

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

Annual Client Assistance Program (CAP) Performance Report (Form RSA-227)

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 hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.**

The Rehabilitation Act of 1973, as amended (Rehabilitation Act), requires each state to have in effect a Client Assistance Program (CAP) in order to receive payments from its Section 110 allotments under the Rehabilitation Act. Section 112 of the Rehabilitation Act authorizes CAP grantees to provide information to individuals with disabilities regarding the services and benefits available under the Rehabilitation Act and the rights afforded them under Title I of the Americans with Disabilities Act. In addition, CAP grantees are authorized to provide advocacy and legal representation to individuals seeking or receiving services under the Rehabilitation Act, in order to resolve disputes with programs providing such services, including vocational rehabilitation services.

The current version of the Annual CAP Performance Report (Form RSA-227) is scheduled to expire on June 30, 2014. The Rehabilitation Services Administration (RSA) is requesting a three-year extension of the existing form through June 30, 2017. RSA has made changes to the form to better align its organization and content with the other protection and advocacy program reports administered by RSA, specifically those submitted by the Protection and Advocacy of Individual Rights and Protection and Advocacy for Assistive Technology programs (Forms RSA - 509 and 661, respectively). See the response to Question No. 15 for a detailed description of these changes to the form. In addition, the response to Question No. 8 includes a description of the changes made to the form as a result to public comment from the respondents.

- 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.**

Form RSA-227 is the instrument RSA uses to monitor and evaluate the program of each designated CAP agency to ensure compliance with all federal requirements. Subsection 112(b) requires the Secretary to ensure compliance with Subsections 112(a) and (c) before allocating funds under the Rehabilitation Act, including funds under the VR Program, to any state. Data from the form have been used to evaluate the effectiveness of eligible systems within individual programs. These data also have been used to indicate trends in the provision of services from year to year. Form RSA-227 also has enabled RSA to furnish the President and Congress with data on the provision of advocacy services and has helped to establish a sound basis for future funding requests.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

RSA has developed an electronic management information system through which CAPs can access and submit data online at RSA's website (rsa.ed.gov). Since fiscal year 2009, all CAP agencies have used this method to submit their reports.

- 4. Describe 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.**

Form RSA-227 provides information on the individuals with disabilities served by CAP grantees and the services they received pursuant to Section 112(a) of the Rehabilitation Act. No similar information is available.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.**

The collection of this information does not involve small businesses or other small entities. Respondents are not-for-profit organizations or State agencies. RSA included the respondents and the national organization that represents them in the initial development of the RSA – 227, as well as the proposed modifications contained in this

version, to ensure that the information requested could be provided with minimal burden to the respondents.

6. Describe the consequence 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.

Because RSA uses the information obtained by this collection in preparing its annual report to the President and Congress, current data on the advocacy services provided by CAPs must be made available by eligible programs each year.

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

- o requiring respondents to report information to the agency more often than quarterly;**
- o requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- o requiring respondents to submit more than an original and two copies of any document;**
- o requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- o 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;**
- o requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- o 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**
- o requiring respondents to submit proprietary trade**

secret, 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 would require this information to be collected in a different manner than set forth in the Rehabilitation Act.

- 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.**

Describe efforts to consult with persons out-side 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.

RSA received recommendations on the initial development of the RSA - 227, including the frequency of reporting, from the National Disability Rights Network (NDRN, the national membership organization for CAPs), CAPs, and other advocacy groups. Prior to submission of this revised version, RSA again consulted with, and received recommendations from, NDRN on the revised format of the form. RSA implemented these recommendations in this revised version of the form.

In addition, a 60-day notice was published in the Federal Register to solicit public comment. In response to all comments received during the 60-day notice period, RSA implemented the following changes to the form.

- The reporting options under Part I.A, Information and Referral Services, have been expanded by deleting the single option regarding information about programs funded under the Rehabilitation Act and including separate options for information about the vocational rehabilitation (VR) program, independent living programs, the American Indian VR Service projects and the CAP.

- Part II.B, Problem Areas, has been expanded to include independent living services and assignment to an order of selection priority category as additional options.
- An additional Section E was added under Part III-Program Data to include “Types of Individuals Served.” As a result, the RSA Form-227 report will now collect information on whether individuals served by CAP were applicants for VR services, individuals eligible for VR services not currently on a waiting list due to the implementation of an order of selection, individuals eligible for VR services currently on a waiting list, applicants for or eligible to receive independent living services, transition students, and all other applicants or individuals eligible for programs or projects funded under the Rehabilitation Act.

A 30-day notice will be published in the Federal Register to solicit public comment on this latest version of RSA Form-227.

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

There is no payment or gift to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.

Confidentiality is assured because Form RSA-227 is an aggregate report.

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. This 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.

