

**SUPPORTING STATEMENT
OMB CONTROL NO. 1205-0425**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The National Farmworker Jobs Program (NFJP) provides employment and training services and housing assistance to disadvantaged National Farmworker Jobs Program (NFJPs). Authorized under the Workforce Investment Act of 1998 (WIA), the program seeks to counter the impact of the chronic unemployment and underemployment experienced by NFJPs who depend primarily on jobs in agricultural labor. NFJP grant funds are awarded to community-based organizations and public agencies through a biennial grant competition.

Under this Information Collection Request (ICF), NFJP grantees are required to submit a Budget Information Summary report (ETA Form 9093), a Program Planning Summary report (ETA Form 9094), a Program Status Summary report (ETA Form 9095), a newly created Housing Assistance report (ETA Form 9164), for which ETA seeks OMB clearance, a quarterly file of individual records on all participants who exit the program (Workforce Investment Act Standardized Participant Record (WIASPR), and a grant plan narrative. More details on each report and their submission frequency are provided in Question #2.

The accuracy, reliability, and comparability of program reports submitted by grantees using Federal funds are fundamental elements of good public administration, and are necessary tools for maintaining and demonstrating program integrity. The use of a standard set of data elements, definitions, and specifications at all levels of the public workforce system, which includes the NFJP, that helps to improve the quality of program and performance information that is received by the Department. These reporting requirements encompass a minimum level of information collection that is necessary to hold grantees appropriately accountable for the Federal funds they receive, assess progress against a set of common performance measures, and allows the Department to fulfill its oversight and management responsibilities.

ETA's statutory and regulatory authority to administer the NFJP includes provisions allowing for the requirement of reporting from grantees. WIA includes provisions that require each grantee to furnish to the Secretary such information and reports as are necessary or appropriate for carrying out the purposes of Section 167 of the Act. Information is collected through the NFJP reporting and recordkeeping system under the following authority:

WIA section 167 (c)(1) and (2), requires submission of a grant plan describing a 2-year strategy for serving NFJPs, and housing assistance for migrants and seasonal farmworkers (MSFWs).

WIA Regulations Final Rule 20 CFR 669.510, 669.520, 669.530, and 669.540, outlines requirements for the submission of the grant plan.

WIA Regulations Final Rule 20 CFR 667.300(a) requires all grant recipients of WIA funding to report financial, participant, and performance data in accordance with instructions issued by DOL.

WIA section 185 Reports, Record Keeping and Investigations requires recipients to keep records that are sufficient in preparing required reports and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully as authorized under title I of the Act.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Grantees implement these recordkeeping and reporting requirements with available funds. These reporting requirements help to organize data that are collected by grantees and help standardize the measurement of performance. Information collected and reported through the BIS Report, ETA 9093, the PPS Report, ETA 9094, the PSS Report, ETA 9095, the WIASPR files, the new HAS Report, ETA 9164, and the grant plan narrative will be used by grantees and ETA for the following purposes:

1. To provide program and performance information to stakeholders including participants, businesses, taxpayers, Congress and others;
2. To continuously improve the quality, effectiveness and efficiency of customer services delivered through the NFJP and to inform technical assistance provided to grantees;
3. To provide management information for use in Federal program administration, including grant-specific participation, service, and outcome summaries; and
4. To conduct oversight and monitoring and hold grantees appropriately accountable for the Federal funds they receive.

Under the Information Collection Review process, each grantee receiving NFJP funds for employment and training activities is required to submit the following:

- A comprehensive service delivery plan and a projection of participant services and expenditures covering the two-year designation cycle;
 - The Budget Information Summary (BIS report), (ETA 9093) with revisions, estimated to take 15 hours per submission, is required for each Section 167 grantee's program, and is to be submitted as part of the annual grant plan. It is also used to collect information on how grant funds will be spent during the program year. The projected expenditures are arrayed cumulatively by program year quarter;
 - The PPS report (ETA 9094) with revisions, is required to be submitted as part of the annual grant plan, and is used to collect planned stream and numbers of participants (i.e. new participants, carry-overs and exiters), and the array of services provided for the program year;
- (1) The PSS report, (ETA 9095) with revisions, is to be electronically submitted each quarter, cumulatively by Program Year quarters. This report is used to collect quarterly data on actual participant numbers and services. **Grant Plan Narrative**– All NFJP grantees submit a grant plan narrative. ETA provides guidance to the grantees regarding the content of the grant plan narrative. There is no official form or template for this narrative, which is estimated to take 20 hours to complete annually. ETA has added a short section to Form 9095

to collect narrative information on grant activities. The addition of this requirement for a Quarterly Narrative Progress Report is intended for the grantee to provide relevant **data and information** on program activities and outcomes. The report will serve as a tool to monitor and evaluate consistency throughout each stage of progress of all the program services;

The WIASPR, with minimal revisions, contain data on NFJP participant characteristics and services. Grantees are required to submit their reports to ETA on a quarterly basis. The reports are used by ETA to measure the extent to which each grantee is meeting its performance goals. They are also intended to facilitate preparation and submission of an electronic file of records for WIA Section 167 grantees that complete the program. It describes the record layout, codes, and data verification edits that should be used to create such a file. It collects individual participant records containing demographic, service, and outcome data on individuals who exit the program. The main purpose of the WIASPR data system is to:

1. Establish a standardized set of data elements, definitions, and specifications that can be used to describe the characteristics, activities, and outcomes of job seeker and employer customers served through the One-Stop delivery system;
2. Facilitate the collection and reporting of valid, consistent, and complete information on job seekers and employer customers in order to support the overall management, evaluation, and continuous improvement of workforce programs at the local, state, and federal levels; and
3. Reduce duplicate record keeping by allowing grantees administering multiple USDOL-funded workforce programs to utilize a single set of data specifications and formats to report on a job seeker's and employer's interaction with the American Job Centers delivery system.

For more information on the WIASPR system in general, please consult the approved data collection in OMB Control No. 1205-0469.

- Data from the WIASPR is used by ETA to calculate the common performance measures – entered employment, retention, and earnings; and
- The HAS report, (ETA 9164), is a new reporting form for housing assistance. Upon OMB approval of this form, each grantee receiving NFJP funds for housing assistance will be required to submit a HAS report (ETA 9164) on a quarterly basis. This report is intended collect data on farmworkers and their families who receive transitional housing or rental assistance services through the grant program.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Over time, ETA has streamlined the collection of NFJP participant data and the preparation of quarterly performance reports by providing uniform data elements and data definitions to grantees, and through the use of technology. All NFJP reports and records are submitted to ETA via the Internet. However, it is left to the grantees to decide the best technology for collecting individual case management data given their unique circumstances and resource availability. Grantees collect, retain, and report all information electronically.

4. Describe efforts to identify duplication.

NFJP is unique, both by law and regulation. No other data source will supply the information needed to account for and evaluate the program.

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

No small businesses or entities are impacted.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

WIA is very specific about reporting requirements and reporting frequency. The Department would not be in compliance with the statute if it did not comply with these reporting requirements. The Final Rule at 20 CFR 667.300(d) (65F.R. 49429 August 11, 2000) which governs the due date states:

§ 667.300(a) General. All States and other direct grant recipients must report financial, participant, and performance data in accordance with instructions issued by DOL. Required reports must be submitted no more frequently than quarterly within a time period specified in the reporting instructions.

Further, collection of this information is absolutely necessary to ensure proper accountability for Federal funds and ensuring that the funds are being spent for the purposes intended by the Congress. This collection of information gives program staff the ability to provide timely technical assistance to grantees that are failing below acceptable performance levels. The collection of fewer data elements would also seriously hamper the ability of the Department to respond to data requests from Congress and others about the program.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines:

This data collection effort does not involve any special circumstances.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission.

As required by 5 CFR 1320.8(d), a Notice was published in the *Federal Register* on September 7, 2012 (Vol.77, page 55229 et seq).

Responses to this extension with revisions request are below:

COMMENT(S)	AGENCY RESPONSE
<p><u>Comment 1</u> “this 1935 system of bringing in farm workers from mexicoand general taxpayers paying agribusiness huge amounts totake care of them needs change in 2012 when american needwork. we have americans who can do farm</p>	<p><u>Comment 1</u> The commenter did not make any specific comments or suggestions regarding the NFJP reporting requirements, so no changes have been made to the forms to address this comment. To the point about documents being available online, the ETA</p>

work. we need to put american workers into those jobs on agribusiness facilities. they need the income. we want this system changed. let them stay in their own country where their expenses for education, medical care, etc are paid for by their own countrymen.

i oppose every single extension of every single 1935 document you want extended. if it expires in december 2012, let it expire. why aren't all your documents on line so they can be quickly referred to by the general public. there should be no american tax dollars given to any nfjp grantee for any of these purposes. this industry agribusiness, is a very profitable one in the usa right now. this comment is for the public record. this old process needs change. jean public."

Comment 2

Commenter indicated that the proposed NFJP Quarterly Narrative Progress Report is a positive addition for the NFJP.

Commenter had one question as follows: how will the Department want grantees to report common measures performance outcomes for the previous quarter. Given the lag time for calculating common measure outcomes, does the Department want grantees to use the most recent DOL/ETA "WIA NFJP QUARTERLY GRANTEE REPORT" or is there another method for reporting these outcomes?

forms for NFJP program activities are available on the program's website at <http://www.doleta.gov/MSFW/html/govtform.cfm>.

