

**SUPPORTING STATEMENT FOR  
PAPERWORK REDUCTION ACT SUBMISSION**

**Complaint of Discrimination Under  
Section 504, Section 508 or Title VI  
OMB Number 1405-0220  
DS-4282**

**A. JUSTIFICATION**

*1. Why is this collection necessary and what are the legal statutes that allow this?*

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. §794d) requires each federal department or agency to ensure that its electronic and information technology allows:

(1) individuals with disabilities who are federal employees to have access to and the use of information and data that is comparable to the access to and use of data by federal employees who are not individuals with disabilities; and

(2) individuals with disabilities who are members of the public seeking information or services from a federal department or agency to have access to and use of information and data that is comparable to the access to and use of the information and data by such members of the public who are not individuals with disabilities.

The obligation of the Department of State (the Department) extends to developing, procuring, maintaining, or using electronic and information technology. This information collection will bring accessibility issues to the attention of Department officials.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) provides that no “qualified individual” with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service. Section 504 would require the Department to provide reasonable accommodation to disabled individuals in the United States who want to use our services.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Members of the public wishing to make any complaint, under any of the civil rights statutes or statutes prohibiting discrimination, may do so using any written format. The Department published the DS-4282 because complaints under Section 504, Section 508, or Title VI constitute the majority of complaints. If the complainant fills out the information on that form, that will ensure that the Department collects the information it needs to address the complaint. However, even those complainants are not required to use the DS-4282; in the same way, complainants citing other statutes may (if they wish) use the DS-4282.

*2. What business purpose is the information gathered going to be used for?*

The information collected will be routed to the Department's Bureau of Information Resource Management, the Office of Civil Rights, and the Office of the Legal Adviser, for investigation and appropriate disposition.

3. *Is this collection able to be completed electronically (e.g. through a website or application)?*

Consistent with the Government Paperwork Elimination Act, the form is available on the Department's public website as a PDF form that can be filled out online and saved to the respondent's computer, after which it can be emailed to the Department using a dedicated email inbox. Alternatively, the form can be printed, after which it can be faxed or mailed.

4. *Does this collection duplicate any other collection of information?*

This information collection documents does not duplicate information available elsewhere.

5. *Describe any impacts on small business.*

This information collection does not impact small businesses or other entities.

6. *What are consequences if this collection is not done?*

Without this collection, there is no standardized way for members of the public to bring complaints of discrimination under Sections 504 and 508, and Title VI, to the attention of Department officials.

7. *Are there any special collection circumstances?*

An individual's complaint is required to be submitted within 180 days from the date he or she became aware of the alleged discrimination (the accessibility issue), unless the Department has granted a written extension. If it is submitted late, the Department is not required to consider it. The Department does not expect that any individual respondent would submit a response more often than quarterly, unless he or she wishes to raise separate accessibility issues during that quarter. Submitting the approved form before the deadline, either through the web interface or by fax, constitutes a complaint. This information collection does not require the respondent to do anything other than submit the form.

8. *Document publication (or intent to publish) a request for public comments in the Federal Register*

A 60-day notice of this information collection requesting public comment was published in the *Federal Register* on February 12, 2019. 84 F.R. 3531. Two comments were received, both containing the single word "good".

9. *Are payments or gifts given to the respondents?*

The Department does not provide gifts to respondents in connection with this information collection.

10. *Describe assurances of privacy/confidentiality*

The Department makes no assurance of confidentiality.

11. *Are any questions of a sensitive nature asked?*

This information collection does not ask questions of a sensitive nature.

12. *Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection*

The Department anticipates 10 respondents per year, with one response per individual. The frequency is on occasion, as an individual encounters what he or she believes are grounds to complain under these statutes. The Department provides an estimate of 1 hour per response, with an annual hour burden of 10 hours. This estimate is based on the fact that some individuals will be able to complete the form quickly, while others with certain disabilities might need longer. The Department believes that 1 hour is a valid estimate for an average respondent's burden.

To estimate the cost to respondents for this form based on the hourly wage and weighted wage multiplier, the Department calculated the following:

\$24.91 (mean hourly earnings based on estimated income per hour from the Bureau of Labor Statistics<sup>1</sup>).

10 (annual hours) x \$24.91 (weighted wage) = \$249.10 (hour burden cost)

13. *Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.*

The total annual cost burden to all respondents resulting from this information collection is estimated to be minimal. There are no capital or start-up costs associated with the information collection. The Department does not charge a fee. The capability for members of the public to submit the form "end-to-end" online does not yet exist. However, they will be able to fill in the form online, print it off, and either fax it, or scan and e-mail it, to the Department. Regular mail will be an option, although it is often delayed (and sometimes damaged) by security screening processes; therefore, fax or e-mail will be encouraged. The cost to respondents, if any, should be less than \$1.00. Therefore the total estimated cost burden is 10 x \$1.00 = \$10.00.

14. *Describe the cost incurred by the Federal Government to complete this collection.*

The cost to the federal government consists of collection and processing cost. This is calculated by the number of respondents multiplied by the time for collection and processing times the average hourly rate for GS-10 through GS-12 based on 2018 salary tables.<sup>2</sup>

The number of respondents = 10.

The anticipated average time for collection and processing (including investigation) = 5 hours.

Average hourly wage: \$39.96 - Allowing for benefits and overhead, the Department is applying a multiplier of "2", for a fully loaded wage of \$80.00 per hour.

Total estimated cost to the federal government = 10 x 5 x \$80.00 = \$4,000.

15. *Explain any changes/adjustments to this collection since the previous submission*

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<sup>1</sup> Source: Department of Labor, Bureau of Labor Statistics, mean hourly wage for "Civilian workers, by major occupational and industry group – All workers." <https://www.bls.gov/news.release/eccec.t01.htm>

<sup>2</sup> Source: Office of Personnel Management, "2018 General Schedule (GS) Locality Pay Tables," <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2018/general-schedule/>.

The estimated number of respondents and burden estimate remains the same. The estimated cost to the federal government no longer includes the cost of printing the form; this form is exclusively online but can be downloaded and printed by respondents. Finally, section 7 of the current form, which asks about the citizenship status of the respondent, has been eliminated in this form.

*16. Specify if the data gathered by this collection will be published.*

The Department will not publish the information gathered by this collection.

*17. If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.*

The Department intends to display the expiration date on this form.

*18. Explain any exceptions to the OMB certification statement below.*

The Department does not request an exception to the certification of this information collection.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.