

SUPPORTING STATEMENT

Program Reporting and Performance Standards System for Indian and Native American (INA) Programs Under Title I, Section 166 of the Workforce Innovation and Opportunity Act (WIOA)

OMB Control No. 1205-0422

A. Justification.

This information collection request (ICR) is being submitted as revision in order to extend the expiration date beyond its current expiration, January 31, 2020. The answers to the below questions in this Supporting Statement have been mostly kept intact from the previous ICR's Supporting Statement in order to maintain responsiveness to the substance of the ICR and to maintain up-to-date burden data. Extending the reporting and system is necessary in order to include data collection necessary for tracking grantee performance on the common performance measures currently tracked for the Comprehensive Services Program (CSP) and the Supplemental Youth Services (SYS) program.

Each grantee administering Indian and Native American (INA) funds is required to submit a quarterly CSP Report and Standardized Participant Information Record (SPIR) and a semi-annual SYS Program Report to the Department of Labor (Department), Employment and Training Administration (ETA). The CSP report is submitted on Form ETA-9084 on a quarterly basis and the SYS report is submitted on Form ETA-9085 on a semi-annual basis (see forms and instructions attached). There is no form for the SPIR report because it contains individual participant records that must be uploaded. However, the SPIR contains the same data collection elements as the ETA Form 9084 report because ETA Form 9084 is an aggregate (roll-up) of the individual records in the SPIR.

The accuracy, reliability, and comparability of program reports submitted by grantees expending Federal funds are fundamental elements of good public administration and are necessary for maintaining and demonstrating system integrity. The use of a standard set of data elements, definitions, and specifications at all levels of the workforce system helps improve the quality of performance information that is received by the Department. ETA will continue to collect from grantees the data on program activities, participants, and outcomes that are necessary for program management and to convey full and accurate information on the performance of workforce programs to policymakers and stakeholders.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The WIOA regulations at 20 CFR §684.610 require the submission of quarterly program reports

(see citation below).

“§ 684.610 How is this accountability documented and fulfilled?...(c) In addition to audit information, as described at § 684.860 and program reviews, accountability to the Department is documented and fulfilled by the submission of quarterly financial and program reports, and compliance with the terms and conditions of the grant award”.

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.*

Grantees will be expected to meet recordkeeping and reporting requirements with available funds. At a minimum, information collected and reported through the CSP ETA Form 9084, SPIR, and SYS Program ETA Form 9085 will be used by grantees and ETA for the following purposes:

1. To provide WIOA participant demographics and performance outcomes program and performance, including financial performance, information to stakeholders including participants, businesses, taxpayers, Congress and others;
2. To provide information to stakeholders including taxpayers, Congress and other interested organizations.
3. To continuously improve the quality, effectiveness and efficiency of customer services delivered through the Indian and Native American programs;
4. To provide management information for use in Federal program administration and oversight, including grant-specific participation, service, and outcome summaries. Selected demographic information will also be used to demonstrate compliance with all applicable laws and regulations, and to prepare and maintain grantee management reports; and
5. To measure compliance with the Government Performance and Results Act (GPRA).

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.*

In order to comply with the GPRA, ETA has streamlined the collection of the INA programs' participant data and the preparation of quarterly performance reports by providing a common case management and reporting system known as “Bear Tracks” that WIOA, section 166 grantees have the option to use, as well as providing uniform report formats and data definitions to grantees across ETA programs. All of the INA programs' reports will be submitted to ETA via the Internet. Grantees will collect, retain, and submit participant data through ETA's reporting web portal (www.eta-reports.doleta.gov).

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.

The WIOA section 166 program is unique, both by law and regulation. No other data source will supply the information needed to account for and evaluate the section 166 programs.

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

No small businesses entities are impacted.

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.*

The WIOA implementing regulations are specific about reporting requirements and reporting frequency. The Department would not be in compliance with the WIOA regulations if it did not comply with these requirements (see 20 CFR § 684.610 cited above).

The WIOA Final Rule at 20 CFR 683.300 which governs the due date states:

“§ 683.300(a) (a) General. All States and other direct grant recipients must report financial, participant, and other performance data in accordance with instructions issued by the Secretary. Reports, records, plans, or any other data required to be submitted or made available must, to the extent practicable, be submitted or made available through electronic means. Reports will not be required to be submitted more frequently than quarterly within a time period specified in the reporting instructions”.

Collection of this information is absolutely necessary to ensure proper accountability of Federal funds and ensuring that the funds are being spent for the purposes intended by the Congress. This collection of information gives staff the ability to provide timely technical assistance to grantees that are below acceptable performance levels. The collection of fewer data elements would seriously hamper the ability of the Department to respond to data requests from Congress and the Administration and compromise the Department’s efforts to comply with the GPRA.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner that requires further explanation pursuant to regulations 5 CFR 1320.5:*

These data collection efforts do not involve any special circumstances except that non-Federal entities (grant recipients) must follow the records retention requirements at 2 CFR 200.333 which states;

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of

submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient.

