

# THE SUPPORTING STATEMENT

## A. Justification

### 1. Circumstances Making the Collection of Information Necessary

The program performance reports (PPRs) are required by legislation. The State Councils on Developmental Disabilities (Councils) are authorized in Subtitle B of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act), as amended [42 U.S.C. 15001 et seq.] (the DD Act). The Councils are required to submit one PPR annually, as per Section 125(c)(7) [42 U.S.C. 15025(c)(7)].

The report is to describe the activities and resultant accomplishments carried out by each Council in pursuit of goals defined by the Council in its State Plan (OMB Information Collection Code 0980-0162). Each Council's activities are pursued using funds awarded to it that were authorized under Subtitle B for the Federal fiscal year being reported.

The collection of this information in the proposed format is both necessary and authorized. First, the information is necessary both for annual retrospective monitoring of the Council program in light of its prospective State Plan, as well as preparation of the Secretary's report to the President, the Congress, and the National Council on Disabilities as required by Section 105. Second, the Department is specifically authorized to collect the information in Section 125(c)(7), which also requires the Secretary to prescribe the format for the report.

The requirement for a Council PPR is also further emphasized in 45 CFR Part 1386.32:

(b) Pursuant to Section 107(a) of the Act (U.S.C.6006a), the State Developmental Disabilities Council shall submit an Annual Program Performance Report in a form that facilitates Council Reporting of results of activities required under Sections 122 and 124 of the Act. The report shall be submitted to the appropriate Regional ACF Office, by January 1 of each year.

<<**Note:** the regulations, including their citations, are currently being updated to reflect the changes in the DD Act as of 2000.>>

Additionally, data is collected in the Council annual PPR and submitted to ADD for compliance with the Government Performance and Results Act of 1993 (GPRA). In their PPRs, the Councils provide to ADD past year actual outcome data for outcome performance measures. These outcomes are reported to Congress under GPRA.

The above described retrospective outcome measures in the PPR are organized by legislatively mandated "areas of emphasis," described in the DD Act [Section 102(2)], and correspond to prospective target goals for those measures that are reported to ADD

by the Councils in the State Plan [OMB Information Collection Code 0980-0162; the requirement for goals organized by "areas of emphasis" in the State Plan is stipulated in Section 124(c)(4) of the DD Act]. The PPR information on State Plan goals, which are derived from the "areas of emphasis," is required for reporting to Congress on progress under the State Plan, as stipulated in Section 125(c)(7) of the DD Act.

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

## **2. Purpose and Use of the Information Collection**

The information provided in the PPRs is first used, as required in Section 107(c)(2), in the preparation of the Secretary's Annual Report to the President, the Congress, and the National Council on Disability. Secondly, the data is used to report outcome measures to Congress, as required by the Government Performance and Results Act of 1993 (GPRA). Additionally, the information is used to provide a national perspective on program accomplishments and continuing challenges. Based on this national perspective, technical assistance and management support is provided to DD Councils in the States.

ADD currently makes some of the data from these reports available on the Internet to the general public. It plans to expand the amount of the data it makes available on the Internet in the future.

The failure to collect program performance data in this format from each State would severely compromise the Department's ability to meet its legislatively mandated reporting requirements to the President, the Congress, and the National Council on Disability. Additionally, nation-wide insight into the Council program would be impossible, and no management studies would be feasible for the benefit of the program or for budget review of the benefits of the program.

## **3. Use of Improved Information Technology and Burden Reduction**

The State Council Program Performance Report (PPR) is submitted using internet based technology; this report submission system is called the On-Line Data Collection (OLDC) system. The adoption of this technology has been a challenge both for ADD staff and for staff of the State Councils on Developmental Disabilities, and there has been an ongoing quality-improvement effort to ensure ease of use for both grantees and federal staff. A major consequence of the electronic submission of the State Plan is enhanced ability to review the State Plans and to manage the data in them. For grantees, they have continued access to their past submitted reports, which is often of value to them in their management of information.

#### **4. Efforts to Identify Duplication and Use of Similar Information**

Other sources of information were reviewed to identify possible sources of duplication to the information and data collected in the annual Program Performance Reports (PPRs) submitted by Councils to review their activities and accomplishments under their approved State Plans.

A careful review was conducted of the State Plan form (OMB Information Collection Code 0980-0162) submitted by the State Developmental Disabilities Councils. No duplication was identified aside from the parallel “areas of emphasis” structure of the State Plan goals and the reporting on those goals in the PPR. The State Plan, however, is prospective (looking ahead with planned goals), while the PPR is retrospective (looking back at activities and accomplishments under those goals).

