

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

OMB Number: 0985-0043

A. Justification

1. Circumstances Making the Collection of Information Necessary

Explain the circumstances that make the collection of information necessary.

The State Councils on Developmental Disabilities (Councils) are authorized by Subtitle B, of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act), as amended, [42 U.S.C. 15001 et seq.] (The DD Act). The DD Act requires them to submit an annual Program Performance Report. [Section 125(c) (7)] [42 U.S.C. 15025], states that:

Beginning in fiscal year 2002, the Council shall annually prepare and transmit to the Secretary a report. Each report shall be in a form prescribed by the Secretary by regulation under section 104(b). Each report shall contain information about the progress made by the Council in achieving the goals of the Council as specified in section 124 (c) (4).

Additionally, the data collected in the PPR and submitted to OIDD is used to comply with the GPRA Modernization Act of 2010 (GPRAMA). Performance measure results are reported to Congress under GPRAMA.

This is an extension of a currently approved information collection, the IC activity/ template remains the same and is consistent with performance measures previously approved in the State Plan template it is meant to correspond to.

2. Purpose and Use of the Information Collection

As required by the DD Act, the Council is responsible for the development and submission of the Program Performance Report, and for reporting on performance measure data related to its progress in carrying out the goals and objectives of the State Plan. This information collection gathers data according to the approved State Plan that describes Council efforts and achievements in capacity building and systems change to effectively meet the needs of people with developmental disabilities and their families.

The PPR is used in several ways. First, it is used by the individual Council to understand progress related to the State plan and for adjusting efforts as necessary to maximize results. Secondly, it provides a mechanism in the State whereby individual citizens, as

well as the State government, are made aware of how the goals and objectives of the Council have made an impact. Finally, the State plan provides to the Department a stewardship tool; the staff of the Department provides technical assistance to Councils and monitors compliance through desk audits and document review with Subtitle B of the DD Act in addition to on-site monitoring. The stewardship role of the State plan is useful both for providing technical assistance during the planning process, during the execution process, and also during program site visits.

Additionally, data is collected in the State Plan and submitted to AIDD in compliance with the GPRA Modernization Act of 2010 (GPRAMA). In the State Plans, the Councils provide to OIDD future year targets for outcomes related to the performance measures. These targets are reported to Congress under GPRAMA.

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. Also describe any consideration given to using technology to reduce burden.

100% of the Program Performance Reports are submitted electronically. This PPR will be submitted using a web-based platform currently under development. Prior to that, reports were submitted in the ACL Reporting system. Electronic submission of the PPR provides for increased ease and uniformity of reporting, enhanced ability to review the PPR, and improved ability to manage and analyze the data that the States submit. For grantees, they will have continued access to their submitted reports, which is often of value to them in their management of information. The Council State Plan will be submitted through the new web-based platform as well.

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.

No data is available through other data collections that could be used for this purpose. A careful review of the Council PPR, State Plan, and the Financial Status Report (SF 425) was conducted to avoid any duplication of program elements submitted.

For these information collections (State Plan and Program Performance Report), there is no overlap, since the State Plan is prospective (what the State plans to do), while the Program Performance Report is retrospective (what the State actually did).

After efforts were made to identify duplication, described above, no similar information was found to exist to provide insight into the programmatic (PPR) and fiscal reporting (SF 425) of the Councils.

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 information collected does not involve, nor result in assignment of burden to any small business or other small entity. It is collected from 56 State agencies.

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.

Subtitle B, Section 125(c)(7) of the DD Act requires annual program performance reports. Less frequent collection of data than that prescribed by the requirements of the DD Act, Section 125(c)(7), would violate the statute.

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;**

Reports are only required on an annual basis.

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Not applicable.

- **Requiring respondents to submit more than an original and two copies of any document;**

Not applicable.

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

Not applicable.

- **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;**

Not applicable.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Not applicable.

- **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**

Not applicable.

- **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.**

Not applicable.

