E and non IV–E) which meet the AFCARS reporting population definition.

Purpose of the Amendment to § 1355.40

Page 67924 of the preamble of the AFCARS final rule in the "Paperwork Reduction Act" section, identifies the need for and approval of a control number by OMB. Paragraphs (a) and (b) of 45 CFR 1355.40 of the regulation, contain information collection requirements for which an OMB approval number is required. In addition, OMB requires the approval number to be displayed in the regulation. OMB approved and assigned a number to the information collection requirements in § 1355.40 on August 22, 1994. This amendment adds that number at the end of the section.

VI. Impact Analysis

Executive Order 12866

Executive Order 12866 requires that regulations be reviewed to ensure that they are consistent with the priorities and principles set forth in the Executive Order. The Department has determined that this rule which adds a financial data element to the appendices and additionally publishes the required OMB control number is consistent with these priorities and principles. As assessment of the costs and benefits of available regulatory alternatives (including not regulating) demonstrated that the approach taken in the regulation is the most cost-effective and least burdensome while still achieving the regulatory objectives.

Regulatory Flexibility Act

Consistent with the Regulatory
Flexibility Act of 1980 (5 U.S.C. ch 6),
the Department tries to anticipate and
reduce the impact of rules and
paperwork requirements on small
businesses. For each rule, with a
"significant economic impact on a
substantial number of small entities" an
analysis is prepared describing the
rule's impact on small entities. Small
entities are defined in the Regulatory
Flexibility Act to include small
businesses, small non-profit
organizations, and small governmental
entities.

The primary impact of this rule is on the States which are not "small entities" within the meaning of the Act. For this reason, the Secretary certifies that this rule will not have a significant impact on a substantial number of small entities.

Paperwork Reduction Act

Under the Paperwork Act of 1980, Pub. L. 96–511, all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any reporting or recordkeeping requirements in a proposed or final rule. The addition of a financial data element in several of the Appendices and the OMB control number will not make an appreciable change in the burden to the States. Therefore no submission to OMB is required.

List of Subjects in 45 CFR CFR Part 1355

Adoption and foster care, Child welfare, Data collection, Definitions, Grant Programs—Social Programs.

(Catalog of Federal Domestic Assistance Program Nos. 93.658, Foster Care Maintenance, 93.659, Adoption Assistance and 93.645, Child Welfare Services-State Grants)

Dated: July 18, 1995.

Mary Jo Bane,

Assistant Secretary for Children and Families.

For the reasons set forth in the preamble, 45 CFR part 1355 is amended as follows:

1. The authority citation for part 1355 continues to read as follows:

Authority: 42 U.S.C. 1302.

2. Section 1355.40 is amended by adding the OMB Control Number at the end of the section to read as follows:

§ 1355.40 Foster care and adoption data collection.

(Information collection requirements contained in paragraphs (a) and (b) of this section were approved on August 22, 1994, by the Office of Management and Budget under Control Number 0980–0267).

Appendix A—[Amended]

3. Appendix A to Part 1355, Sections I and II are amended by adding elements XII to each section to read as follows:

Section I—Foster Care Data Elements

XIII. Amount of the monthly foster care payment (regardless of sources).

* * * * *

Section II—Definition of and Instructions for Foster Care Data Elements

* * * * *

XII. Amount of the monthly foster care payment (regardless of sources)—Enter the monthly payment paid on behalf of the child regardless of source (i.e., Federal, State, county, municipality, tribal, and private payments). If title IV–E is paid on behalf of the child the amount indicated should be the total computable amount. If the payment made on behalf of the child is not the same each month, indicate the amount of the last full monthly payment made during the reporting period. If no monthly payment has been made during the period, enter all zeros.

Appendix C—[Amended]

- 4. In Appendix C to part 1355, under Section number 4., paragraph (3) is revised to read as follows:
- 4. Personal Computer to Personal Computer * * *
- (3) All records must be a fixed length. The Foster Care Detailed Data Elements Record is 150 characters long and the Adoption Detailed Data Elements Record is 72 characters long. The Foster Care Summary Data Elements Record and the Adoption Summary Data Elements Record are each 172 characters long.

Appendix D—[Amended]

*

- 5. In Appendix D to part 1355, Section A, Foster Care, subsection 1., is amended by revising paragraph a. and adding to paragraph c. the following elements at the end of the table and revising the number of "Total Characters" to read as follows:
- 1. Foster Care Semi-Annual Detailed Data Elements Record
- a. The record will consist of 66 data elements.

* * * * * * * * C. * *

Element No.			Appendix A data element	:	Data element description		No. of numeric characters	
* 66	*	*	XII		* unt of monthly foster ource).	* care payment (regardless of	*	5
Total chara	acters				,			150