This data collection instrument does not contain any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. 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.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)**
- **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 be included in Item 14.**

	Annual Burden
Number of respondents	56
Frequency of response	1
Total annual responses	56
Hours per response	16.0
Total hours	896
Cost per hour	\$33
Total cost	\$29,568

RSA has estimated the time required for each respondent to complete the form, so that the estimate is consistent with that used in connection with similar reporting instruments used by RSA, in particular, the Annual Protection and Advocacy for Assistive Technology (PAAT) Performance Report. RSA conducted a field test of

nine respondents to the Annual PAAT Performance Report during its development and found that on average respondents completed the form within 16 hours. RSA believes that the Form RSA-227, as modified, can be completed by CAP grantees in an equal amount of time. In addition, RSA now estimates the hourly cost to respondents to be \$33 reflecting increases in wages caused by the increased cost in living.

- 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.)**
- o The cost estimate should be split into two components: (a) the 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:**
 - o 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 purchasing of contracting out information collection services should be a 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.**
 - o Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12.**

Total Annualized Capital/Startup Cost: N/A

Total Annual Costs (O&M):	N/A
Total Annualized Costs Requested:	N/A

States and territories incur no cost burden in addition to that stated in item 12 above.

- 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.**

a.	Review of each written request	--1.5 hour
b.	Number of written requests to review	--56
c.	Total time to review written requests	--84 hours
d.	Federal hourly rate of salary	--\$49.00
e.	Salary cost (c x d)	--\$4,116.00
f.	Annual federal computer costs	--\$ 500.00
g.	Total cost to federal government (e + f)	--\$4,616.00

- 15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).**

Form RSA-227 has been modified to better align its organization and content with the other protection and advocacy program reports used by RSA, including the Annual Protection and Advocacy for Individual Rights (PAIR) Report (RSA-509) and the Annual Protection and Advocacy for Assistive Technology (PAAT) Report (RSA-661). To obtain consistency with the other protection and advocacy reports, RSA revised the RSA-227 report by reorganizing its structure, consolidating narrative descriptions or converting them into numeric fields, and by modifying many of the data fields to be consistent with the information collected through the other protection and advocacy program reports.

In particular, the current RSA-227 report requires a narrative description for “the type of agency used to administer CAP.” This data will be reported through the selection of one of five options under Part V, Section A. The narrative description for “alternative dispute resolutions” has been eliminated as this information is already collected under “Intervention strategies for closed cases” in Part II, Section C of the report. In addition, the narrative descriptions “summary of presentations made”, “involvement with advisory boards” and “on-line information/outreach” are no longer needed as this information is captured under Part I, Section D, “Information disseminated to the public by your agency” and under Part I, Section E, “Information disseminated about your agency by an external media coverage.”

Consistent with the other protection and advocacy reports, the narrative descriptions, “outreach to unserved/underserved populations”, “number of person-years” employed by the CAP agency, and “interesting cases” remain as information collected in the revised RSA-227 report. The narrative descriptions for “sources of funds expended” and “budget for current and following fiscal years” are no longer required as this information is captured through the CAP agency’s annual submission of the SF-425 report. Finally, the narrative description “systemic advocacy” has been divided into two separate sections for the reporting of non-litigation systemic activities and systemic activities involving litigation. In addition, CAP agencies will report a numeric value for each type of systemic activity.

Along with these changes to the narrative fields, the RSA-227 report is restructured the organization of the data fields to be consistent with the format of the other protection and advocacy reports. CAP agencies will report all non-case services under Part I of the report, identify all individual services under Part II, provide the program data under Part III, describe systemic activities under Part IV, detail the agency information under Part V and provide case examples under Part VI. The disabling conditions options included under Section D of Part III have been modified to match those disability conditions currently collected in the other protection and advocacy program reports.

As stated in response #12, the burden for Form RSA-227 is estimated to be consistent with the Annual Protection and Advocacy for Assistive Technology (PAAT) Performance Report. RSA conducted a field test of nine respondents to the Annual PAAT Performance Report during its development and found that on average respondents completed the form within 16 hours. This is equal to the estimated burden for the current Form RSA-227. Therefore, the burden for the respondents for Form RSA-227 is not expected to increase or decrease.

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

Reports are due to RSA within 90 days following the end of the fiscal year (approximately December 30 of each year). Data reported are evaluated and transmitted to the President and Congress in the Annual Report prepared by the RSA Commissioner.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reason that display would be inappropriate.

RSA is not seeking approval to not display the expiration date of the information collection.

18. Explain each exception to the certification statement identified in, "Certification for Paperwork Reduction Act Submissions."

This document meets each of the criteria outlined in the "Certification for Paperwork Reduction Act Submissions". There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

This data collection instrument does not require the use of any statistical methods in obtaining information.