor and measure program performance. Eligible Indian tribes and Alaska Native entities must submit program plans (generally once every three years) in order to receive NEW program grants. The plan describes how the grantee will administer and operate its NEW program. NEW grantees must submit program reports annually, providing information on activities and services provided, characteristics of NEW program clients, and program outcomes achieved.

The NEW program final regulations (45 CFR Part 287) contain requirements for program plans and program reports. In these regulations, sections 287.70 through 287.110 apply to NEW plans, and sections 287.150 through 287.170 apply to NEW reports. These requirements are reflected in the program plan guidance and program report document.

The version of these documents for which we now seek approval replaces previous versions. This version clarifies plan and reporting requirements.

2. Purpose and Use of the Information Collection

HHS uses the information in NEW program plans to determine whether to approve the proposed NEW plans and programs for funding. HHS and grantees use the information in NEW plans to document how the grantees will administer and operate their NEW programs.

HHS and grantees use the information in NEW program reports to determine the extent to which grantees' programs are fulfilling their intended purpose and meeting their goals and projected outcomes. The information assists HHS and grantees to evaluate the program and to develop policies and procedures to make it more effective in addressing the needs of American Indian families. HHS and others, including Congress and grantees, use the information to determine the impact of the NEW program.

3. Use of Improved Information Technology and Burden Reduction

The NEW program plan and program report may be submitted to HHS in hard copy or electronically. Electronic submission is faster and more efficient than hard copy submission and should reduce information collection burden. Electronic submission of NEW plans and program reports is optional for grantees. Automated, electronic, and other technological collection techniques are not available to some tribes that operate NEW programs.

4. Efforts to Identify Duplication and Use of Similar Information

No similar or duplicate information is available. The information collected relates specifically to uses of NEW program funds.

5. Impact on Small Businesses or Other Small Entities

These requirements have no impact on small businesses or entities. Information requested through this collection is the minimum needed for the intended use.

6. Consequences of Collecting the Information Less Frequently

Information is collected less frequently under the NEW program than under the predecessor Tribal Job Opportunities and Basic Skills Training (JOBS) program. Tribal JOBS plans were due once every two years, while NEW plans are due once every three years. Three-year plans allow grantees sufficient time to plan and implement longer-term strategies. Tribal JOBS program operation reports were due quarterly, while NEW program reports are due annually. Collecting the information less frequently than once every three years for plans and once a year for reports would not be sufficient for program accountability.

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

None. For example, NEW program plans are submitted once every three years, and NEW program reports are submitted annually.

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

Our 60-day notice requesting comments on this information collection prior to submission to OMB was published June 11, 2009, vol. 74, page 27801. We received one comment in response to the 60-day notice. This comment did not address cost and hour burden; it supported collecting performance standards information. We requested comments from NEW grantees and federal staff on the information collection. In response to comments from grantees and federal staff, we clarified the documents and added a requirement for signature of the program report by an authorized grantee official/representative.

The NEW regulations include specific requirements for the content of NEW plans. These requirements are the basis for the NEW program plan guidance. The NEW regulations include general requirements for NEW program reports. These requirements are included in the NEW program report. The notice of proposed rulemaking for the NEW regulations was published July 22, 1998 in the Federal Register (63 FR 39365 et seq.). A 120-day comment period was provided. HHS took all comments received into account when preparing the final rule. The final rule was published February 18, 2000 (65 FR 8478 et seq.).

9. Explanation of Any Payment or Gift to Respondents

No payment or gift will be (or has been) provided to respondents (other than annual award of NEW grant funds to NEW grantees consistent with statutory and regulatory requirements).

10. Assurance of Confidentiality Provided to Respondents

No assurance of confidentiality is provided to respondents (NEW grantees). The information collected is not confidential. Grantees do not submit information that identifies individual NEW program clients.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature in the information collection.

12. Estimates of Annualized Burden Hours and Costs

By law, eligibility for NEW program funding is limited to the Indian tribes and Alaska Native organizations that operated JOBS programs in FY 1995. The 78 current NEW grantees are the only entities eligible for NEW funding. We assume that all 78 will continue to submit program plans every 3 years to continue to operate NEW programs.