- 8. As applicable, state that the Department has published the 60 and 30-day 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 the 60-Day notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A notice published in the *Federal Register* on April 1, 2021 in 86 FR 17152. ACL received one comment regarding the Federal Register notice. This comment will be addressed through use of the web-based platform and by providing additional guidance to the program. No comment resulted in the need for changes to the Program Performance Report requirements. A 30-day Federal Register notice published on July 15, 2021 in 86 FR 37337.

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.

The PPR is an extension of a currently approved data collection. In When changes were made in 2018, they were done through consultation and input from both small group and large group discussions with the DD Councils. Issues of the scope, content, and availability of data, format, and clarity of instructions for the PPR format were discussed with all of the Councils during the course of that process. Conference calls, workgroup meetings, and piloting of this template were all conducted with the Councils.

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

Not Applicable.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There are no assurances of confidentiality.

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 data collection allows Council staff and members to self-report on their race and ethnicity. This is an optional reporting feature to assist in understanding program composition and potential needs.

12. Provide estimates of the hour burden of the collection of information.

Respondent/Data collection activity	Number of respondents	Responses per respondent	Hours per response	Total Annual burden hours
State Councils on Developmental Disabilities, Annual Program Performance Report (PPR)	56	1	172	9,632
Total	56	1	172	9,632

Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories.

The burden calculation remains consistent from the previously approved template. At that time, the burden took into account that 40% percent of the Council estimation for data collection burden will be pre-populated for them through their web-based reporting system.

The median hourly wage based on the National Occupational Employment and Wage Estimates provided by the Bureau of Labor and Statistics for “Social and Community Service Managers” is \$33.46 per hour. This amount multiplied by the total annual burden hours then doubled to account for benefits and overhead leads to the total cost of \$644,573.44.

Respondent/Data collection activity	Total Annual Burden Hours	Average Cost Per Hour	Total Cost
State Councils on Developmental Disabilities Annual Program Performance Report (PPR)	9,632	66.92	644,573.44

Total	9,632	66.92	644,573.44
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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.)

Total Annualized Capital/Startup Cost:

Total Annual Costs (O&M):

Total Annualized Costs Requested:

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

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.

There are 56 reports, with an average review and approval time of 6 hours each. The work is typically split between two staff: one at the GS-13 level (\$57.96) and one at the GS-12 level (\$47.35). The total amount is doubled to account for benefits and overhead for a grand total of \$35,384.16

GS Level	<u>Number of Hours</u>	<u>Cost Per Hours</u>	<u>Cost Per Staff Member</u>	<u>Benefits and Overhead</u>	<u>Total Cost</u>
GS-13	168	\$57.96	\$9,737.28	\$9,737.28	\$16,786.56
GS-12	168	\$47.35	\$7,954.80	\$7,954.80	\$14,118.72
Total:	336	\$105.31	\$15,452.64	\$17,692.08	\$35,384.16

15. Explain the reasons for any program changes or adjustments.

This extension of a currently approved information collection will not increase burden. There are no program changes or adjustments. This extension continues use of existing performance measures from the FFY2017-2021 previous cycle. These measures focus on individual and family advocacy, as well as systems change advocacy. One example of these measures is a reporting of the number of promising and/or best practices improved as a result of systems change activities. The PPR is an opportunity for Councils to report on the actual data and outcomes that resulted from carrying out the new State plan activities.

The proposed extension of the PPR is based on the template previously reviewed and pilot tested by a Performance Measures Workgroup consisting of nine (9) State Council representatives. This workgroup deemed the PPR template necessary to accurately capture and report on the progress of the State Councils. A separate workgroup consisting of nine (9) different State Council representatives further discussed data collection methodologies as it relates to the proposed PPR template. The existing performance measures offer a comprehensive categorization and approach to collecting data necessary to report to Congress and other interested entities.

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

This collection is used for monitoring purposes on an annual basis. The data collected is utilized in various capacities, including for GPRAMA. Additionally, information is utilized in reports to Congress and the Biennial Report. The Performance Measures data is able to provide longitudinal results of State Council efforts and subsequent results.

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.