

Supporting Statement for Paperwork Reduction Act Submissions

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(1)(iv) and its actual or estimated date of publication in the Federal Register, 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 in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked, “Yes,” Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

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.

Legal authorization for the State Plan for Independent Living (SPIL) is contained in chapter 1 of title VII of the Rehabilitation Act of 1973, as amended (PL 105-220). Section 704 of the Rehabilitation Act (Act) requires that, to be eligible to receive financial assistance under chapter 1, “a State shall submit to the Commissioner, and obtain approval of, a State plan containing such provisions as the Commissioner may require.” Rehabilitation Services Administration (RSA) approval of the SPIL is required for states to receive federal funding for both the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs.

The revised SPIL has been streamlined and simplified to optimize the collection of useful information while minimizing administrative burden for the grantees. It requests only the information that federal law and regulations clearly require it to include. It includes clear and easy-to-complete tables that better capture required financial plan and service provision data. It eliminates or consolidates several sections from the previous SPIL. (Combined, they SPIL instrument and instructions have been reduced to 35 pages and 11,000 words in length, compared to the previous document’s 47 pages and 13,000 words.) Finally, the revised SPIL is more closely aligned to how RSA approaches its other programs that require State plans, including the State Vocational Rehabilitation Services and Supported Employment programs. The Instructions, in the *What’s New* section, provides additional details about the SPIL changes and improvements.

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.

The SPIL is jointly developed and signed at the State level by the director of the Designated State Unit (DSU), the director of the State agency authorized to provide vocational rehabilitation services to individuals who are blind, where applicable, and the chairperson of the SILC. It is submitted to RSA for approval. RSA reviews the SPIL for compliance with the Act and 34 CFR parts 364, 365, 366, and 367, and approves the SPIL, if appropriate, in order to make way for continued RSA funding of the states' SILS and CIL programs. The SPIL also serves as a primary planning document for continuous RSA monitoring of and technical assistance to the states' independent living programs, that is, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide basis, needs for the provision of independent living services in the state.

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

RSA has endeavored to make the revised SPIL easier to complete and submit. In addition to streamlining the report, as discussed in question 1, RSA expects virtually all States to submit the SPIL electronically, primarily via email. In addition, RSA is working to implement changes in its Management Information System (MIS) that would allow grantees to complete the SPIL directly online. A signed, hard copy submission of the assurances section will be required as well. (To reduce paperwork requirements, respondents will not be required to submit hard copies of the entire SPIL, but only the assurances section.) Detailed instructions for the electronic and hard copy submittal of the SPIL, including the possible online completion and/or submittal option, will be provided to the States when RSA officially transmits the SPIL.

Grantees will receive the revised SPIL instrument and instructions electronically via email, and will also be able to access them through the RSA website. The approved SPIL will be available to the public on RSA's MIS.

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

The SPIL is submitted every three years and is a unified response covering a wide range of reporting requirements. It is the only data collection instrument used for this purpose.

In order to avoid duplication with other RSA collection instruments, the revised SPIL eliminated several questions that were already being asked in the RSA's section 704 Annual Performance Report.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

The data collection does not involve small business or other small entities.

6. Describe the consequences 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.

If the data collection were not conducted, RSA would not be authorized to fund the State Independent Living Services (SILS) or Centers for Independent Living (CIL) programs authorized by title VII of the Act. As a result, the availability of independent living services in the states would be severely limited.

Federal statute and regulations require the collection of this information every three years.

7. Explain any special circumstance(s) that would cause information collection to be conducted in a manner: (1) requiring respondents to report information to the agency more often than quarterly; (2) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (3) requiring respondents to submit more than an original and two copies of any document; (4) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; (5) 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; (6) requiring the use of a statistical data classification that has not been reviewed and approved by OMB; (7) 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 (8) 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.

None.

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.

The revised SPIL was initially published in the Federal Register on December 8, 2006 for a 60-day public comment period that ended on February 6, 2007. RSA received 10 comments, all of which address the relationship reflected in the SPIL between the programs funded under chapter 1 of title VII of the Rehabilitation Act of 1973, as amended, (the Act), that is, the State Independent Living Services (SILS) and the Centers for Independent Living (CIL) programs and the program authorized under chapter 2 of title VII, that is, the Independent Living Services for Older Individuals who are Blind (OIB) program. In response to public comments, RSA has proposed changes in the SPIL to make clearer the distinction between the SILS and CIL programs under chapter 1 and the OIB program under chapter 2. These changes are described in a supplemental document, which also provides explanations wherever changes were not deemed necessary or appropriate.