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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

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 3 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.

The Department of Labor's Employment and Training Administration solicited comments on the proposed revision of information collection for the Indian and Native American Programs under Title I, Section 166 of the Workforce Innovation and Opportunities Act (WIOA). The solicitation was published in the *Federal Register* (84 FR 62557) on November 15, 2019 with consideration given to all written comments received by January 14, 2020. No written comments were received to the solicitation. Accordingly, there are no changes to the original Supporting Statement.

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

There is no payment of gifts to respondents under this data collection.

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

Respondents are provided with a privacy and security statement when logging into the on-line reporting system. Furthermore, the data collected in forms ETA-9084, ETA-9084 and SPIR file do not contain any personally identifiable information (PII).

Furthermore, all data uploaded through the Department's web portal (www.eta-reports.doleta.gov) is submitted via Hypertext Transfer Protocol Secure (HTTPS) which is an extension of the Hypertext Transfer Protocol (HTTP) and is used for secure communication over a computer network and the data is also encrypted.

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.*

No questions of a sensitive nature are asked.

12. *Provide estimates of the hour burden of the collection of information.*

All INA grantees must submit quarterly reports for the comprehensive services program (CSP). The quarterly reports for the CSP are the ETA-9084 report and the Standardized Participant Information Record (SPIR) report. Federally recognized tribes also receive supplemental funding to serve INA youth living on or near Indian reservations. Tribes that receive supplemental youth services (SYS) funding must also submit a semi-annual report (ETA Form 9085). This response provides a separate annual burden estimate for the ETA form 9084 and SPIR report and a separate annual burden for the ETA 9085 report. Approximately 111 grantees are expected to respond to the ETA Form 9084 and SPIR data collection components, and approximately 73 grantees are expected to respond to the SYS program data collection component. WIOA funded grantees participating in the demonstration project under Public Law 102-477 will not be affected by this information collection request and have not been included in the following burden estimates.

Comprehensive Service Program (CSP) and Standardized Participant Information Record (SPIR) report burden

The INA *quarterly report burden for ETA Form 9084 and SPIR* assumes that all grantees will use the ETA-provided Bear Tracks system to generate ETA Form 9084. The Bear Tracks system is designed to apply edit checks to participant data and to generate individual and aggregate information on enrollee characteristics, services provided, and supplemental outcomes data in quarterly report format. The burden includes reviewing and correcting errors identified by the grantee in the participant-level data and generating, reviewing, and approving the aggregate quarterly reports. It is assumed that each grantee will spend approximately two (2) hours per quarter preparing this report.

ETA Form 9084 and SPIR Reporting Burden

Report	Hrs. Per Year Per Grantee	Number of Grantees	Total Annual Hours – All Grantees	Applicable Hourly Rate	Annual National Burden Dollars
ETA Form 9084 & SPIR	8	111	888	\$51.66	\$45,875

Note: ETA Form 9084 and the SPIR report have the same data collection. The SPIR contains individual

participant records which are uploaded to DOL and the ETA Form 9084 report is an aggregate (roll-up) of the individual records in the SPIR.

Semi-Annual Supplemental Youth Services (SYS) Program Report Burden

The INA *Semi-Annual report burden for ETA Form 9085* assumes that all grantees will use the ETA-provided Bear Tracks system to generate ETA Form 9085. The Bear Tracks system applies edit checks to participant data and generates aggregate information on enrollee characteristics, services provided, and outcomes data in semi-annual report format. The burden includes reviewing and correcting errors identified by the grantee in the participant-level data and generating, reviewing, and approving the aggregate semi-annual reports. It is assumed that each grantee will spend approximately two (2) hours semi-annually preparing this report.

ETA Form 9085 Reporting Burden

Report	Hrs. Per Year Per Grantee	Number of Grantees	Annual National Hours	Applicable Hourly Rate	Annual National Burden Dollars
ETA Form 9085	4	73	292	\$51.66	\$15,085

All hourly rates used to calculate cost are the average hourly earnings in the Bureau of Labor Statistics, Employer Costs for Employee Compensation, September 2019 News Release located at; <https://www.bls.gov/news.release/pdf/ecec.pdf>

The following table can be used as a guide to calculate the total burden of an information collection.

