

**OMB Control No. 1205-0422: SUPPORTING STATEMENT FOR REQUEST FOR OMB
APPROVAL
UNDER THE PAPERWORK REDUCTION ACT OF 1995**

A. JUSTIFICATION

This is a justification for the Department of Labor, Employment and Training Administration's (ETA) request for approval to modify the existing program reporting and recordkeeping requirements for the Indian and Native American (INA) programs authorized under Public Law 105-220, Workforce Investment Act of 1998 (WIA), Section 166 (29 USC 2911) and to extend ETA 9084 and 9085, which grantees use to submit quarterly program reports.

Each tribal grantee administering INA funds is required to submit a Comprehensive Services Program (CSP) Report (ETA 9084), a Standardized Participant Information Record (SPIR), and a Supplemental Youth Services (SYS) Program Report (ETA 9085). The other category of INA grantees, the non profit private sector grantees, submit the first two reports but not ETA 9085, since only tribal grantees administer youth programs.

The accuracy, reliability, and comparability of program reports submitted by grantees expending Federal funds are fundamental elements of good public administration and are necessary for maintaining and demonstrating system integrity. The use of a standard set of data elements, definitions, and specifications at all levels of the workforce system helps improve the quality of performance information that is received by the Department. ETA will continue to collect from grantees the data on program activities, participants, and outcomes that are necessary for program management and to convey full and accurate information on the performance of workforce programs to policymakers and stakeholders.

ETA is requesting to revise the current information collection, consisting of ETA 9084 (Comprehensive Services Quarterly Report), ETA 9085 (Youth Program), and the SPR (no changes). Both ETA 9084 and ETA 9085 will now capture the number of eligible veterans and spouses served (with the addition of two data fields). SPR has already been recording this information and will not be changed.

In addition, for ETA 9085, information will now be collected on the number of eligible youth between the ages of 14–21 rather than ages 14-24, which was allowed under the American Reinvestment and Recovery Act of 2009. ETA 9085 adds a credential attainment measure (under the new Part D: Returned to Secondary School Full Time, Placed in Employment or Education, and Attained Degree or Certificate). Finally, ETA 9085 data will revert to being collected quarterly, rather than monthly, as was the case prior to ARRA requirements.

A.1 Circumstances Necessitating Data Collection

ETA's statutory and regulatory authority to administer the INA programs includes provisions allowing for the requirement of performance reporting from grantees. The WIA includes provisions that require each grantee to provide to the Secretary such information and reports as are necessary or appropriate for carrying out the purposes of Section 166 of the Act.

Information is collected through ETA's INA programs' reporting and recordkeeping system under the following authorities:

WIA section 166

(e) Program Plan — In order to receive a grant or enter into a contract or cooperative agreement under this section, an entity described in subsection (c) shall submit to the Secretary a program plan that describes a 2-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area to be served by such entity. Such plan shall—

- (1) Be consistent with the purpose of this section;
- (2) Identify the population to be served;
- (3) Identify the education and employment needs of the population to be served and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment;
- (4) Describe the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities; and
- (5) Describe, after the entity submitting the plan consults with the Secretary, the performance measures to be used to assess the performance of entities in carrying out the activities assisted under this section.

(h)(2)(a) — “establishing regulations to carry out this section, including performance measures for entities receiving assistance under such subsection, taking into account the economic circumstances of such entities; and”

WIA Regulations Final Rule 20 CFR Part 667 and 668, including:

§ 668.600

- (a) The INA grantee is responsible to the Native American community to be served by INA funds.
- (b) The INA grantee is also responsible to the Department of Labor, which is charged by law with ensuring that all WIA funds are expended:
 - (1) According to applicable laws and regulations;
 - (2) For the benefit of the identified Native American client group; and
 - (3) For the purposes approved in the grantee's plans and signed grant document.

§ 668.610

- (a) Each INA grantee must establish its own internal policies and procedures to ensure accountability to the INA grantee's governing body, as the representative of the Native American community(ies) served by the INA program. At a minimum, these policies and procedures must provide a system for governing body review and oversight of the program plans, measures, and standards for program performance.
- (b) Accountability to the Department is accomplished in part through on-site program reviews (monitoring), which strengthen the INA grantee's capability to deliver effective services and protect the integrity of Federal funds.
- (c) In addition to audit information, as described at §668.850 and program reviews, accountability to the Department is documented and fulfilled by the submission of reports. For the purpose of program report submission, WIA, Section 166 grantees utilize ETA's Enterprise Business Support System (EBSS) to electronically submit quarterly reports, which are automatically date stamped by the system. A postmark or date indicating receipt by a private express delivery service, and/or facsimile is acceptable proof of timely submission when the electronic system is down on the due date. The report requirements are as follows:
 - (1) Each INA grantee must submit a quarterly, cumulative report for both the CSP and SYS program on program participants, activities, and exiters. This report must be received no later than 45 days after the end of the quarter.
 - (2) For the CSP, a SPIR is also submitted in conjunction with the ETA 9084 to allow the tracking and data validation of the average earnings common measure.