The Financial Status Report [ADD-02B; OMB Information Collection Code 0980-0212] was reviewed for duplication with the expenditure section of the PPR. While total expenditures reported are the same in both, the ADD-02B's breakouts are fiscal compliance oriented in nature, whereas the PPR's breakouts are program-activity oriented. The two reports were found to bear no resemblance to one another nor to have any meaningful duplication.

With these efforts to identify duplication, no similar information was found to currently exist to provide the insight provided by the annual PPR on the fiscal year activities and accomplishments of Councils receiving federal funding to support activities for individuals with developmental disabilities under the approved State Plans.

#### **5. Impact on Small Businesses or Other Small Entities**

The information collected does not involve, nor result in assignment of burden to any small business or other small entity. It is collected from 55 State agencies.

#### **6. Consequences of Collecting the Information Less Frequently**

Subtitle B, Section 125(c)(7) of the DD Act requires annual program performance reports PPRs. Less frequent collection of data than that prescribed by the requirements of the DD Act, Section 125(c)(7) would violate statute.

#### **7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

There are no special circumstances governing the collection of data that are inconsistent with the established guidelines pursuant to 5 CFR 1320.5.

**8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency**

The content of the State Council on Developmental Disabilities (Council) Program Performance Report (PPR) was developed by all 55 of the Councils themselves in a massive collaborative effort coordinated by the National Association of Councils on Developmental Disabilities, under contract with ADD. Issues of the scope, content, availability of data, format, and clarity of instructions for the Council PPR format have been discussed with all of the Councils during the course of the development process. The Councils have had extensive experience now using this version of this form, since this is an ongoing data collection and it represents no change in requirements.

A 60-day comment period was provided during August 15, 2008 to October 14, 2008. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 73, number 159, pages 47956-47957 (August 15, 2008). There were several inquiries about the nature of the changes, but there were no comments received due to there not being any changes proposed.

**9. Explanation of Any Payment or Gift to Respondents**

No payments or gifts to respondents are planned.

**10. Assurance of Confidentiality Provided to Respondents**

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

**11. Justification for Sensitive Questions**

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

**12. Estimates of Annualized Burden Hours and Costs**

The following table summarizes the burden hour estimate for this information collection:

No. of States	No. of Responses Per State	Average Burden Hours Per State	Total Hours
55	1	138	7,590

The State’s estimates of their annual burden hours for this information collection varies very greatly from State to State, influenced by factors such size of the State and program complexity. A survey of a representative selection of States was conducted, focusing on geographic diversity, State-size diversity, and program funding level diversity, and the survey data illustrated this very broad range of burden hours. A nation-wide estimate for burden hours was calculated based on median survey values. The current approximation of annual burden hours for this information collection, derived from the survey data, is 138 hours per State per year, which works out to 7,590 hours nation-wide (i.e., 55x138).

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
\$40	138	\$5,520	\$303,600

**13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers**

There is no annual cost burden or startup cost to respondents resulting from collection of information for the PPR.

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

This computation is based on an estimated \$40 per hour for the efforts of a Program Specialist; this estimated hourly rate includes fringe benefits.

Program specialists will devote an estimated 400 hours every year to organize and review the Program Performance Reports and to generate analyses of the information therein for staff use.

Total Estimated Federal Costs:..... \$16,000

**15. Explanation for Program Changes or Adjustments**

The reason for the change in burden hours (from 2,420 hours to 7,590 hours) is to reflect the current adjustment resulting from a very recent survey of States on the burden hours and to correct an error in the previous clearance for this information collection.

**16. Plans for Tabulation and Publication and Project Time Schedule**

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

The Program Performance Reports (PPRs) are prepared by the Councils, made available in the States for public access, and submitted to the Department of Health and Human Services via an internet-based report-submission system by January 1 of each year. Program personnel in the Administration on Developmental Disabilities (ADD) check the PPRs for completeness, for compliance with the DD Act, and for data quality, and they prepare program reviews and summaries of the information for program management studies. Staff in ADD aggregate the data, do national analyses (sum, average, etc.), and other management studies.

The information collected within the PPR is mandated by legislation and once acquired becomes a public document following approval by the Commissioner, ADD. The information obtained is used by ADD to develop program priorities.

Additionally, data in the PPR is used for compliance with the Government Performance and Results Act of 1993 (GPRA). In the State Plans, the Councils provide to ADD future year goals and targets for outcome performance measures, while in the PPRs, the Councils report on their actual accomplishments against those goals and targets. These performance data are reported to Congress as required by GPRA.

Quantitative data from the PPR is summed to show national totals for reports. Analysis and reporting of the data includes pie charts and bar charts.

**17. Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

Not applicable.

**B. Statistical Methods (used for collection of information employing statistical methods)**

This information collection does not employ statistical methods.