

## SUPPORTING STATEMENT

Justification Statement for  
Developmental Disabilities Protection and Advocacy  
Statement of Goals and Priorities  
0980-0270

### **A. Justification.**

#### **I. Circumstances That Make The Collection of Information Necessary**

The Statement of Goals and Priorities (SGP) is required by legislation. The Developmental Disabilities Protection and Advocacy systems (P&As) are authorized in Subtitle C, of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15001 et seq.] (the Act). The P&As are required to submit a Statement of Goals and Priorities annually, as per Section 143(a)(2)(C) and 143(a)(2)(D) [42 U.S.C. 15043(a)(2), paragraphs C and D].

The Act mandates the P&A system of each State, as per Section 143(a)(2)(C) and 143(a)(2)(D), to annually prepare a Statement of Goals and Priorities (SGP) and to submit it to public comment in the State. Further, the Regulations in 45 C.F.R. 1386.23(c) require submission of the final SGP by January 1 of each applicable fiscal year. <<Note: the regulations, including their citations and nomenclature, are currently being updated to reflect the changes in the Act as of 2000.>> Additionally, Section 144(e) of the Act requires submission of an annual report including “the process used to obtain public input, the nature of such input, and how such input was used.”

The collection of this information is both necessary and authorized. First, the information is necessary for annual monitoring of the P&A program’s planning process. Second, the Department is specifically authorized to collect the information in Section 143(a)(2)(C) and 143(a)(2)(D).

Additionally, data is collected in the SGP and submitted to ADD for compliance with the Government Performance and Results Act of 1993 (GPRA). In the SGPs, the P&As provide to ADD future year targets for an outcome performance measure. These targets are reported to Congress under GPRA.

This is an ongoing data collection, and does not represent a change in requirements.

## **2. Use of the Information**

The information provided in the SGPs is first used to monitor compliance of P&A systems with requirements to annually develop the SGP and to solicit public comment as required in Section 142(a)(2)(paragraphs C and D). Additionally, the information is used to provide a national perspective on where the program is going (prospective view), and to provide a gauge for program accomplishments against program objectives for purposes of identifying continuing challenges and formulating technical assistance and management support provided to P&A systems. Finally, the data is used to report targets for outcome measures to Congress, as required by the Government Performance and Results Act of 1993 (GPRA).

ADD plans to make the data from these SGPs available on the Internet to the general public.

This is an ongoing data collection, and does not represent a change in requirements.

## **3. Use of Information Technology**

The Statement of Goals and Priorities (SGP) is submitted electronically. A major consequence of the electronic submission of the SGP is enhanced ability to review the SGPs and to manage the data in them.

This is an ongoing data collection, and does not represent a change in requirements.

## **4. Efforts To Identify Duplication**

A careful review of the P&A Program Performance Report (PPR) was conducted to avoid any duplication between reporting elements in the PPR and in the SGP.

This is an ongoing data collection, and does not represent a change in requirements.

## **5. Information Collection Involving Small Businesses**

The information collected does not involve, nor result in assignment of burden to any small business or other small entity. It is collected from 57 designated State systems.

## **6. Less Frequent Collection**

The collection of data less frequently than that prescribed by the requirements of the Act and by the Regulations (annually), would violate statute and regulation. Less frequent collection would also prevent the Department from meeting its obligations under GPRA. Further, it would deny the Department the opportunity to have a year to year understanding of the P&A planning process in each State for purposes of providing technical assistance and ensuring that the requirements of the Act are being met.

## **7. Special Circumstances**

There are no special circumstances governing the collection of data that are inconsistent with the established guidelines pursuant to 5 CFR 1386.23(b).

## **8. Outside Consultation Regarding Availability of Data**

Issues of the scope, content, availability of data, format, and clarity of instructions for the SGP have been discussed with all of the P&A systems, through focus groups, work groups, and in conferences organized on behalf of ADD by the National Disability Rights Network (NDRN). The format is based on the efforts of these focus groups, work groups and conferences. The P&As have had experience now using virtually the same version of this form, since this is an ongoing data collection and it represents only a minor simplification in format, and virtually no change in requirements.

A 60-day comment period was provided. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 71, number 80, pages 24723-24724 (April 26, 2006). No comments were received during the 60 days nor anytime thereafter.