Required Section 166 Activity/Report	Number of Respondents	Frequency per year	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
ETA Form 9084 (CSP)	111	4	444	2 hrs.	888	\$51.66	\$45,874
ETA Form 9085 (SYS)	73	2	146	2 hrs.	292	\$51.66	\$15,085
Unduplicated Totals	184		590		1,180		\$60,959

*All hourly rates used to calculate cost are the average hourly earnings in the Bureau of Labor Statistics' Employer Costs for Employee Compensation, September 2019 News Release located at; <https://www.bls.gov/news.release/pdf/ecec.pdf>

13. *Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).*

a) Start-up/capital costs: \$0

There are no start-up costs, as ETA provides grantees with the Bear Tracks data collection and reporting system that grantees may use to collect and maintain participant data, apply edit checks to validate the data, and generate all quarterly or semi-annual reports for electronic submission to the Department. The cost for modifying the Bear Tracks software to collect, maintain, and extract the Standardized Participant Information Record, and generate all aggregate statistical data necessary to produce the ETA 9084, 9085 electronically, is estimated to be no more than \$10,000. The annual costs of maintaining the Bear Tracks system and developing training and technical assistance guides, is estimated to be \$15,000.

b) Annual costs: \$0

There are no annual costs, as ETA will be responsible for the annual maintenance costs for the Bear Tracks data collection and reporting system and EBSS. All costs to maintain and disclose these data are covered by the existing WIOA section 166 grant funds.

14. Provide estimates of annualized costs 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. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

The cost for modifying the Bear Tracks software to collect, maintain, and extract the Standardized Participant Information Record, and generate all aggregate statistical data necessary to produce the ETA 9084, 9085 electronically, is estimated to be no more than \$10,000. The annual costs of maintaining the Bear Tracks system and developing training and technical assistance guides, is estimated to be \$10,000 to \$12,000.

ETA will continue to collect and maintain all quarterly and semi-annual reports through its Division of Strategic Planning and Performance's on-line EBSS. Since the electronic mechanisms for collecting and storing grantee performance data on a quarterly or semi-annual basis are already in place, the annualized cost to the Federal government is minimal.

For the quarterly and semi-annual performance reports (ETA Forms 9084/SPIR and 9085), it is estimated that each INA staff person spends approximately 40 hours per quarter (160 hours per year) monitoring the data, providing technical assistance for grantee report submissions, preparing special aggregate reports for internal program management purposes, and generating specific responses to Congressional and other inquiries. Using an average hourly staff rate of \$47.52, and an average of four staff, the estimated annual cost to the Federal government is \$7,603 per staff person and \$30,412 for ETA overall.

Total cost to the Federal Government: \$52,412.

The hourly rate used to calculate cost is the average hourly rate for a GS-13 (Step 1) employee in the Federal service (based on 2019 GS locality pay schedule in the Washington, DC metro area).

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.

The prior ICR stated that Form ETA-9085 was submitted quarterly when it should have stated semi-annually. This ICR corrects that error. The prior ICR also included burden hours for "collecting" the data for the SPIR report which is different than "submitting" a SPIR report and therefore misrepresents the burden hours for submitting the SPIR. This ICR combines ETA Form 9084 and the SPIR as one report because ETA Form 9084 is an aggregate (roll-up) of the individual records in the SPIR and both reports are uploaded simultaneously.

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.

Grantees will submit Form ETA-9084 performance report on a quarterly basis to ETA within 45 days of the end of each quarter and will submit Form ETA-9085 on a semi-annual and annual basis. The semi-annual report will be submitted within 45 after September 30th and the annual report will be submitted within 90 days after March 31st. The report data will be analyzed by ETA staff and used to evaluate performance outcomes and program effectiveness. ETA publishes program performance for the overall INA program quarterly in an on-line publication that is available on ETA’s website call “Quarterly Workforce Systems Results” or QWSR.

Also, ETA issues an annual report summarizing program performance based on the Secretary’s goals. Data contained in the INA reports will be included in these reports. The data will also be used to prepare GPRA reports, management and budget reports, and other ad hoc reports. All aggregate reports will be made available on the Internet and accessible to the public.

Product	Submission Date	Comments
ETA Form 9084 and SPIR:	Within 45 days after the end of the quarter.	Quarterly program report (ETA Form 9084 and SPIR) and the semi-annual program report (ETA Form 9085) and will be submitted electronically using ETA’s On-Line web portal (www.etareports.doleta.gov).
ETA Form 9085: SYS Program Report	Within 45 days after the end of the semi-annual period ending September 30 th and within 90 after the annual period ending March 31 st .	

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

The expiration date for OMB approval will be displayed. We are not seeking approval to have this concealed.

18. *Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions,”*

There are no exceptions.

C. Collections of Information Employing Statistical Methods

Program Reporting and Performance Standards System for Indian and Native American (INA) Programs Under Title I,
Section 166 of the Workforce Innovation and Opportunity Act (WIOA)
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This data collection does not employ statistical methods.

ATTACHMENTS

ETA Form 9084 and Instructions

ETA Form 9085 and Instructions