In regards to the concerns expressed about bringing in farm workers from other countries, NFJP only enrolls individuals that have legal working status in the United States.

Further, requirements do exist, as part of the Foreign Labor Certification H-2A program, regarding checking the availability of U.S. workers before hiring foreign workers. Specifically, the *Immigration and Nationality Act (INA)* requires employers to get a labor certificate from ETA's Office of Foreign Labor Certification certifying that there are not sufficient, able, willing and qualified U.S. workers available to do the work before obtaining H-2A visas for hiring foreign temporary workers. Certification may be granted in cases where it can be demonstrated that there are insufficient qualified U.S. workers available and willing to perform the work at wages that meet or exceed the prevailing wage paid for that occupation in the area of intended employment.

Comment 2

Changes were made to the instructions for Form 9095, Part 2: Quarterly Narrative Progress Report, to address this comment. Given the lag time for calculating the common measure outcomes that the commenter raises, the instructions indicate that grantees will utilize the common measures from the previous quarter in responding to Section C in the Quarterly Narrative Progress Report.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There is no payment or gift to respondents under this data collection.

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

ETA is responsible for keeping the NFJP performance data private in accordance with all applicable federal laws, with particular emphasis upon compliance with the provisions of the Privacy and Freedom of Information Acts. NFJP performance data does not contain any individually identifying information. ETA may receive records on individuals, but these records are submitted under an individual identifier, which must not be the individual's social security

number.

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 sensitive questions included in the proposed data collection.

12. Provide an estimate in hours of the burden of the collection of information:

- ✓ *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. Instead this cost should be included in Item 14. Generally, estimates should not include burden hours for customary and usually 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 in Item 13 of OMB Form 83-I.*
- ✓ *Provides estimates of annualized cost to respondents for the hour burdens for collection 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 in Item 14.*

The annual national burden for the NFJP reporting system has the following five components: (1) the annual program planning reports (ETA 9093 and ETA 9094); (2) quarterly program status report (ETA 9095); (3) quarterly program status report for housing assistance (ETA 9164); (4) the quarterly WIASPR individual participant records; and (5) the annual grant plan narrative. This response provides a separate burden estimate for each of the components. There are 69 grantees that will respond to this data collection, 52 grantees that provide employment and training services and 17 grantees that provide housing assistance.

(2) Grant Plan Narrative– All NFJP grantees submit a grant plan narrative. ETA provides guidance to the grantees regarding the content of the grant plan narrative. There is no official form or template for this narrative, which is estimated to take 20 hours to complete annually.

(3) Annual Program Planning Reports – NFJP employment and training grantees submit an annual budget plan (ETA 9093), estimated to take 15 hours to complete, and an annual program plan (ETA 9094), estimated to take 16 hours to complete, at the beginning of the grant year. The data collection burden associated with these forms includes staff time to prepare budget and program planning figures, formatting, and transmitting the annual program planning reports to ETA.

- (4) Quarterly Program Status Report** – NFJP employment and training grantees submit a program status report (ETA 9095), estimated to take 17 hours to complete, each quarter of the grant year. The data collection burden associated with this form includes staff time to prepare training aggregate performance information, program run times, data editing and checking, formatting, and transmitting the quarterly report to ETA. In addition, a new requirement for a Quarterly Narrative Progress Report has been added to this form and is intended for grantees to provide relevant data and information on program activities and outcomes. The report will be a tool to monitor and evaluate consistency throughout each stage of progress of all the program services. It will include accomplishments, activities employed for participants’ training and skill development, monitoring, performance outcomes, challenges, and success stories.
- (5) Quarterly Housing Assistance Summary Report** – NFJP housing assistance grantees submit a summary report (ETA Form 9164), estimated to take 17 hours to complete, each quarter of the grant year. The data collection burden associated with this form includes staff time to prepare aggregate housing assistance performance information, program run times, data editing and checking, formatting, and transmitting the housing quarterly report to ETA.
- (6) WIASPR** – NFJP employment and training grantees submit WIASPR data. The WIASPR burden considers the amount of information collected from individual program participants and reported that would not have to be collected by the grantees as part of their customary and usual burden to run the program. The data collection burden associated with the WIASPR includes program run times to extract program participant data, formatting, data editing and checking, and transmitting the files quarterly. Average time per response - 2.25 hours per record.