NEW program grantees must submit a program report annually. NEW grantees have the option to include their NEW programs in demonstration projects under Public law 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992. The number of NEW grantees that do so varies from year to year. Each year, about two-thirds of NEW grantees do not include their NEW programs in 102-477 projects, and about one-third include their NEW programs in 102-477 projects. The grantees that include their NEW programs in a 102-477 project report program progress to the Department of the Interior, the lead agency for 102-47 projects, using a form and narrative that are similar to the form and narrative for the NEW program report. Because the 102-477 information collection receives separate OMB approval, we have not included hour burden in this supporting statement for NEW grantees that submit the 102-477 program report information collection, rather than the NEW program report. The table below estimates that 48 of the 78 NEW grantees will report annually to HHS (and 30 will include their NEW programs in 102-477 projects and report to the Interior Department).

There are two slightly different versions of the NEW program plan guidance – one for NEW non-102-477 grantees, and one for NEW 102-477 grantees. The information collected in the plans and the hour burden are the same for each group of grantees.

We estimate that the annual hour burden for the new program plan is 754, and we estimate that the annual hour burden for the NEW program report is 720. The combined total annual hour burden for the program plan and program report is 1,474. We estimate that the annualized cost to the respondents for hour burdens for the information collection is \$22,110. We calculated this estimate by multiplying the estimated total burden hours (1,474) by \$15, the estimated average hourly wage of the grantee staff performing the work.

The basis for these estimates is experience with recent NEW program plans and program reports, using information obtained from respondents.

Annual Burden Estimates

Instrument hrs.	# of respondents	# of responses per respondent	Avg. burden hrs. per response	Total burden
NEW program plan guidance	26*	One, every 3 years	29	Annually: 754
NEW program report	48**	One, annually	15	Annually: 720

Estimated total burden hours = 1,474

* 78 grantees divided by 3 (because grantees submit the NEW plan once every 3 years) = 26

** We estimate that 48 of the 78 NEW grantees will not include their NEW programs in P.L. 102-477 projects and therefore will submit the NEW program report to HHS.

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

There are no direct monetary costs to respondents other than their time to participate. (Costs of hour burdens covered in items 12 and 14 are not included under this item.)

14. Annualized Cost to the Federal Government

We estimate that the federal cost of central office and regional office staff time associated with the program plan guidance – reviewing 78 plans, and obtaining and reviewing any necessary additional information – is \$11,432. These tasks will require approximately 312 professional staff hours (an average of 4 hours per plan) at an average cost of \$36 per hour, plus 10 administrative/clerical staff hours at an average cost of \$20 per hour. Because program plans are effective for a 3 year period and HHS incurs the federal burden for processing the plans only once every 3 years, the federal annualized cost is reduced. The annualized federal cost is approximately \$3,811.

We estimate that the annualized federal cost of central office and regional office staff time associated with the program report – analyzing the reports, obtaining clarifications and corrections, tabulating, and publishing the results from 48 annual reports – is \$7,040. Grantees submit one NEW program report each year. (Of the 78 NEW grantees, approximately 48 report to HHS each year, and approximately 30 include their NEW programs in P.L. 102-477 projects and report to the Department of the Interior in a similar, but separate, program report information collection.) Each year, these tasks will require approximately 190 professional staff hours at an average cost of \$36 per hour, plus 10 administrative/clerical staff hours at an average cost of \$20 per hour.

The total annualized federal cost for the program plan and the program report is approximately \$10,851 (\$3,811 + \$7,040).

15. Explanation for Program Changes or Adjustments

There is no adjustment, however, there is a program change. Based on experience with the plan and report, and comments from grantees and federal staff, we are clarifying instructions for both documents and adding a requirement for signature of the program report by an authorized grantee official/representative. There is no change in burden.

16. Plans for Tabulation and Publication and Project Time Schedule

Results of the information collected in the NEW program report are published in the Temporary Assistance for Needy Families (TANF) annual reports to Congress. HHS staff tabulate the results and prepare tables and text for publication. Numbers and characteristics of program participants, program activities and services provided to participants, and program accomplishments and issues will be covered. No complex analytical techniques will be used. Grantees will report this information annually, within 90 days after the close of each program year. The time schedule for completion of TANF annual reports to Congress is about one year after the end of the period covered in the report. Arrangements are made to publish these reports as soon as they are approved.

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

Not applicable. We will display the expiration date for OMB approval of the information collection.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.

B. Statistical Methods (used for collection of information employing statistical methods)

Not applicable. Statistical methods will not be employed.

1. Respondent Universe and Sampling Methods
2. Procedures for the Collection of Information
3. Methods to Maximize Response Rates and Deal with Nonresponse
4. Test of Procedures or Methods to be Undertaken
5. Individuals Consulted on Statistical Aspects and Individuals Collecting and/or Analyzing Data