

Supporting Statement A

Reporting System for Pub. L. 102-477 Demonstration Project

OMB Control Number 1076-0135

Terms of Clearance: None.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question "Does this ICR contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The Indian Training, Employment and Related Services Demonstration Act of 1992 (Act), 25 U.S.C. 3401-3417, also known as Public Law 102-477, authorizes Tribal governments to integrate Federally-funded employment, training and related services and programs into a single, coordinated, comprehensive delivery plan. The goal of the legislation is to reduce unemployment, improve services, and reduce administrative costs. The programs under the responsibility of the Secretary of the Interior, Secretary of Labor, and Secretary of Health and Human Services are all included within this authorization. The Bureau of Indian Affairs (BIA) is legislatively required to serve as lead agency.

Section 3410(b) requires the Secretary of the Interior to make available a single universal report format for use by each Tribal government to report on integrated activities undertaken within their project. It also requires that the Secretary make available a single universal report format related to the projected expenditures for the individual project which shall be used by the Tribal government to report on all project expenditures.

These universal, single-page report forms and the narrative are due annually. The reports

consolidate activities under the jurisdiction of the three different Federal agencies and 11 differently funded but related programs.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

When this collection was renewed in 2015, two versions of the report forms were submitted for approval. Version 1 of the report forms have been phased out, and Version 2 of the report forms are the only forms in use.

There are three report forms associated with this collection: Statistical Report, Financial Expenditure Report, and the Narrative Report.

The agencies use all of the data collected to ensure statutory compliance, report to the Congress, the Office of Management and Budget, and to report to the respective agency administration. These reports may include a discussion of the use of funds, activities engaged in by Tribes and the extent to which Tribes are successful. The goal of the program is to find unsubsidized employment for Indians either through direct referrals or assisted through training, education and other supportive services such as child care. The three reports are:

- (a) **The statistical report** is used to demonstrate how well a Tribal plan was executed in comparison to its proposed goals. This one-page, single-sided, universal report form:
- Satisfies the very basic statutory requirements for the three participating Federal agencies;
 - Helps the funding agencies determine the quality of the employment, training, child care and related services provided to individual participants in the program;
 - Helps determine the level of program activity in which the Tribes are engaged.
- In accordance with standard regulations governing the administration of grants, the Common Rule, certain sanctions will be imposed on grantees if they do not report thoroughly and timely.

The statistical report identifies the number of participants enrolled in the program, the number that successfully completed the program, those that were not successful, the characteristics and barriers to employment faced by participants and the types of activities and services the participant received while enrolled. This information helps to determine the success of current employment and training programs.

- (b) **The financial expenditure report** is used to track cash flow, compare program activity with expenditures, compare general expenditures with approved intent and budget, and to avoid over-expenditures and identify savings. This report will identify the Tribes applying for grants, the period of operation, and total resources committed to the plan. The form

includes a “previously reported” column, a “current expenditures” (this period) column and a “cumulative” column. This report is acceptable to all the participating Federal agencies.

(c) **The narrative report** allows Tribes to go beyond numbers and report goals and objectives against accomplishments and describe problems or unmet needs toward addressing employment and training issues.

Additionally, the BIA is including burden numbers for the Job Placement and Training Program, which can be included in Tribal demonstration projects authorized by the Act. To ensure that only eligible persons receive training under the Job Placement and Training Program, BIA must collect certain information from applicants. The BIA collects this information on an application form.

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- The first two rows of the form ask for personal information that provides the family situation of the applicant. This information allows the BIA to identify the applicant and to learn whether the applicant has dependents, is a veteran, or has other circumstances that may affect the type of services available to the applicant.
- The third row provides information about services requested and whether services have been provided before. The BIA uses this information to help match the applicant to desired services and determine eligibility. This row also requires an emergency contact.
- The fourth row provides educational information about the applicant. The BIA uses this information to help assess the types of jobs that the applicant is qualified for and the types of training needed.
- The fifth row provides the training interest of the applicant and also income sources, if any, to help the BIA match the applicant to the appropriate training.
- The next three rows provide employment information relevant to the career goals of the applicant, starting with the most recent. Again, this information helps the BIA match the applicant to the appropriate training.

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- This page requires the applicant to initial the form (if the applicant is applying for training only). It also requires the applicant to read statements about the Paperwork Reduction Act and the Privacy Act, and then to sign and date a statement that the applicant has done so.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how

this collection meets GPEA requirements.