Hourly rates used to calculate cost depend upon the type of organization administering the program. Because the NFJP is largely administered through private non-profit organizations, an average hourly rate of \$15.23 was used in calculating the total annual costs of this collection. This is the average hourly earnings in the U.S. Department of Labor Bureau of Labor Statistics Social Assistance industry category or subsector (NAICS 624) for January 2012.

Data Collection Activities/Forms	Estimated Number of Respondents	Frequency Per Year	Total Annual Responses	Average Time Per Response	Estimated Annual Burden Hours	Total Annual Burden Cost
Plan Narratives	69	Annually (1)	69	20 hrs.	1,380	\$21,017.40
Budget Information Summary ETA 9093	52	Annually (1)	52	15 hrs.	780	\$11,879.40
Program Planning Summary ETA F9094	52	Annually (1)	52	16 hrs.	832	\$12,671.36
Program Status Summary	52	Quarterly (4)	208	17 hrs.	3,536	\$53,853.28

ETA 9095						
WIASPR Data	52	Quarterly (4)	29,500	2.25 hrs.	66,375	\$1,010,891.20
Housing Assistance Summary (new form) ETA 9164	17	Quarterly (4)	68	17 hrs.	1,156	\$17,605.88
TOTALS			29,949		74,059	\$11,27919.40

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

Costs for the collection are incorporated in the grants funding.

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

ETA collects and maintains all reports through its on-line Enterprise Business Support System (EBSS). Since the electronic mechanisms for collecting and storing grantee performance data on a quarterly basis are already in place to support other ETA programs, the annualized cost to the Federal government for the NFJP reports is minimal. The annual costs of maintaining the NFJP quarterly reports and records through EBSS, and generating quarterly performance reports for each grantee based on the common measures is estimated to be \$115,000.

For the quarterly progress reports (ETA Forms 9095 and 9164) and WIASPR files, it is estimated that staff spend approximately 40 hours per quarter on each report (320 hours per year) monitoring the data, providing technical assistance for grantee report submissions, preparing special aggregate reports for internal program management purposes, and generating specific responses to Congressional and other inquiries. Using an average hourly staff rate of \$42.66 multiplied by 320 hours, the estimated annual cost to the Federal government is \$13,651. The hourly rate used to calculate cost is the average hourly rate for a GS-13 (Step 1) employee in the Federal service (based on the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV-PA 2012 GS-13 locality pay schedules <http://www.opm.gov/oca/12tables/>).

15. Explain the reasons for any program changes or adjustments.

These reporting requirements help to organize data that are collected by grantees, inform monitoring and technical assistance efforts, and standardize the measurement of performance.

(1) Grant Plan Narrative Guidance – The WIA Annual Report Narrative provides guidance to the grantees regarding the content of the report narrative, and addresses the procedures for submitting required reports and the frequency of each submittal to the ETA. No changes have been made to this reporting requirement.

(2) **Annual Program Planning Reports** – NFJP employment and training grantees submit an annual budget plan (ETA Form 9093) and an annual program plan (ETA Form 9094) at the beginning of the grant year. No substantive changes have been made to these forms. Minor adjustments were made for clarity and conformity across the NFJP forms.

(3) **Quarterly Program Status Report** – NFJP employment and training grantees submit a program status report (ETA Form 9095) each quarter of the grant year. A new requirement for a Quarterly Narrative Progress Report has been added to this form and is intended for grantees to provide relevant data and information on program activities and outcomes. The report will be a tool to monitor and evaluate consistency throughout each stage of progress of all the program services. It will include accomplishments, activities employed for participants’ training and skill development, monitoring, performance outcomes, challenges, and success stories. Additional adjustments were made for clarity and for conformity across NFJP forms.

(4) **Quarterly Housing Assistance Summary Report** – ETA Form 9164 is a new reporting form for NFJP housing assistance grantees. This report is intended to collect data and narrative on temporary and permanent housing assistance activities under the grant program. There is currently no uniform reporting requirement for NFJP housing grantees, resulting in variation in the quantity and quality of information reported by grantees to ETA. Form 9164 will enable ETA to ensure the accuracy in data collected on individuals and families served and consistency in information reported on grant activities, to aid in grant oversight, monitoring, and technical assistance.

(5) **WIASPR** – The WIASPR is an individual record reporting requirement for data on NFJP participant characteristics and services. Grantees are required to submit their reports to ETA on a quarterly basis. Minor non-substantive changes have been made to WIASPR for clarity.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Grantees must implement recordkeeping and reporting requirements with available funds. These reporting requirements help to organize data that are collected by grantees and help standardize the measurement of performance. While ETA does not provide the information collected in any type of formal publication, performance outcomes are available to the public on the agency’s website and program and performance information is provided to Congress and other stakeholders.

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

The expiration date for OMB approval of the information collection is displayed on each form.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection information does not employ statistical methods.