§ 668.620

Indicators of performance measures and levels of performance in use for INA programs will be those indicators and standards proposed in individual plans and are approved by us, in accordance with guidelines, which will be developed in consultation with INA grantees and under WIA, section 166 (h)(2)(A).

WIA section 185 broadly addresses reports, recordkeeping and investigations across programs authorized under title I of the Act. The provisions of section 185:

- (a) Require the Secretary to ensure that all elements of the information required for reports be defined and reported uniformly (WIA, section 185(d)(2));
- (b) Direct each state and each Local Board and each recipient (other than a sub-recipient, sub-grantee, or contractor of a recipient) to prescribe and maintain comparable management information systems, in accordance with the guidelines that shall be prescribed by the Secretary designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant and financial data, on statewide, local area, and other appropriate bases, necessary for reporting, monitoring, and evaluating purposes, including data necessary to comply with section 188 (WIA section, 185(c)(2)); and

(c) Specify that the reports shall include information about programs and activities carried out under title I of WIA pertaining to:

- (1) Relevant demographic characteristics (including race, ethnicity, sex, and age) and other related information regarding participants;
- (2) Programs and activities in which participants are enrolled, and the length of time that participants are engaged in such programs and activities;
- (3) Outcomes of the programs and activities for participants, including the occupations of participants and placement for participants in nontraditional employment;
- (4) Specified costs of the programs and activities; and
- (5) Information necessary to prepare reports to comply with section 188 and 29 CFR Part 37 (section 185(d) (1) (a-e)).

A.2 How, by Whom, and For What Purpose the Information is to be Used

Grantees are expected to implement revised recordkeeping and reporting requirements with available funds. These reporting requirements organize collected data and standardize the measurement of performance. At a minimum, information collected and reported through the CSP ETA Form 9084, SPIR, and SYS Program ETA Form 9085 is used by grantees and ETA for the following purposes:

1. To provide program and performance, including financial performance, information to stakeholders including participants, businesses, taxpayers, Congress, and others;
2. To continuously improve the quality, effectiveness, and efficiency of customer services being delivered through the Indian and Native American programs;
3. To provide management information for use in Federal program administration and oversight, including grant-specific participation, service, and outcome summaries. Selected demographic information will also be used to demonstrate compliance with all applicable laws and regulations, and to prepare and maintain grantee management reports; and
4. To measure compliance with the Government Performance and Results Act (GPRA).

A.3 Use of Technology to Reduce Burden

To comply with the GPRA, ETA has streamlined the collection of the INA programs' participant data and the preparation of quarterly performance reports by providing a common case management and reporting system, or BearTracks, that WIA, Section 166 grantees have the option to use, as well as providing uniform report formats and data definitions to grantees across ETA programs. All of the INA programs' reports will be submitted to ETA via the Internet. Grantees will collect, retain, and report all information electronically through the EBSS, which reduces the report burden time on grantees.

A.4 Efforts to Identify Duplication

The WIA section 166 program is unique, both by law and regulation. No other data source will supply the information that is required to account for and evaluate the Section 166 programs.

A.5 Methods to Minimize Burden on Small Businesses

Electronic submission reduces burden for small entities covered by this ICR. In addition, the information collection is being revised to reduce the frequency of reporting.

A.6 Consequences of Less Frequent Data Collection

The WIA is specific about reporting requirements and reporting frequency. The Department would not be in compliance with the statute if it did not comply with these requirements.

The Final Rule at 20 CFR 667.300 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.

Collection of this information is essential to guarantee proper accountability of Federal funds and to ensure that the funds are being spent for the purposes intended by the Congress. This collection of information gives staff the ability to provide timely technical assistance to grantees that are falling below acceptable performance levels. The collection of fewer data elements would seriously hamper the ability of the Department to respond to data requests from Congress and the Administration and compromise the Department's efforts to comply with the GPRA.

A.7 Special Circumstances for Data Collection

Adding eligible spouses to the reporting element on Veterans for both the ETA 9084 and 9085 improves the ability to track the provision of services provided by the WIA CSP and SYSP to Native American, Hawaiian Native, and Alaskan Native veterans and eligible spouses required by the Jobs for Veterans Act of 2002, (Public Law 107-288), Priority of Service for Covered Persons (20 CFR Part 1010), and ETA Training & Employment Guidance Letter No. 10-09. This addition is an enhancement to the reporting system on demographics and is not a performance-related element.

