SUPPORTING STATEMENT

FOR PAPERWORK REDUCTION ACT SUBMISSION

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.

   In statute at 20 U.S.C. 107a(6)(a), the Secretary of Education is directed through the Commissioner of the Rehabilitation Services Administration to conduct periodic evaluations of the programs authorized under the Randolph-Sheppard Act. Additionally, section 107b(4) requires entities designated as the state licensing agency to "make such reports in such form and containing such information as the Secretary may from time to time require…."

   The information to be collected is a necessary component of the evaluation process and forms the basis for the annual report. These data are also used to understand the distribution type and profitability of vending facilities throughout the country. Such information is useful in providing technical assistance to state licensing agencies and property managers.

   The Code of Federal Regulations, at section 395.8, specifies that vending machine income received by the state from federal property managers can be distributed to blind vendors in an amount not to exceed the national average income for blind vendors. This amount is determined through data collected using Form RSA-15.

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 information collected on Form RSA-15 has been utilized in reporting to the legislative and executive branches on the status of the Randolph-Sheppard vending facility program. The consistent collection of data has allowed RSA to observe trends in the program, and to make year-to-year comparisons. The information is used to establish the regulatory limit of vending machine income that can be distributed to blind vendors. It is also used to provide technical assistance to agencies serving the blind, and federal property managers regarding vending opportunities. This report is presently the only means of assessing the growth or decline of the program in individual states and nationally.

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.

   The Form RSA-15 has not previously been available for an electronic submission. It is typically prepared using a computer and submitted in hard copy. It is planned that in the future the revised form will be available to be completed and submitted through the Department of Education's management information system. The electronic version of the form will be released once authorization has been received for continued use.

4. Describe the 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.

   Information on the vending facility program administered through state licensing agencies is only collected on Form RSA-15. There is no other similar information available.

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 information is not collected from small businesses.

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 were not collected annually, the Commissioner of RSA could not meet his/her statutory reporting requirements. Also, without information collected using this form it would not be possible to provide the national averages necessary for states to distribute money to blind vendors in accordance with federal statutes and regulations.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

   - Requiring respondents to report information to the agency more often than quarterly;

- Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

- Requiring respondents to submit more than an original and two copies of any document;

- Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

- 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;

- Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

- 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

- 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.

There are no special circumstances that require this information collection to be conducted in any manner listed above.

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 agency published notice in the Federal Register as follows:
FR Doc 08-643
[Federal Register: February 13, 2008 (Volume 73, Number 30)]
[Notices]
[Page 8300]

The summary of public comments with description of actions taken in response is attached.

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. 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.

We have consulted with the National Council of State Agencies for the Blind (NCSAB), whose members are the state agencies responsible for collecting the data and completing the form. Representatives of NCSAB have expressed their agreement with the form being approved for continued use with the recommended revisions. Staff of the Department of Education has worked with this group and others to assure that the data elements included are necessary and meaningful to clarify instructions, to eliminate duplication, and to attempt to minimize the burden on state agencies.

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

   There are no arrangements for gifts.

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

    There are no such assurances. Efforts are made to avoid the collection of personal, proprietary, or confidential data.

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. The 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.

    We are not seeking any private information such as that described above.

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-two is the average number of respondents and responses are received annually. The annual hour burden estimate is 13.5. The hour burden estimate was verified by telephone survey of three state licensing agencies who confirmed the 13.5 hours as a reasonable estimate of the time required for completion of the form within their agencies.

- 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 83-1.

- 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 not be included in Item 14.

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.

- 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 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.

This item is not applicable.

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

	Annual Burden
Number of respondents	52
Frequency of response	Annually
Total annual responses	52
Hours per response	13.5

Total hours	702
Cost per hour	$20.00
Total cost	$114,040 (52 x $270.00)

Annual cost to Federal Government $2500

2,500 = 100 hours x 25

Annual Federal Computer costs $0
Total cost to Federal Government $2500

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

This item is not applicable.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex and 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.

    This item is not applicable.

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.

    This item is not applicable.

18. Explain each exception to the certification statement identified in Item 20, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-1.

    This item is not applicable.

B. Collection 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 83-1 is checked “Yes,” the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. Describe the potential respondent universe (including a numerical estimate and any sampling or other respondent selection method.

   No statistical methods used.

2. 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.

3. 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.

4. Describe any tests of 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.

5. 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.

   This collection of information does not employ any statistical methods.