

## ***Justification - Supporting Statement***

### **1. Necessity of Information Collection**

The National Endowment for the Arts' mission is "to advance artistic excellence, creativity, and innovation for the benefit of individuals and communities."

With the advice of the National Council on the Arts and advisory panels, the Chairman establishes eligibility requirements and criteria for the review of applications for funding. Section 959 ( c ) of the Endowment's enabling legislation, as amended, directs the Chairman to utilize advisory panels to review applications and to make recommendations to the National Council on the Arts, which in turn makes recommendations to the Chairman.

The legislation requires the Chairman "(1) to ensure that all panels are composed, to the extent practicable, of individuals reflecting a wide geographic, ethnic, and minority representation as well as to (2) ensure that all panels include representation of lay individuals who are knowledgeable about the arts..." These panels are considered to be committees under the Federal Advisory Committee Act (FACA), which also requires that committees be balance geographically and ethnically. In addition, the membership of each panel must change substantially from year to year and each individual is ineligible to serve on a panel for more than three consecutive years. To assist with efforts to meet these legislated mandates regarding representation on advisory panels, the Endowment has established an Automated Panel Bank System (APBS), a computer database of names, addresses, areas of expertise and other basic information on individuals who are qualified to serve as panelists for the Arts Endowment.

The Panelist Profile Form, for which clearance is requested, is used to gather basic information from qualified individuals recommended by the arts community; arts organizations; Members of Congress; the general public; local, state and regional arts organizations; Endowment staff, and others.

### **2. Needs and Uses of Information**

Information provided on this Panelist Profile Form has been used to create the Automated Panel Bank System (APBS), a computer database of names, addresses, areas of expertise and other basic information on individuals who are qualified to serve as panelists for the Arts Endowment. This system is used by Endowment staff in the selection and approval of panelists to ensure that the legislative mandates cited above are fulfilled. Resumes are kept on file to supplement the information contained in the database. In addition to providing a more detailed picture of an individual's suitability for a particular panel, the resume also provides specifics about the individual's affiliations that are helpful in avoiding possible conflicts of interest with the applications to be reviewed.

### **3. Uses of Information Technology**

The use of information technology has been a prime consideration in the design of this form. It is designed to provide general expertise and background information through inclusion of numerical codes that are entered into the database. It is hoped that in the future we will have the capability of linking the resumes, which are currently available electronically, to the individual records in our database. The information currently is manually entered into the database, although we hope to be able to transfer information electronically in the future. The form is available electronically, via e-mail. In 2011, approximately 95% of the forms received were in electronic form – sent and received via e-mail, and we now use the electronic version of this form almost exclusively. We also anticipate the possibility, through the shared use of the National Endowment for the Humanities' system, that in the future individuals will be able to enter and submit this information online themselves.

### **4. Efforts to Identify Duplication**

This form may be accompanied by a resume that provides details about an individual's experience, which the automated system is not equipped to do at this time.

### **5. Minimizing the Burden in Small Businesses or Small Entities**

Not Applicable

### **6. Consequences of Not Conducting Data Collection**

Information collected through the use of the Panelist Profile Form is necessary to fulfill the Endowment's obligation to ensure that the panels adhere to the requirements of FACA and the Endowment's legislation to provide review panels that are geographically and ethnically diverse. The database also allows us to ensure that, in accordance with our Congressional mandate, no panelist serves for more than three consecutive years. In addition, through our data collection activities we widen the pool of potential panelists who demonstrate diverse ethnic and artistic backgrounds. If the Endowment abandoned its data collection efforts, the Endowment's ability to fulfill Congress' mandates would be severely hampered. Any failure to do periodic updates will result in stale and inaccurate information in the database.

### **7. Special Circumstances**

An individual who wants to be considered for inclusion in the APBS will complete this form once. In order to keep information current, periodic updates will be requested. Additionally, as individuals serve on panels, they are requested to review the information currently on file, and to update the information as necessary. This is to ensure that the records are kept as accurate as possible.

## 8. Public Comment and Consultation Outside the Agency

The collection is conducted consistent with the guidelines in 5 CFR 1320.6. A notice in the Federal Register was published on Monday, March 5, 2012 (Vol. 77, No. 43), to solicit comments on the approval of the Panelist Profile Form. (A copy of this notice is attached.) No comments were received.

## 9. Payment to Respondents

Not Applicable

## 10. Assurance of Confidentiality

Assurance of confidentiality is provided under the terms of the Privacy Act of 1974.

## 11. Questions of a Sensitive Nature

Some items are potentially sensitive (relating to gender, disability, and languages spoken), but these are optional, and that is indicated on the form.

## 12. Estimated Hour Burden of Respondents

The estimated burden to respondents for this collection is explained in table A-1 below:

### A-1 Estimated Response Burden of Data Collection Activities Based on FY 08 Figures

#### Hour Burden to Respondents

<i>Number of Forms in FY 2011</i>	x	<i>Time to Complete Form</i>	=	<i>Total FY 2011 (Annual) Hour Burden to Respondents</i>
250	x	6% of an hour or 10 minutes	=	41.7 hours

#### Annualized Cost

There is no cost to the respondent other than that of their time (10 minutes) to respond.

### 13. Cost Burden to Respondent

Collection of this information will be done electronically.

### 14. Cost to the Federal Government

All Panelist Profile Forms are reviewed and created by employees of the Federal Government, therefore no additional cost is incurred to the government in terms of contracting. With elimination of the paper form, no mailing costs will be incurred.

### 15. Explanation of Changes

The changes we are proposing are primarily for clarity and to take changes in technology into consideration. These changes shouldn't add to the reporting burden:

- a. The Arts Endowment is moving to an online application review system. Therefore potential panelists will now be asked if they have broadband internet access, which will be an important factor in panelists' ability to review application work samples online.
- b. We are specifically requesting a home address and asking for a mailing address if it is different (we previously asked for a mailing address and a second address – each with a checkbox for “home” or “work”). Our panelists serve as individuals, rather than as representatives of their organizations, therefore we track them by their home city and state rather than by the city/state where they work, so this change better represents the information we need.
- c. In accordance with new regulations regarding Advisory Committees, we are adding a checkbox “Are you a federally registered lobbyist?”
- d. For clarity, we are making some minor edits to the language in some of the sections:  
“Do you consider yourself a layperson?” will be “Are you a layperson?”  
“Source of Recommendation” will become “Recommended by”  
The section relating to disabilities will now read “Select the appropriate **disability** category(ies):” and the word “impairment” will be deleted.
- e. The sections requesting information on gender, disability, and language skills will be labeled “(optional).”
- f. To clarify the type of information we are asking for, we are changing the heading of the “Type of Organization” section to read “Work Experience.” We are also adding some new categories to include digital/technology-related work (e.g., blogs and other internet-based experience).

- g. We are deleting the request for additional information. We have found, over the past few years, that this section has not provided us with sufficient useful information to warrant keeping this section.

**16. Statistics**

Not applicable. We do not plan to publish data.

**17. Seeking Approval to Not Display OMB Expiration date**

Not applicable. We are not seeking this approval.

**18. Exception to the Certificate Statement**

Not applicable. There are no exceptions to the certification statements.