

TANF Data Reporting for Work Participation

**OMB Information Collection Request
0970 - 0338**

Supporting Statement Part A - Justification

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Submitted By:
Office of Family Assistance
Administration for Children and Families
U.S. Department of Health and Human Services

Summary

Temporary Assistance for Needy Families (TANF) Data Reporting for Work Participation (formerly titled DRA TANF Final Rule; OMB #0970-0338) includes the TANF work verification procedures, the Caseload Reduction Documentation Process, the Reasonable Cause/Corrective Compliance Documentation Process, the TANF Data Report, the Separate State Programs - Maintenance of Effort (SSP-MOE) Data Report and TANF Sampling and Statistical Methods. We are proposing to continue the same information collections with only changes to instructions to improve clarity and eliminate data elements and guidance that are no longer relevant.

1. Circumstances Making the Collection of Information Necessary

The Deficit Reduction Act of 2005 (DRA) reauthorized the TANF program and imposed a new data requirement that States prepare and submit data verification procedures and replaced other data requirements with new versions including: the TANF Data Report, the SSP-MOE Data Report, the Caseload Reduction Documentation Process, and the Reasonable Cause/Corrective Compliance Documentation Process. These requirements are also discussed in Part 265 of the TANF Final Rule.

We are proposing to continue these information collections with only changes to instructions to improve clarity and eliminate data elements and guidance that are no longer relevant. The Work Verification Plan Guidance has been updated to incorporate further guidance that was published in 2006 and the Final Rule published in 2008. The TANF and SSP-MOE Data Report instructions were revised to streamline the data collection, reduce the burden on respondents by eliminating unnecessary data elements, and clarify confusing data elements. The TANF and SSP-MOE Data Report layouts were also updated to reflect the streamlined instructions. The TANF Sample Manual was revised to eliminate outdated and unused sections.

Authority: 42 U.S.C. 601, 607, 609, 611, 613, and 1302

2. Purpose and Use of the Information Collection

These data will be used by ACF to assess and evaluate the TANF program and include documentation of each State's status in: (1) meeting statutorily required participation rates; (2) qualifying for work participation caseload reduction credit; (3) being subject to certain

statutorily mandated penalties; (4) being considered for a "reasonable cause" exception and a reduction in the amount of the penalty for failure to meet the work participation requirements; and (5) validating data.

3. Use of Improved Information Technology and Burden Reduction

States must file the quarterly TANF Data Report and the quarterly SSP-MOE Data Report electronically based on format specifications that ACF provides. The decision to use electronic filing was based on a need to reduce burden to States and territories and to increase the efficiency and timeliness of these data collections.

4. Efforts to Identify Duplication and Use of Similar Information

There are no TANF-specific data available that are similar to what we are proposing to collect.

5. Impact on Small Businesses or Other Small Entities

These information collections do not impact small businesses or other small entities.

6. Consequences of Collecting the Information Less Frequently

The statute mandates the quarterly collection of most of the data in the TANF Data Report and the SSP-MOE Data Report; sampling from states and territories that submit sampled data are quarterly occurrences; The Caseload Reduction Documentation Process and the Reasonable Cause/Corrective Compliance Documentation Process are annual occurrences because the statute provides for annual evaluation of caseload reduction and the annual imposition of penalties.

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

No special circumstances relating to the Guidelines of 5 CFR 1320.5

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

June 27, 2023, Volume 88, Number 122, page 41644, and provided a 60-day period for public comment.

See attachment for comments received and the changes made in response.

9. Explanation of Any Payment or Gift to Respondents

These data collections do not involve any payment or gift to respondents other than remuneration of grantees.

10. Assurance of Confidentiality Provided to Respondents

ACF established a System of Record for the TANF Data Report and the SSP-MOE Data Report to ensure the level of confidentiality pursuant to the Privacy Act. The System of Records Notice was published on December 14, 2018 at 83 FR 6591-6600, Document Number: 2018-03014.