A 30-day comment period was provided. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 71, number 148, page 43776 (August 2, 2006). No comments have been received.

In the Notice of Office of Management and Budget Action for the earlier approval for this data collection (dated 03/04/2005), there was a concern regarding the following:

Approved for one year to allow ACF to continue working with SSA, Ed., and others on coordination of P&A forms to decrease burden.

This concern is related to the Program Performance Report (that looks at the previous year) rather than to the Statement of Goals and Priorities (SGP, that looks at the year ahead). No information collection like the reporting of the SGP is mandated by federal

legislation under any of the federal P&A programs other than the Developmental Disabilities P&A program.

**9. Provision of Payments or Gifts to Respondents**

No payments or gifts to respondents are planned.

**10. Assurance Of Confidentiality**

There are no data collected that requires confidentiality, and hence no assurance of confidentiality is required.

**11. Questions of a Sensitive Nature**

No data is directly collected that is of a sensitive nature.

**12. Estimates of the Hour Burden of the Collection of Information**

The following is the hour burden estimate for this information collection:

No. of States	No. of Responses Per State	Average Burden Hours Per State	Total Hours
57	1	44	2,508

The estimate of annual burden to the States varies very greatly with the size, program complexity and the capability of the States. Consultations with selected States indicated that a range of times would vary. The current approximation of annual burden is from 5 to 20 four-hour days, with most common figure of about 11 four-hour days. Hence, a mode of 11 such days (44 hours) is being used in these calculations.

The total estimated burden hours for the P&As are 2,508 hours (57x44).

The annualized cost of the hour burden, expressed in dollars is:

Average Cost/Hour	Average Burden Hours/State	Average Annual Cost/State	Total Annual Cost
\$35	44	\$1,540	\$87,780

**13. Estimate of the Annual Cost Burden to the Respondents Resulting From the Collection of Information**

There is no annual cost burden to respondents resulting from reporting of the collection of information for the SGP.

**14. Estimates of Annualized Cost to the Federal Government**

This computation is based on an estimated \$35 per hour for the efforts of a Program Specialist; this estimated hourly rate includes fringe benefits.

Program specialists will devote an annualized estimate of 200 hours every year to organize and review the Statements of Goals and Priorities and to generate analyses of the information therein for staff use.

Total Estimated Federal Costs:..... \$7,000

**15. Reasons for Any Program Changes or Adjustments Reported in Items 13 or 14 of the OMB Form 83-I.**

This is an on-going data collection, with no change in burden. There is, however, a change in reporting cost (Item #14 on the OMB Form 83-I). Formerly the reporting cost was \$1,710, which was a one-time opportunity cost for equipment necessary for accessing the Internet for electronic reporting. That cost is not continuing, and hence the reporting cost is now zero.

**16. Plans for Tabulation and Publication for Collections of Information Whose Results are Planned to be Published**

The results of this information collection are not planned to be published for statistical use.

The SGPs are prepared by the P&A systems and submitted to the Department by January 1 of each year. Program personnel check the SGPs for completeness and

consistency, and prepare program reviews and summaries of the information for use in technical assistance formulation, and for program management studies. Program personnel aggregate the data, do national analyses (sum, average, etc.), and other management studies.

Legislation and regulation mandate the information collected within the SGP, and once acquired becomes a public document. The information obtained is used by ADD to develop program priorities and to formulate technical assistance.

The small amount of quantitative data is summed to show national totals for reports. Analysis and reporting of the data includes pie-charts and bar-charts. Textual data is stored in electronic data bases for access by word-searches, to search for commonalties among States with regard to researching activities of evolving interest. Reporting on this data will be on an annual basis.

Additionally, data is collected in the PPR and submitted to ADD for compliance with the Government Performance and Results Act of 1993 (GPRA). In the SGPs, the P&As provide to ADD future year targets for outcome performance measures, while in the PPRs, the P&As report on their actual accomplishments against those targets. These performance data are reported to Congress under GPRA.

**17. Reasons for not displaying expiration date**

Not Applicable.

**18. Explanation for each exception to the certification statement identified in Item 19, Form OMB 83-1**

Not Applicable.