

**NATIVE EMPLOYMENT WORKS (NEW)
PROGRAM PLAN GUIDANCE DOCUMENTS AND PROGRAM
REPORT**

**OMB Information Collection Request
0970 – 0174**

**Supporting Statement Part A -
Justification**

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Submitted By:
Division of Tribal TANF Management, Office of Family Assistance
Administration for Children and Families
U.S. Department of Health and Human Services

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 for Tribes that do not include their NEW programs in Public Law 102-477 projects, 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- Attachment A) 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 documents and program report document.

The version of these documents for which we now seek approval replaces previous versions. There are minor changes in both documents: (1) the Annual report includes some clarifications on instructions; (2) the Program Plan Guidance includes a change in the directions for submitting a NEW Plan.

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. The NEW program reports are published in the Temporary Assistance for Needy Families (TANF) annual report to Congress.

3. Use of Improved Information Technology and Burden Reduction

The NEW program plan and program report must be submitted to HHS electronically through the Online Data Collection system (OLDC) as required by Action Transmittal No. [OGM-AT-13-01](#).

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 as funds are awarded annually and are based on compliance with the program regulations confirmed through review of annual reporting.

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

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 March 24, 2022 (87 FR 16741) and provided the public sixty days to submit comments. No

comments were received.

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 necessary for this information collection. 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

Both the NEW program plan and the NEW program report are completed by Tribal NEW programs, in particular, the 40 respondents are tribal NEW programs who do not include their NEW program in a P.L. 102-477 program. Each of these 40 respondents submit a NEW plan once every three years. Annual reports are submitted once per year. Average response time has been estimated based on the nature and availability of information collected.

Instrument	Total Number of Respondents (over 3 years)	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
NEW Program Plan Guidance	40	.333 ^[1]	29	386	\$36.76	\$14,189.36
NEW Program Report	40	1	15	600	\$36.76	\$22,056.00
Estimated Total Annual Burden and Costs:				986		\$36,245.36

^[1] We have used .333 responses per year to represent one submission of the NEW Program Plan Guidance during the three-year approval period.

To calculate the annual cost per respondent, we used Bureau of Labor Statistics job code 21-1093 (Social and Human Services Assistants). The mean wage data from May 2020 is \$18.38 per hour. <https://www.bls.gov/oes/current/oes211093.htm> To account for fringe

benefits and overhead the rate is multiplied by two which is \$36.76. The estimate of annualized cost to respondents for hour burden is \$36.76 times 986 or \$36,245.36.

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 40 plans and obtaining and reviewing any necessary additional information – is \$7056. These tasks will require approximately 160 professional staff hours (an average of 4 hours per plan) at an average cost of \$44.10 per hour (based on the OPM 2022 salary table for a GS-13-5). 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 \$2352.

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 40 annual reports – is \$7938. Grantees submit one NEW program report each year. (Of the 78 NEW grantees, approximately 40 report to HHS each year, and approximately 38 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 180 professional staff hours at an average cost of \$44.10 per hour (based on the OPM 2022 salary table for a GS-13-5).

The total annualized federal cost for the program plan and the program report is approximately \$10,290 (\$2352 + \$7938).

15. Explanation for Program Changes or Adjustments

There is a minimal change in burden due to a prior rounding discrepancy. We also made minor revisions to the reporting instructions and processes, as described in section A1. These minor revisions do not impact burden.

16. Plans for Tabulation and Publication and Project Time Schedule

Results of the information collected in the NEW program reports 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

No exceptions are necessary for this information collection.