11. Justification for Sensitive Questions

These data collections do not contain any questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

The 50 states, District of Columbia, and 3 territories are required to submit Work Verification Plan (WVP) 45 CFR §§ 261.60 - 261.63. The WVP is a planning document that may be phased-in over a period of time and may also require substantial revision in future months. The WVP contains six sections: countable work activities; hours engaged in work; work-eligible individuals; internal controls; verification of other data used in calculating the work participation rates; and submittal procedures. It takes an average of 640 hours to finish the WVP for each state. Since every state submitted an initial WVP, any future submissions would be for revised WVPs.

The caseload reduction credit gives a state credit for reducing its caseload between a base year and a comparison year. States submit data for the calculation of their caseload reduction credit by completing form ACF-202 and it takes approximately 120 hours to finish the form.

States, the District of Columbia, and territories are able to file the Reasonable Cause/Corrective Compliance Documentation Process 45 CFR §§ 262.4, 262.6, & 262.7; § 261.51 if they failed the work participation requirement. An average of 240 hours are needed to complete the documentation process.

States, the District of Columbia, and territories need to collect, prepare the data files, and submit TANF Data Report Part 265 (45 CFR § 265), and it requires an average of 2100 hours to complete the process for one quarter of data.

States and territories that have the SSP-MOE program need to collect, prepare the data files, and submit SSP-MOE Data Report Part 265 (45 CFR § 265), and it requires an average of 714 hours to complete the process for one quarter of data.

States and territories that submit sampled data need to sample their data according to the sample plans that are approved by ACF (45 CFR § 265.5). The procedure to sample data and send sample lists to ACF will take an average of 48 hours for each sampling state/territory.

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] State Government, excluding schools and hospitals and wage data from May 2022, which is \$21.33 per hour. To account for fringe benefits and overhead the rate is multiplied by two which is \$42.66. The estimate of annualized cost to respondents for hour burden is \$42.66 times 609,144 hours or \$25,986,083

Information Collection Title	Total/ Annual Number of Respondents	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Work Verification Plan §§ 261.60 - 261.63	54	1	640	103,680	34,560	\$42.66	\$1,474,329.60
Caseload Reduction Documentation Process, ACF-202 §§ 261.41 & 261.44	54	1	120	19,440	6,480	\$42.66	\$276,436.80
Reasonable Cause/Corrective Compliance Documentation Process §§ 262.4, 262.6, & 262.7; § 261.51	54	2	240	77,760	25,920	\$42.66	\$1,105,747.20
TANF Data Report Part 265	54	4	2100	1,360,800	453,600	\$42.66	\$19,350,576.00
SSP-MOE Data Report – Part 265	29	4	714	248,472	82,824	\$42.66	\$3,533,271.84
TANF Sampling and Statistical Methods Manual Part 265.5	30	4	48	17,280	5,760	\$42.66	\$245,721.60
Estimated Annual Burden Total:				609,144	Estimated	\$25,986,083.04	

		Annual Cost Total:	
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13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no other costs to respondents.

14. Annualized Cost to the Federal Government

We estimate total annual federal burden to be 10,000 hours. This includes the costs of information collection, development, tests, coding, tabulation, analysis, publication of results, technical assistance, and monitoring. Based on an estimated average hourly federal salary of \$54 per hour for federal employee (GS12 -14), to account for fringe benefits and overhead the rate is multiplied by two which is \$108, the total estimated average annual cost to the federal government is \$1,080,000.

15. Explanation for Program Changes or Adjustments

Reporting requirements have not changed since the last renewal of this information collection in 2020. But because the instructions have been updated to improve clarity and eliminate data elements and guidance that are no longer relevant, we expect that this will decrease the average burden hours per response for TANF Data Report Part 265 from 2201 to 2100 hours.

16. Plans for Tabulation and Publication and Project Time Schedule

ACF analyzes these data upon submission by 50 states, District of Columbia and 3 territories. One of the primary purposes of these information collections is to calculate participation rates as required by section 407(a) of the Social Security Act (SSA) as amended by PRWORA and DRA. Work Participation Rates and the characteristics of TANF populations are published yearly in the TANF Annual Report to Congress.

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.