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

RSA forwarded a draft copy of the revised SPIL to the two major IL stakeholder groups, the National Council on Independent Living (NCIL) and the Council of State Administrators of Vocational Rehabilitation (CSAVR), and invited them to provide preliminary input prior to its publication in the Federal Register. CSAVR provided comments, but, in an email to RSA, NCIL declined to provide pre-Federal Register publication input.

The revised SPIL published in the Federal Register for the 60-day comment period incorporates the constructive input provided by CSAVR. The revised SPIL published for the 30-day comment period incorporates several additional changes in response to comments received between December 8, 2006 and February 6, 2007. (None of these changes will affect the burden estimates.)

RSA will update IL stakeholders about changes in the SPIL as it advances in the official OMB review and approval process. After OMB's approval, RSA will the necessary SPIL training and technical assistance to the states.

Note: RSA's flexibility to make substantive changes in the SPIL is limited by what the law and regulations expressly require.

There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

None.

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

None.

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

The SPIL includes no questions of a confidential nature.

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.

The SPIL includes no questions of a sensitive nature.

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.

Fifty-six part B grantees will complete the SPIL in FY 2007. The grantee, or respondent, in every case is the designated state unit. However, by law, the SPIL is jointly developed, signed and submitted by the DSU, the SILC and, where applicable, the separate state agency authorized to provide VR services to individuals who are blind. Therefore, the following calculation of burden takes into account that the involvement of up to three different entities in completing and submitting the SPIL.

Note: The SPIL is submitted only once, by a single grantee/respondent, even though it may be signed by up to three individuals.

The estimated hour burden is 60 hours for each grantee. The aggregate hour burden for all grantees is an estimated 3,360 hours (56 grantees x 60 hours each). These estimated hours include the time required for reading, studying and planning for the new SPIL; conducting required public hearings, gathering and reviewing pertinent information; completing the SPIL assurances and narrative sections; reviewing draft and final versions of the completed SPIL; and submission of the final SPIL to RSA. As noted above, the hour burden reflects the respective roles of the DSU, the SILC and, where applicable, the separate state agency authorized to provide VR services to individuals who are blind.

The 60-hour estimate presupposes that, because the proposed SPIL has been significantly modified with respect to the previous data collection instrument, it will require careful study on the part of respondents as well as a more thorough review of the states' pertinent written procedures and financial plan. RSA fully expects the burden to be significantly reduced in subsequent submissions.

If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

Provide estimates of annualized cost to respondents of 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. Instead, this cost should be included in Item 14.

Based on the foregoing hour burden calculation, RSA estimates the cost to all respondents for each submission at \$100,800, or 3,360 hours x \$30/hour. However, since the SPIL is submitted every three year, the annualized cost is \$33,600 ($\$100,800 / 3$).

13. Provide an estimate of 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 shown in Items 12 and 14.)

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. 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.

No additional costs are incurred by respondents other than those specified in #12.

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 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.

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

The average review and consideration of a SPIL takes 5 hours. RSA staff who review the completed reports is paid at an average rate of \$35 per hour. The cost of the review and approval process is 5 hours x \$35/hour x 56 SPILs = \$9,800. The annualized cost is \$3,267 (\$9,800 / 3).

No additional operational expenses are expected.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

Because this is a reinstatement of a previously approved collection and thus “current burden” no longer applies, the entire requested burden (3,360 annually) appears as an increase. The hour burden (60 hours) per respondent is unchanged from the expired collection.

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 the report, publication dates, and other actions.

Electronic copies of the OMB-approved instrument and instructions will be emailed to respondents in April 2007. The due date for the completed SPILs is July 1, 2007. The deadline for RSA approval of the SPILs is September 30, 2007. The approved SPILs go into effect on October 1, 2007. Approved SPILs will be posted on RSA Management Information System. No complex analytical techniques will be used.

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.

The OMB expiration date will be displayed.

18. Explain each exception to the certification statement identified in Item 20, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on Form OMB 83-I is checked “Yes,” the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed.

Item 17 on Form OMB 83-I is checked “No.”

- **Describe the potential respondent universe (including a numerical estimate) and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**
- **Describe the procedures for the collection of information, including:**
 - **Statistical methodology for stratification and sample selection**
 - **Estimation procedure**
 - **Degree of accuracy needed for the purpose described in the justification**
 - **Unusual problems requiring specialized sampling procedures, and**
 - **Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**
- **Describe methods to maximize response and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield “reliable” data that can be generalized to the universe studied.**
- **Describe any tests, procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**

- **Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other persons who will actually collect and/or analyze the information for the agency.**