

**Rehabilitation Services Administration Responses to the
Office of Management and Budget Questions Regarding the
State Plan For Independent Living (SPIL) Collection Package**

April 25, 2007

1. Did ED collect information without OMB approval? That is, has ED collected the information contained in this ICR since November 2004 (when the last clearance expired)? The submission in ROCIS indicates that 3,300 hours and 55 hours (see highlighted portion below) were due to a PRA violation. Please explain.

The U.S. Department of Education (ED) has not collected information without Office of Management and Budget (OMB) approval. In particular, ED has not collected the information in this ICR since November 2004. The State Plan for Independent Living (SPIL) is collected once every three years. The last due date for the SPIL, covering the period October 1, 2004 through September 30, 2007, was July 1, 2004 (four months prior to its expiration.). The revised SPIL under OMB consideration now is due on July 1, 2007.

2. Has ED complied with the previous terms of clearance for this collection? Please address each portion of the terms individually – we have broken them out into lettered items to facilitate this. Our current notes are in italics below.
 - a. *The Expiration Date has been changed to the new current expiration date noted above. The agency is reminded that it should have in place an internal planning process so that completion of the public notification and comment period required by 5 CFR 1320 occurs prior to an information collection's expiration date. Agencies should submit non-emergency extension requests sufficiently prior to expiration dates to allow for a 60-day period of OMB review. Other terms of your previous clearance remain in effect. (Note: please address any efforts RSA has made since these terms were issued to address the issue of emergency extensions.)*

The revised SPIL was submitted to OMB as a “Reinstatement, with change, of a previously approved collection for which approval has expired.” RSA’s internal process for this package was planned and implemented to allow for a 60-day non-emergency OMB review period prior to the collection’s due date. It was RSA’s understanding that approval of a revised collection was not required prior to the November 2004 expiration date, because there were no plans to collection information before 2007.

- b. *Approved consistent with the following terms: 1) RSA will evaluate the estimate of burden for this package to assess the accuracy of the new burden estimate. RSA shall submit a change worksheet showing the correct burden once the first reports have been submitted. (RSA states on p. 16 of the supporting statement that “The hour burden (60 hours) per respondent is unchanged from the expired collection.” Please address why RSA believes that this burden estimate remains accurate.)*

RSA did reevaluate the 60-hour burden estimate for this package, as stipulated by OMB, and confirmed the accuracy of the initial estimate. RSA believes the estimate is accurate because its recalculation of the hour burden was based on a thorough and detailed analysis taking into account the time required for reading, studying and planning the new SPIL; for conducting required public hearings; for gathering and reviewing pertinent information; for completing the SPIL assurances and narrative sections; for reviewing draft and final versions of the completed SPIL; and for submission of the final SPIL to RSA. Also, the hour burden reflects the respective roles of the designated state unit (DSU), the statewide independent living council (SILC) and, where applicable, the separate state agency authorized to provide vocational rehabilitation services to individuals who are blind.

- c. *RSA cannot require that the reports be submitted in Word format. Preference for Word can be noted, but if a CIL does not have access to Word, they should be able to submit the report in txt format. (Has RSA made the changes stated here?)*

The revised SPIL does not require that reports be submitted in Word format.

- d. *ED shall work toward making this package fully compliant with GPEA by 2003. (Has RSA made the changes stated here?)*

The revised SPIL complies with Government Paperwork Elimination Act (GPEA). Streamlining and simplifying the instrument to minimize administrative burden for the States and to optimize the usefulness of information collected were of primary concern to RSA. Several sections from the previous SPIL have been eliminated or consolidated. The assurances section is easier to review and certify. The assurances are placed together in one section, separate from the narrative descriptions and tables. The narrative section is easier to complete. The multiple attachments of the old SPIL, including the "Mandatory Areas," have been replaced by a single document in which a logical sequence of narrative responses provides a clear, readable description of the State's independent living program. Combined, the revised 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, to further reduce paperwork, respondents will not be required to submit hard copies of the entire SPIL, but only the assurances section.)

3. *In Item 12 of the supporting statement, ED assumes an hourly wage of \$30/ hour. Please explain what this wage figure is based on.*

The \$30/hour wage estimate is based on an informal survey that RSA conducted among a limited number of grantees when the SPIL was previously submitted for approval. At that time the wage estimate was \$25, representing the average of the approximate wages earned by the various individuals involved in SPIL development, including DSU and SILC staff. For this SPIL package, RSA increased the estimate to \$30 per hour as a reasonable adjustment for inflation.