A.8 Federal Register Notice and Consultation outside the Agency

A Notice on this proposed Information Collection was published in the Federal Register on March 28, 2013 (Vol. 78, p 19018 et seq.). No comments were received.

A.9 Payment of Gifts to Respondents

There is no payment of gifts to respondents under this data collection.

A.10 Confidentiality Assurances

ETA and its contractor for the BearTracks reporting system are responsible for protecting the privacy of the INA participant and performance data to the maximum extent allowed by law. Data is maintained in accordance with all applicable federal laws, with particular emphasis on compliance with the provisions of the Privacy and Freedom of Information Acts. The Department works diligently to ensure the highest level of security whenever personally identifiable information is stored or transmitted. All contractors with access to individually identifying information are required to provide assurances that they will keep the data private. ETA has been an active participant in the development and approval of data security measures – especially as they apply to the agency’s on-line grantee reporting system, or EBSS, that will collect personally identifiable data on a quarterly basis.

A.11 Additional Justification for Sensitive Questions

While sensitive questions are asked of participants in the current data collection, there are no additional sensitive questions requested for the veterans and eligible spouses’ elements. For the purpose of collecting demographic data, the privacy of participants’ data is protected as discussed in section A.10. In addition, security mechanisms are maintained in the BearTracks data collection system by the ETA contractor, as well as the agency’s on-line grantee reporting system, EBSS. Participant responses to questions allow ETA to evaluate the effectiveness of the INA program.

A.12 Estimates of the Burden of Data Collection

The annual national burden for the INA reporting system has three components, which were further broken out by respondent type where applicable: (1) the quarterly CSP reporting burden (ETA Form 9084); (2) the SPIR data collection burden; (3) and the quarterly SYS program reporting burden (ETA Form 9085). This response provides a separate burden estimate, based on a quarterly basis, for each of these components. Approximately 122 grantees will respond to the CSP and SPIR data collection components, and approximately 81 grantees will respond to the SYS program data collection component. Labor-funded grantees participating in the demonstration project under Public Law 102-477 are not affected by this information collection request and have not been included in the following burden estimates.

(1). Quarterly CSP Report Burden

The INA ***Quarterly report burden for ETA Form 9084*** assumes that all grantees use the ETA-provided BearTracks system to generate ETA Form 9084. The BearTracks system is designed to apply edit checks to participant data and to generate facsimiles of the aggregate information on enrollee characteristics, services provided, and supplemental outcomes data in quarterly report format. The burden includes reviewing and correcting errors identified by the grantee in the participant-level data and generating, reviewing, and approving the aggregate quarterly reports. It is assumed that each grantee will spend approximately twenty-four (24) hours per quarter preparing this report.

Report	Hrs. Per Year Per Grantee	Number of Grantees	Annual National Hours	Applicable Hourly Rate	Annual National Burden Dollars
ETA Form 9084	96	81 Tribal Grantees and 41 Not-for-Profit Grantees = 122	11,712 (7776 Tribal and 3936 Not-for-Profit)	\$27.34	\$320,206

The difference between the data from the previous supporting statement submitted three years ago and this supporting statement is based on two factors. First, there are fewer grantees because of the ongoing flux between BIA and ETA tribal grantees and because of diminishing resources over the past three years. Second, the applicable hourly rate for grantee staff was updated based on current data of the Bureau of Labor Statistics' National Compensation Survey, RSE Table 5. Third, ARRA program youth data are no longer collected (and reported monthly) on ETA 9085.

(2). SPIR Data Collection Burden

The INA ***SPIR data collection burden*** considers the amount of participant and performance-related information collected and reported on the participant record that would not have to be collected by the grantees as part of their customary and usual burden to run the program. Thus the burden reflects the information collected solely to comply with the federal reporting requirements. The data collection burden includes program run times to extract program participant data, formatting, data editing and checking, and transmitting the files to the Department. It is assumed that each grantee spends approximately 2.4 hours per record preparing this report annually, and it is assumed that each participant spends .1 hour annually providing information orally to grantee staff for SPIR.

Record Type	Hrs. Per Record	PY 11 Actual National Participant Count	Annual National Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
SPIR Data, Grantee staff	2.4	13,649 (9062 Tribal and 4587 Not-for-Profit)	32,758 divided by 122 grantees =268.5 hours per grantee (21,749 Tribal and 11,009 Not-for-Profit)	\$27.34	\$895,604

Record Type	Hrs. Per Record	PY 11 Actual National Participant Count	Annual National Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
SPIR Data, Participant	.1	13,649	1365	\$7.25 federal minimum wage	\$9,896

Total participants = 13,649

(3). Quarterly Supplemental Youth Services Program Report Burden

The INA **Quarterly report burden for ETA Form 9085** assumes that all grantees will use the ETA-provided BearTracks system to generate ETA Form 9085. The BearTracks system is designed to apply edit checks to participant data and to generate facsimiles of the aggregate information on enrollee characteristics, services provided, and outcomes data in quarterly report format. The burden includes reviewing and correcting errors identified by the grantee in the participant-level data and generating, reviewing, and approving the aggregate quarterly reports. It is assumed that each grantee will spend approximately twenty-four (24) hours per quarter preparing this report. **ETA 9085 for youth programs is completed only by tribal grantees, which are authorized funding to operated youth programs.**

Report	Hrs. Per Year Per Grantee	Number of Grantees	Annual National Hours	Applicable Hourly Rate	Annual National Burden Dollars
ETA Form 9085	96	81 (tribal)	7,776	\$27.34	\$212,596

All hourly rates used to calculate cost are the average hourly earnings in the Bureau of Labor Statistics' management analyst occupational category within state and local government (December 2009-January 2011, National Compensation Survey, U.S. Bureau of Labor Statistics, RSE Table 5).

Required Section 166 Activity/Report	Number of Respondents	Responses Per Year	Total Responses	Average Hours Per Response	Annual Burden Hours
ETA Form 9084 (CS)	122	4	488	24	11,712
SPIR Data, Grantees	122	1	122	2.4	32,758
SPIR Data, Participants	13,649	1	13,649	.1	1,365
ETA Form 9085 (SYS)	81	4	325	24	7,776
TOTAL					53,611

A.13 Estimated Cost to Respondents

a) Start-up/Capital costs: \$0

There are no start-up costs, as ETA provides grantees with the BearTracks data collection and reporting system that grantees may use to collect and maintain participant data, apply edit checks to validate the data, and generate all quarterly reports for electronic submission to the Department.

b) Annual costs: \$0

There are no annual costs, as ETA is responsible for the annual maintenance costs associated with the BearTracks data collection and reporting system and EBSS. All costs to maintain and disclose these data are covered by the existing WIA Section 166 grant funds.

A.14 Estimates of Annualized Costs to Federal Government

The cost for modifying the BearTracks software to collect, maintain, and extract the Standardized Participant Information Record, and generate all aggregate statistical data necessary to produce the ETA 9084 and 9085 electronically is estimated to be no more than \$10,000. The annual costs of maintaining the BearTracks system and developing training and technical assistance guides are estimated to be \$11,000. ETA collects and maintains all quarterly reports through its On-line EBSS. Since the electronic system for collecting and storing grantee performance data on a quarterly basis is already in place to support other ETA programs, the annualized cost to the Federal government to incorporate the INA reports minimal.

For the quarterly performance reports (ETA 9084/SPIR and 9085), it is estimated that staff spend approximately 40 hours per quarter (960 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 \$34.34, the estimated annual cost to the Federal government is \$32,966. 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 2012 GS locality pay schedules <http://www.opm.gov/oca/12tables/pdf/salhr.pdf>)
 $\$11,000 + \$32,966 = \$43,966$.

A.15 Changes in Burden

Modification of the BearTracks system to collect information pertinent to tracking the Veterans and eligible spouses’ services as well as the three youth attainment measures does not entail added burden. However, as explained in #12, above, ARRA youth tribal funds are no longer accounted for, and the previously approved supporting statement included monthly reporting for those funds. Also, the grantees now total 122 instead of 127, with a concomitant loss of participants; moreover, funding for the grant program has also been reduced over the past three years, resulting in fewer participants served.

A.16 Tabulation of Publication Plans and Time Schedules for the Project

Grantees submit all performance reports on a quarterly basis to ETA within 45 days of the end of each quarter. Quarterly report data is analyzed by ETA staff and used to evaluate performance outcomes and program effectiveness.

Each year, ETA issues an annual report summarizing program performance based on the Secretary’s goals. Data contained in the INA reports is included in these reports. The data is also used to prepare GPRA reports, management and budget reports, and other ad hoc reports. All aggregate reports are made available on the Internet and accessible to the public.

Product	Submission Date	Comments
ETA Form 9084: CS Program Report	Within 45 days after the end of the quarter.	Quarterly program reports (ETA Forms 9084 and 9085) and SPIR data are submitted electronically using ETA’s On-Line EBSS.
SPIR Data	Within 45 days after the end of the quarter.	
ETA Form 9085: SYS Program Report	Within 45 days after the end of the quarter.	

A.17 Approval Not to Display OMB Expiration Date

The expiration date for OMB approval is displayed.

A.18 Exceptions to OMB Form 83-I

No exceptions are requested in the “Certification of Paperwork Reduction Act Submissions.”

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This data collection does not employ any statistical methods.