
SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

A. Justification

A1. Need for Information Collection

The Corporation for National and Community Service (CNCS) awards grants to states, institutions of higher education, non-profit organizations, Indian tribes, and U.S. Territories to operate AmeriCorps programs. The recipients of these grants engage individual Americans as AmeriCorps members who serve their communities performing approved grant activities.

Individuals selected by grantees to serve as AmeriCorps members are required to undergo criminal history background screening in order to protect communities, children, and vulnerable populations being served by AmeriCorps programs. The specific regulations that cover the criminal history check requirements are specified in 45 C.F.R. §§ 2540.200 – 2540.207. The regulations require that grant recipients search the National Sex Offender Public Website (NSOPW) prior to engaging AmeriCorps members in their program. In addition, grantees are required to initiate criminal history background checks for the state of service, state of residence, and/or FBI not later than the first day of service. Programs are additionally required to maintain documentation demonstrating the checks were conducted and initiated in a timely and compliant way.

Compliant and timely criminal background checks have been a persistent challenge of grantees during program monitoring, grantee audits, and IPERIA sampling. In order to increase accountability for grantees performing timely and compliant checks, CNCS is requiring grantee program staff certify that they have conducted, reviewed, and adjudicated the results of a nationwide NSOPW check (with all jurisdictions on NSOPW.gov reporting) and to separately certify that they have initiated the state of service, state of residence checks, and FBI check, as appropriate, required for each individual being enrolled as an AmeriCorps member in their program.

The implementation of these changes includes ensuring information collection instruments accurately reflect CNCS's concerns. In an effort to be compliant while maintaining functions essential to the operations of each state commission and AmeriCorps programs, CNCS is, therefore, submitting the enclosed request under 5 C.F.R. § 1320.13 to OMB for emergency processing and approval of information collection activities.

The change to the form requested is designed to prevent public harm that may reasonably occur from grant recipients failing to conduct criminal history screening. It is essential to protect children and vulnerable populations served by AmeriCorps programs that AmeriCorps members be screened as required. Compliance with this requirement is essential to CNCS's mission. Compliance has been a longstanding grantee requirement

but CNCS has had difficulty enforcing compliance. CNCS is making this change to prevent programs from enrolling members in CNCS's systems until the program certifies that the member's criminal background check has been initiated and the background check on the NSOPW has been completed.

Normal clearance procedures are reasonably likely to prevent or disrupt the collection of information. More than half of all members enrolled in AmeriCorps in a given year will be enrolled in the months of July, August, and September each year. By adding the certification check boxes to the enrollment form now, it will be possible to hold grantees and specific grantee staff accountable for conducting and completing required criminal history and sex offender checks for the bulk of this year's grants. In sum, CNCS is requesting emergency approval by July 1, 2018 because a longer review will not allow grantees to be held accountable in time to successfully and comprehensively administer the enrollment process for AmeriCorps members this year. CNCS has advised all grantees of its intention to collect this information and allowed grantees to ask questions about the process to minimize the burden of this collection of information.

A2. Use of Information

The information collected constitutes a certification statement to CNCS that a grantee staff person has completed a check of the required sex offender registry and has initiated required criminal history background checks. The information will be used to hold grantee organizations accountable for complying with regulations and law requiring sex offender and criminal history clearance of all AmeriCorps members.

A3. Minimize Burden: Use of Improved Technology to Reduce Burden

Grantee staff enroll AmeriCorps members via the secure on-line electronic portal (eGrants). Grantee staff will be required to take two actions to certify that have conducted, reviewed, and adjudicated the results of a nationwide NSOPW check (with all jurisdictions on NSOPW.gov reporting) and that they initiated the state of service and state of residence checks and FBI check, as appropriate, required for the individual being enrolled in AmeriCorps.

A4. Non-Duplication

There are no other sources of information by which CNCS can meet the purposes described in A2 (above).

A5. Minimizing Economic Burden for Small Businesses or Other Small Entities

This collection of information does not impact small businesses because they are not eligible to be enrolled as AmeriCorps members. There is no economic burden to any other small entities beyond the cost of staff time to develop the member enrollment application. This is minimized to the degree possible by only asking for the information absolutely necessary to make responsible enrollment decisions.

A6. Consideration of Collection

CNCS has been unable to fulfill its legal obligation of holding grantees accountable for conducting required checks. The requested change will enhance CNCS's ability to

confirm timely and complete compliance. This information collected will assist CNCS's compliance and inform CNCS's monitoring activities and assist with its prioritizing technical assistance and training. The information collection occurs once for each AmeriCorps member enrolled.

A7. Special circumstances that would cause information collection to be collected in the specified ways.

There are no special circumstances that would require the collection of information in any other ways specified.

A8. Provide copy and identify the date and page number of publication in the Federal Register of the Agency's notice.

A Notice of Emergency Request for Clearance was published June XX, 2018, p. xx.

A9. Payment to Respondents

There are no payments or gifts to respondent.

A10. Confidentiality

Information provided by respondents is subject to the Privacy Act and the instrument includes a Privacy Notice. The information requested is collected for the purposes of reviewing grantees' timely completion of required sex offender and criminal history checks.

A11. Sensitive Questions

The information collection does not include questions of a sensitive nature.

A12. Hour burden of the collection

We expect approximately 65,000 respondents to be enrolled each year. The frequency of response will not be greater than once per term of service for each members, and should not exceed 1 minute of effort per respondent. There is no estimated annual hour burden outside of the customary and usual business practices. Total burden for this collection will be 1,083 hours.

A13. Cost burden to the respondent

There is no annual cost burden to respondents.

A14. Cost to Government

There is no annual cost burden to the Government outside of customary and usual business practices.

A15. Reasons for program changes

Program changes have occurred due to audit and compliance findings. CNCS is instituting this change to oversee and enforce better compliance with its criminal history check requirements.

A16. Publication of results

Not applicable because the results of a member's enrollment will not be published.

A17. Explain the reason for seeking approval to not display the expiration date for OMB approval of the information collection.

Not applicable.

A18. Exceptions to the certification statement

There are no exceptions to the certification statement.