The reports are designed to provide Tribes the opportunity to collect, maintain and report the data using technological collection techniques. Some Tribes have automated the data to such an extent that they are able to meet their own day-to-day needs, (i.e., identify candidates for employment meeting specific qualifications while meeting with prospective employers), as well as complete the annual reports. The use of technology at the Tribal level depends upon the extent to which each Tribe has developed an integrated intake and reporting system. We plan to put the forms on the website for electronic submission.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

While three different Federal agencies representing eleven different programs do collect the information, comprising an estimated 166 pages of reports and instructions annually, we have consolidated that into one set of forms annually through this reporting mechanism. Terms used in the reports have been standardized among the three Federal agencies. Duplication has been eliminated.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

To minimize burden, the agencies worked with Tribal entities to develop streamlined reports that met everyone's needs.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Grant funds are dependent upon filing the necessary reports. If the reports are not completed annually by the grantee, additional payments to the grantee will not be made. Once reports are submitted, payments will resume.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * **requiring respondents to report information to the agency more often than quarterly;**
- * **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- * **requiring respondents to submit more than an original and two copies of any document;**
- * **requiring respondents to retain records, other than health, medical, government**

- contract, grant-in-aid, or tax records, for more than three years;**
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Regulatory compliance indicates annual reports are sufficient; Tribes control the content of the information and normally do not deal in sensitive information when compiling this report. Any copies needed by other agencies are made by the Bureau.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-day notice for public comments was published in the Federal Register on October 16, 2017 (82 FR 48111). No comments were received.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Several Tribal representatives were contacted and feedback was provided by the Director Workforce Development, Bristol Bay Native Association; the Citizen Potawatomi Nation's Assistant Director of Workforce & Social Services, and the Director, Employment and Training Cook Inlet Tribal Council, Inc. Each respondent stated that the instructions for the collections

were clear and none recommended any changes. Additionally, all three said that the burden hours associated with the Statistical Report and Narrative Report have been greatly reduced since significantly more Tribes have access to electronic means when providing BIA with this information.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The Financial Expenditure Report Form, the Narrative Report, and the Statistical Report are covered by the system of records notice BIA-8, Indian Social Services Case Management System. The Application for Job Placement and Training Services form is covered by the system of records notice BIA-23 Employment Assistance Case Files.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature included in the information collected.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection**

activities should not be included here.

The collection of data necessary to complete the forms is completed by administrators of the grant to determine eligibility and to report to Tribal councils. No additional data collection is required to complete the P.L. 102-477 forms. These reports will be retained for the life of the grant.

The reporting requirements currently used will affect approximately 64 grantees. Many of the grantees state that their reporting requirements of their respective Tribal councils are more stringent than the reports required by this program—both in frequency and the amount of data. As a result, grantees are able to provide the necessary information for this program relatively easily. Additionally, the Job Placement Training Program requires reports from 45 Tribes. These submissions total approximately 919 annual hours at a cost of \$32,423.

Information Collection	Number of Respondents	Total Annual Responses	Hourly Burden	Annual Burden Hours	Annual Burden Cost*
Financial Expenditure Report	64	64	2	128	\$4,516
Statistical Report	64	64	6	384	\$13,548
Narrative Report	64	64	6	384	\$13,548
Job Placement Training	45	45	0.5	23	\$811
Totals	237	237		919	\$32,423

* To obtain the hourly rate, the BIA used \$35.28, the wages and salaries figure for civilian workers from BLS Release USDL-17-1222, Employer Costs for Employee Compensation—June 2017, Table 1, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group, at <https://www.bls.gov/news.release/pdf/ecec.pdf>. This wage includes a multiplier for benefits. See www.bls.gov/news.release/pdf/ecec.pdf.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount

rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no additional costs to grantees reported in #12 above; any automation has been done by grantees for use in managing the Tribal government and would have occurred regardless of this report. An estimated \$5.00 per grantee for the cost of paper and file maintenance, times 64 grantees equals \$320 for all.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Approximately 163 hours annually is spent on this collection, verification of forms, summarizing data, printing and distribution of data to other Federal agencies and to bureau management for policy decisions. At an annual salary of \$41.97* per hour, the BIA employee is a GS 10/Step 5, and the total salary cost to the Federal government is \$6,812. This estimate does not include cost to the Department of Labor Department of Health and Human Services which receives copies of the data.

*The hourly salary figure of \$26.23 is based on the Salary Table 2018-GS with a 1.6 multiplier for benefits. See 2018 General Schedule (Base) https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/GS_h.aspx.

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

When this collection was renewed in 2015, two versions of the report forms were submitted for approval. Version 1 of the report forms have been phased out, and Version 2 of the report forms

are the only forms in use. Additionally, the BIA included burden numbers for the Job Placement and Training Program, which can be included in Tribal demonstration projects authorized by the Act. This collection was authorized under a previously approved collection, OMB 1076-0062, which was discontinued in order to more efficiently track the burden of collection requirements under the Act. Furthermore, the burden hours for the Statistical Report and Narrative Report have been greatly reduced since significantly more Tribes have access to electronic means when providing BIA with this information.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The Bureau of Indian Affairs does not intend to publish the annual reports; we will distribute the summary to each of the other two Federal agencies involved in the project.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the OMB control number and expiration date on the forms.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions.