

Tribal Child Support Enforcement Direct Funding Requests

**OMB Information Collection Request
0970-0218**

Supporting Statement Part A - Justification

February 2020

Submitted By:
Office of Child Support Enforcement
Administration for Children and Families
U.S. Department of Health and Human Services

SUPPORTING STATEMENT A – JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

The final rule within 45 CFR part 309 contains a regulatory reporting requirement to receive funding for a tribal IV-D program. A tribe or tribal organization must submit a plan describing how the tribe or tribal organization meets or plans to meet the objectives of section 455(f) of the Social Security Act, including establishing paternity, establishing, modifying, and enforcing support orders, and locating noncustodial parents. The plan is required for all tribes requesting funding; however, once a tribe has met the requirements to operate a comprehensive program, a new plan is not required annually unless a tribe makes changes to its Title IV-D program. Tribes and tribal organizations must respond if they wish to operate a fully funded program. This paperwork collection activity is set to expire in March 2020.

2. Purpose and Use of the Information Collection

This request is for an extension with no changes.

The information collected is necessary to enable the Office of Child Support Enforcement (OCSE) to determine whether an applicant tribe or tribal organization meets the requirements to receive direct funding to operate a child support enforcement program under 455(f) of the Social Security Act and implementing regulations at 45 CFR part 309. The tribal plan gives each tribe a method for developing a statement to submit to OCSE for approval. The plan describes the nature and scope of its program and gives assurances that the program will be administered in conformity with the requirements in Title IV-D of the Act and the implementing regulations at 45 CFR part 309. The tribal plan is analogous to a tribe having a contract with OCSE in that it outlines the activities the tribe will perform as required by law in consideration for receiving federal funds to meet the costs of these activities. In this sense, the tribal plan is the basis for making federal funding available to the tribal IV-D agencies in the costs of operating the child support enforcement program.

3. Use of Improved Information Technology and Burden Reduction

Funding for automated systems is available for tribal IV-D programs in accordance with 45 CFR part 310. Many tribes have office automation and are capable of tracking case activities and payments using office automation.

4. Efforts to Identify Duplication and Use of Similar Information

The requirements contained in this form do not duplicate any other reporting or recordkeeping requirements. In complying with those regulations that require information collection, agencies are specifically directed to use and build upon existing information, whenever it exists. It is the intent of these regulations that duplication of efforts be avoided, and that information collection occurs only when information is not available from another source.

5. Impact on Small Businesses or Other Small Entities

The collection of information does not involve small businesses or entities.

6. Consequences of Collecting the Information Less Frequently

The tribal IV-D agencies submit new plans to OCSE one time and then only submit state plan amendments as needed. In addition, the tribal IV-D programs will periodically amend their plans to reflect any material change in tribal laws, organization, policy, IV-D agency operation, or new federal requirements. These amendments must be approved by OCSE before implementation.

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

The collection of information involves no special circumstances.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency’s intention to request an OMB review of this information collection activity. This notice was published on September 11, 2019, Volume 84, Number 176, page 47960, and provided a sixty-day period for public comment. We did not receive comments.

9. Explanation of Any Payment or Gift to Respondents

No payment or gift is provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

This request does not contain any confidential information.

11. Justification for Sensitive Questions

The required information collection does not involve asking sensitive questions.

12. Estimates of Annualized Burden Hours and Costs

We estimate that preparing and submitting a new tribal plan to OCSE will impose a total annual burden of 960 hours, while preparing and submitting an amendment to the tribal plan will impose a total annual burden of 7,200 hours. The combined total annual burden of this collection is 8,160 hours. This is not a new collection activity; it is a continuation of an existing tool (0970-0218).

Respondents’ Hour Burden

The estimate of burden to respondents is based on these assumptions:

- The 62 respondents include tribes or tribal organizations submitting the 45 CFR 309 Plan to receive direct funding, and any tribal IV-D agency which makes a change to its already approved plan.
- The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Community Service Managers [11-9151] and wage data from May 2018, which is \$31.41 per hour (median). To account for fringe benefits and overhead the rate was multiplied by two which is \$62.82. The estimate of the annualized cost to respondents for hour burden is \$62.82 times 8,160 hours or \$512,611.

<https://www.bls.gov/oes/current/oes119151.htm>

Information Collection Title	Total Number of Respondents	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
45 CFR 309-Plan Amendments	60	1	120	7,200	\$62.82	\$452,304
45 CFR 309-New Plan	2	1	480	960	\$62.82	\$60,307
Estimated Annual Burden Total:				8,160	Estimated Annual Cost Total:	\$512,611

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 in the program.

14. Annualized Cost to the Federal Government

The annualized costs to the federal government for the hour burdens are based on an average wage rate of \$45 per hour for federal employees (grades 12-15) who review submitted tribal plans from respondents. Estimates regarding the hours spent processing each tribal submission (4 hours average per tribal plan for new plan submissions and plan amendments) was determined by employees' experiences in reviewing tribal plans. Six federal employees review each tribal submission. Six federal employees multiplied by 4 hours, multiplied by \$45 per hour, multiplied by 62 responses, equals an annual cost to the federal government of \$66,960. The Average Wage Rate of \$45 per hour for federal level employees who review submitted tribal plans comes from the Bureau of Labor Statistics:

https://www.bls.gov/oes/current/oes_nat.htm

Regional Program Manager	Management Analyst (13-1111)	\$45.38/hour
Regional Program Specialist	Misc Social Scientist (19-3090)	\$41.02/hour

Tribal Program Specialist	Misc Social Scientist (19-3090)	\$41.02/hour
Senior Policy Analyst	Management Analyst (13-1111)	\$45.38/hour
IT Specialist	Computer & Information Analyst (15-1120)	\$45.67/hour
Grants Officer	Financial Analyst (13-2051)	\$48.55/hour

Average Wage Rate $(45.38+41.02+41.02+45.38+45.67+48.55)/6 = \44.50 or \$45.00/hour

15. Explanation for Program Changes or Adjustments

In 2016, there were 60 comprehensive and 3 start-up tribes and tribal organizations. Additionally, OCSE anticipated 2 new applications per year for a total of 65. In 2019, the tribal child support program had 60 comprehensive tribal child support programs and 1 start-up program. We anticipate receiving two new applications per year for either a start-up child support program application or a comprehensive program application. Thus the total number of tribal plans or plan amendments that may be submitted each year is estimated at 62 for this extension request. There are no changes to the form or instructions, or the estimated time to complete the information collection.

16. Plans for Tabulation and Publication and Project Time Schedule

Data collection is ongoing throughout the year.

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

Not Applicable

18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions are necessary for this information collection.

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

The information collection requirements outlined in this report do not use statistical methods.