

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
State Plan for Independent Living
OMB Number: 0985-0044**

A. Justification

1. Circumstances Making the Collection of Information Necessary

In compliance with 44 U.S.C. § 3507, the Administration for Community Living (ACL) has submitted the following proposed collection of information to OMB for review and clearance. Legal authority for the State Plan for Independent Living (SPIL) is contained in Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA) ([the Act], P.L. 113-128). Section 704 of the Rehabilitation Act requires that, to be eligible to receive financial assistance under Chapter 1, “a State shall submit to the Department, and obtain approval of, a State plan containing such provisions as the Department may require.” ACL approval of the SPIL is required for states to receive federal funding for both the Independent Living Services State grants and Centers for Independent Living (CIL) programs. Federal statute and regulations require the collection of this information at least every three years and as often as necessary to reflect any material change in State law, organization, policy, or agency operations that affects the administration of the SPIL.

This collection of information is an extension without changes. This extension includes non-substantive changes that use current terminology, cite current statutes—including the WIOA—and regulations, correct grammatical and punctuation errors and ambiguities, clarify instructions, and use acronyms when and only when they save space without confusing the reader.

Under this request, ACL requests that OMB approve the SPIL as an extension without change for 12 months after expiration. During this extension period, ILA/ACL plans to complete substantive revisions that address changes required as a result of the Workforce Innovation and Opportunity Act (WIOA) of 2014. ILA/ACL will submit the revised SPIL instruments and instructions to OMB prior to the extension expiration.

2. Purpose and Use of the Information Collection

The SPIL is jointly developed by the chairperson of the Statewide Independent Living Council (SILC) and the directors of the CILs and the designated State entity (DSE) in the State, after receiving public input from individuals throughout the State. ACL reviews the SPIL for compliance with the Rehabilitation Act and 45 CFR part 1329 and approves the SPIL. It also serves statewide as a primary planning document for continuous monitoring of technical assistance to the state independent living programs to ensure planning; financial support and coordination; and other assistance to facilitate independent living services.

3. Use of Improved Information Technology and Burden Reduction

SPILs are submitted electronically through ACL Reporting because it complies with the Americans with Disabilities Act and section 508 of the Rehabilitation Act, minimizes the time and effort that submission involves, and presents SPILs in a format that ILA can readily evaluate. See 29 U.S.C. § 101(a)(1)(A); see 45 CFR § 1329.17.

4. Efforts to Identify Duplication and Use of Similar Information

The data that is necessary for the purpose described in Item 2, above, is not available through other data collections.

5. Impact on Small Businesses or Other Small Entities

Not applicable.

6. Consequences of Collecting the Information Less Frequently

The regulations that implement the Rehabilitation Act require states to update their SPILs at least every three years and as often as material changes in state law, organization, policy, or agency operations affect administration of the SPILs. State laws can be passed or revised annually, and organization, policy, and agency operations can materially change more often. Therefore, annual revision of SPILs is often necessary.

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

None of the listed provisions applies to this information collection.

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

A 60-day notice was published in the FR in Vol. 83 No. 2018-22753, pages 53063–53064 on October 19, 2018. There were no public comments received during the 60-day public comment period. A 30-day notice was published in the FR Vol. 84 No. 57, pages 11102-11103 on March 25, 2019.

External Consultation

ACL did not seek external input on this request, this SPIL Instrument and Instructions do not contain any substantive changes from the previous version.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

There are no assurances of confidentiality.

11. Justification for Sensitive Questions

Not Applicable.

12. Estimates of Annualized Burden Hours and Costs

ACL estimates the burden of this collection of information as follows: 56 SILCs lead drafting or updating SPILs, and most SILCs will do so annually. It will take 60 hours for each state to update its SPIL for a total of 3,360 hours. This estimate is based on amounts of time that SILCs, CILs and DSEs have reported. ACL is not requesting any change in the data States are required to submit.

Respondent/Data collection activity	Number of respondents	Responses per respondent	Hours per response	Total Annual burden hours
SILCs	56	1	60	3,360

SPIL drafting and revision is led by SILC members who do not receive salaries from SILCs. ILA estimates that, of this 60-hour estimate, the SILC will probably spend approximately 20 hours leading the process and drafting the SPIL, while the DSE and CILs will spend a total of approximately 40 hours providing input. Forty hours per state multiplied by 56 states is 2,240 hours. This estimate is based on the amount of time CILs and DSEs used to track service and demographic data about their consumers.

Estimating the salaries of DSE and CIL staff who participate in SPIL development on the basis of the median salary for social workers—which, according to the Bureau of Labor Statistics, is ¹ \$23.07 per hour—results in an estimated salary cost of \$51,676.80 for the 2,240 hours of work. Multiplying this total amount of salary costs by two—to account for benefits and overhead—results in \$103,353.60.

Respondent/Data collection activity	Total Annual Burden Hours	Average Cost Per Hour	Total Cost
SILCs	3,360 (2,240 of which has salary, benefits, and overhead cost)	\$46.14	\$103,353.60

¹ The Hourly Wage Rate of \$23.07 per hour is derived from the Bureau of Labor Statistics 2017 Occupational Employment and Wages Estimates median hourly wage for Social and Community Service Managers. Hourly wage of \$23.07, plus a factor of 100% (\$23.07) to account for benefits and overhead. Link: <https://www.bls.gov/oes/current/oes119151.htm>

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

No additional capital or other costs are incurred by respondents other than those specified in this question.

14. Annualized Cost to the Federal Government

Each SPIL takes approximately four hours to review and approve, and there are 56 SPILs, so ACL will spend approximately 224 hours reviewing these SPILs. ACL staff members who will review these SPILs will be general schedule Grades GS-11, GS-12 and GS-13.

Therefore, the median salary of a reviewer is estimated as ²\$44.28 per hour, which is the salary of a GS-12, step 5 in the Washington, DC area. This median hourly salary multiplied by the 224-hour estimate of the total review time is \$9,918.72.

Multiplying this \$9,918.72 by two—to account for salaries and benefits—results in an estimated total of \$19,837.44 cost to the Federal Government.

15. Explanation for Program Changes or Adjustments

There are no program changes or adjustments.

16. Plans for Tabulation and Publication and Project Time Schedule

SPILs will be made available to the public upon request.

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. Exceptions to Certification for Paperwork Reduction Act Submissions

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

There are no exceptions to the certification statement.

² Federal staff costs based on 2018 hourly wage rate of \$44.28 for a Project Officer median salaries for a GS-11, 12, and 13; plus a factor of 100% (\$44.28) to account for benefits and overhead.. https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB_h.pdf. Accessed November 29, 2018.