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 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[1]. 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.

Legal authorization for the State Plan for Independent Living (SPIL) is contained in Chapter 1 of Title VII of the *Rehabilitation Act of 1973*, as amended (PL 105-220). Section 704 of the *Rehabilitation Act* requires that, to be eligible to receive financial assistance under Chapter 1, "a State shall submit to the Commissioner, and obtain approval of, a State plan containing such provisions as the Commissioner may require." Rehabilitation Services Administration (RSA) approval of the SPIL is required for states to receive federal funding for both the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs. Federal statute and regulations require the collection of this information every three years. The three-year period for the next SPIL is FY 2014 – 2016.

The version of the SPIL for which RSA is requesting a three-year extension was approved by OMB and has been in effect since FY 2007 and no revisions have been made. The SPIL requests only the information that federal law and regulations clearly require, optimizes the collection of useful information while minimizing burden for grantees, and includes clear and easy-to-complete tables that better capture required financial plan and service provision data.

No revisions or rule-making applies.

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 SPIL is jointly developed and signed at the state level by the director of the Designated State Unit (DSU), the director of the state agency authorized to provide vocational rehabilitation services to individuals who are blind, where applicable, and the chairperson of the Statewide

[1] Please limit pasted text to no longer than 3 paragraphs.

Independent Living Council. RSA reviews the SPIL for compliance with the *Rehabilitation Act* and 34 CFR parts 364, 365 and 367, and approves it. The SPIL also serves as a primary planning document for continuous monitoring of, and technical assistance to, the state independent living programs to ensure appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide basis, needs for the provision of independent living services in the state.

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 given to using technology to reduce burden.

In FY 2013, grantees will be encouraged to complete and submit the FY 2014 – 2016 SPIL via the Internet by using RSA's Management Information System (MIS). States that choose not to submit via the MIS must submit the SPIL via e-mail. Hard copy submittals are not required for states that complete the SPIL on the MIS.

Detailed submission instructions will be provided to the states when RSA officially transmits the SPIL to states via email. States also will be able to access the SPIL instructions and other technical assistance tools through the RSA website. Approved SPILs will be available to the public on RSA's MIS.

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.

The SPIL is submitted every three years and is a unified response covering a wide range of reporting requirements. It is the only data collection instrument used for this purpose.

The SPIL is designed to optimize the collection of useful information while minimizing administrative burden for the grantees. It requests only the information that federal law and regulations clearly require it to include. It includes clear and easy-to-complete tables that capture the required financial plan and service provision data. RSA has endeavored to make the SPIL as easy as possible to complete and submit.

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.

None of the respondents are small businesses or other small entities.

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 collection were not conducted, RSA would not be authorized to fund the State Independent Living Services (SILS) or Centers for Independent Living (CIL) programs authorized by title VII of the Act. As a result, the availability of independent living services in the states would be severely limited.

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 than 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 that 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.**

None of the foregoing applies to this information collection.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as 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.

This collection has published a 60-day and 30-day notice Federal Register. Two public comments were received during the 60-day comment period; comments and Departmental response are 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.

Stakeholders were involved in the creation of the SPIL back in 2007 when it was originally approved. The nature and scope of the stakeholder involvement was detailed in the Supporting Statement that RSA submitted in FY 2007. There have been no changes in the data collection instrument or instructions since then.

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.

This data collection instrument requests only the information required by the *Rehabilitation Act*, using the actual wording of the statute whenever possible. Therefore, at this time there is limited flexibility for substantive changes in and consultation with representatives regarding the data collection, pending reauthorization of the *Rehabilitation Act*.

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

No payments or gifts will be provided 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.[2] 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 confidentially of the data.

[2] Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information)

The SPIL includes no questions of a confidential nature.

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.

The SPIL includes no 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.**

Fifty-six part B grantees will complete and submit the SPIL by July 1, 2013. The SPIL is jointly developed, signed and submitted by the DSU, the SILC and, where applicable, the separate state agency authorized to provide VR services to individuals who are blind. Therefore, the following calculation of burden takes into account that the involvement of up to three different entities in completing and submitting the SPIL.

Note: The SPIL is submitted only once, by a single grantee/respondent, even though it may be signed by up to three individuals.

The estimated hour burden is 60 hours for each grantee. The aggregate hour burden for all grantees is an estimated 3,360 hours (56 grantees x 60 hours each). These estimated hours include the time required for reading, studying and planning for the new SPIL; conducting required public hearings; gathering and reviewing pertinent information; completing the SPIL assurances and narrative sections; reviewing draft and final versions of the completed SPIL; and submission of the final SPIL to RSA.

Based on the foregoing hour burden calculation, RSA estimates the cost to all respondents for each submission at $100,800, or 3,360 hours x $30/hour. However, since the SPIL is submitted every three years, the annualized cost is $33,600 ($100,800 / 3).

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 acquiring and maintaining 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 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.**

- **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 :
Total Annual Costs (O&M) :

Total Annualized Costs Requested :

No additional costs are incurred by respondents other than those specified in #12.

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.

The average review and consideration of a SPIL takes 5 hours. RSA staff who review the completed reports is paid at an average rate of $35 per hour. The cost of the review and approval process is 5 hours x $35/hour x 56 SPILs = $9,800. The annualized cost is $3,267 ($9,800 / 3). No additional operational expenses are expected.

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).

The SPIL currently being submitted for OMB approval is unchanged from FY 2007. Therefore, the hour burden (60 hours) per respondent is unchanged from the expiring collection. There are no program changes or adjustments.

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.

Electronic copies SPIL and instructions will be emailed to respondents in December 2012 pending OMB approval. The due date for the completed SPILs is July 1, 2013. The deadline for RSA approval of the SPILs is September 30, 2013. The approved SPILs go into effect on October 1, 2013. Approved SPILs will be posted on RSA Management Information System. No complex analytical techniques will be used.

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.

The OMB expiration date will be displayed.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions to the certification statement.