

Supporting Statement
Information Collection

**45 CFR 1303 – Appeal Procedures for Head Start Grantees
and Current or Prospective Delegate Agencies**

OMB Number 0980-0242

1. Circumstances which make the data collection necessary

Section 646(c) of Public Law 110-134 of the Head Start Act, as amended requires the Secretary to prescribe a timeline for administrative hearings on adverse actions taken against grantees, and a timeline for conducting administrative hearings. The final rule revises 45 CFR 1303 and implements these regulations by prescribing when a grantee must submit information, and what that information should contain to support their contention that adverse action should not be taken. Overall, the final rule on timelines, including conforming changes to other affected sections of the requirements of 1303 will save time and expenses while allowing due process to grantees appealing proposed termination or denial of refunding.

2. Purpose and Use of the Information Collection

The information submitted by a grantee or delegate agency in response to a proposed adverse action is used by the HHS official in deciding whether to make final actions which have been proposed such as the suspension of financial assistance to a grantee. The information submitted would also be used by the Departmental Grants Appeals Board in their review of proposals to terminate assistance to grantees.

3. Use of Improved Information Technology and Reduction of Burden

Presently there are no plans to collect this information electronically.

4. Efforts to Identify Duplication and Use of Similar Information

There is no effort to avoid duplication of information as this does not apply in this instance. The information collected is specific to a discrete action and would address specific concerns as required in the notice of adverse action.

5. Impact on Small Businesses Or Other Small Entities

Not applicable, large numbers of small business and small entities are not impacted.

6. Consequence of Collecting Information Less Frequently

Not applicable, information is submitted only once in response to a specific adverse action proposed by the HHS official.

7. Special Circumstances Relating to Guidelines of 5 CFR 1320.5

Not applicable. No conditions as specified are required.

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

This 60 notice was published for comment in the Federal Register on May 7, 2009. No comments were received.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

Not applicable, no confidential information will be collected.

11. Justification for Sensitive Questions

Not applicable, there are no answers to sensitive questions required.

12. Estimates of Hour Burden and Costs

Collection	Number of Respondents	Frequency of Response	Hour per Response	Total Burden Hours
Appeal	20	1	26	520

Cost per respondent is \$520 estimated at 26 hours x \$20.00 per hour.

13. Annualized Cost per Respondent

No annual costs; respondents are not required to establish any new recordkeeping. Information collected is drawn from grantees established records of program operations.

14. Annual Cost to Federal Government

Not applicable

15. Explanation for Program Changes and Adjustments

There are no program changes. There is an adjustment in the number of respondents from one to twenty based on a correction in the method used to compute the number of respondents.

16. Plans for Tabulations and Publication and Project Time Schedule

There are no plans to publish the information submitted other than in a public record of any proceedings which might occur.

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

The last paragraph of the rule contains the OMB expiration date.

18. Exceptions to Certification for Paperwork Reduction Act Submission

There are no exceptions contemplated.

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

There are no data collected and no procedures for information collection and no procedures for analytical analysis.