

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

- 1. Explain the circumstances that make the collection of information necessary. What is the purpose for this information collection? Identify any legal or administrative requirements that necessitate the collection. Include a citation that authorizes the collection of information. 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, list the sections with a brief description of the information collection requirement, and/or changes to sections, if applicable.**

This is a request for a new data collection. The Consolidated Appropriations Act of 2021 (P.L. 116-260), Division H, Title III, Section 318, directed that \$20,000,000 shall be available to the Secretary of Education for one-time financial relief and restoration payments grants consistent with the purposes of the Randolph-Sheppard Act (R-S Act) (20 U.S.C. § 107, *et seq.*) as authorized under Section 10 of such Act (20 U.S.C. § 107f). Congress directed the Secretary to make grants to each State licensing agency (SLA) in the same proportion as the number of blind vendors operating a vending facility in such State as compared to the number of blind vendors operating a vending facility in all States on September 30, 2019. SLAs were required to use the disbursements from these grants:

- to make financial relief and restoration payments to offset losses of blind vendors that occurred during calendar year 2020 and which were not otherwise compensated; and
- for other purposes authorized under 34 C.F.R. § 395.9, but only to the extent any funds remain after the SLA makes financial relief and restoration payments to blind vendors to cover their losses in calendar year 2020.

Pursuant to Section 318, the funds were available for obligation by the Secretary until September 30, 2021. The SLA's final obligation of funds must occur for a period of performance that expires on September 30, 2022.

This is a request for a new information collection for the tracking of proper disbursement and utilization pursuant to the Financial Relief and Restoration Payments (FRRP) funds. The Rehabilitation Services Administration (RSA) administers the R-S Act, and this information collection is necessary to ensure that the funds authorized by the Consolidated Appropriations Act of 2021 were used by SLAs for their intended purposes. In Federal fiscal year 2021, SLAs submitted FRRP *Assurances and Use of Funds* forms (OMB No. 1820-0698) which outlined their plans for the use of the FRRP funds and included several assurances¹. For that reason, it is necessary in this information collection that RSA create a Financial Relief and Restoration Payments Final Performance Report (Performance Report) form, which provides accountability and documentation for how the funds were used. The information collection satisfies necessary

¹ For further information, see the Assurances and Use of Funds form: <https://rsa.ed.gov/about/programs/randolph-sheppard-vending-facility-program/randolph-sheppard-frfp>.

R-S Act requirements found in 34 C.F.R. §§ 395.3, 395.4(a), and 395.14, as well as fiscal requirements under 2 C.F.R. part 200.

- 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 Performance Report is a new information collection form which will be used by RSA in its role in administering the FRRP funds, as contained in the Consolidated Appropriations Act of 2021, Division H, Title III, Section 318, and consistent with the requirements of the R-S Act. The information requested will provide assurances to RSA that the SLAs, as grantees in receipt of FRRP funds, disbursed and used such funds for their intended purposes, and that their use complied with the requirements of 34 C.F.R. §§ 395.3(a)(2), (6), and (11)(iii) and (iv), 395.4(a), and 395.14. The information contained in the form also will assist RSA in its overall administration of the R-S Act to fulfill its purpose of enlarging opportunities for employment for individuals who are blind. This form will be emailed to State Vocational Rehabilitation (VR) agencies, designated as SLAs to administer the R-S Act program in each State. In addition, the form will be made available at <https://rsa.ed.gov>. After completing the Performance Report, SLAs will return the completed form to RSA for its review and approval.

- 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. Please identify systems or websites used to electronically collect this information. Also describe any consideration given to using technology to reduce burden. If there is an increase or decrease in burden related to using technology (e.g. using an electronic form, system or website from paper), please explain in number 12.**

RSA will provide the Performance Report directly to each respondent by email and it will also be made available at <https://rsa.ed.gov>. Each respondent will return the instrument to RSA using a designated email address for review and approval by RSA program staff. The information sought via this instrument is minimal and much of it is based on information previously provided in order to obtain the FRRP funds and the collection process is designed so that respondents experience minimal burden when submitting the Performance Report to RSA.

- 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.**

There are no other instruments currently used by RSA that collect the requested information because this is the first time that the Randolph-Sheppard Vending Facility Program (RSVFP) has received any Federal funding.

- 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.

This data collection instrument will not impact small businesses or small entities as it only applies to State agencies tasked with implementation of the R-S Act.

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 this collection were not to be conducted, RSA would not be able to fulfill its obligation to provide oversight for the use of Federal funds. RSA must ensure that Federal funds were used for the purposes authorized by Congress. RSA also must ensure, through this information collection, that the SLAs complied with all requirements for the FRRP funding contained in Section 318 of the Consolidated Appropriations Act, applicable R-S Act requirements, as well as other Federal requirements (such as those set forth in 2 C.F.R. part 200).

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.**

The Performance Report will not impose any of the above circumstances on respondents.

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.

The 60-day comment period ended on September 6, 2022: (Vol. 87 No.127, July 5, 2022). The Department did not receive any public comments.

We will publish a 30-day notice to solicit further public input.

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 has developed this Performance Report for the purpose of ensuring grantee accountability with respect to the FRRP funds and for obtaining a brief description of how each SLA disbursed and utilized the FRRP funds, consistent with Section 318 of the Consolidated Appropriations Act of 2021 and requirements set forth in the R-S Act. The collection does not require the submission of any data or information beyond that required for this purpose by the law and applicable regulations, including the R-S Act. RSA will publish notices in the *Federal Register* seeking public comment for 60 days and 30 days, followed by review from OMB for 30 days.

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

RSA will not provide payment or gifts 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,

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

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. If no PII will be collected, state that no assurance of confidentiality is provided to respondents. If the Paperwork Burden Statement is not included physically on a form, you may include it here. Please ensure that your response per respondent matches the estimate provided in number 12.

No assurance of confidentiality is provided to respondents because the application submitted by grantees contains no confidential or personally identifiable information.

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 data requested does not involve any such topics referenced above.

12. Provide estimates of the hour burden for this current information collection request. The statement should:

- **Provide an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. Address changes in burden due to the use of technology (if applicable). Generally, estimates should not include burden hours for customary and usual business practices.**
- **Please do not include increases in burden and respondents numerically in this table. Explain these changes in number 15.**
- **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. 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 this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burden in the table below.**
- **Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate**

categories. [Use this site](#) to research the appropriate wage rate. 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. If there is no cost to respondents, indicate by entering 0 in the chart below and/or provide a statement.

Provide a descriptive narrative here in addition to completing the table below with burden hour estimates.

The Department estimates that respondents will require one hour to complete the data collection instrument. There are fifty-one respondents, with a total burden time of fifty-one hours. The Department estimates the hourly rate of respondents to be \$57.72 per hour. Fifty-one hours at this rate equates to a total cost of \$2943.72 (\$2944.00).

Estimated Annual Burden and Respondent Costs Table

Information Activity or IC (with type of respondent)	Sample Size (if applicable)	Respondent Response Rate (if applicable)	Number of Respondents	Number of Responses	Average Burden Hours per Response	Total Annual Burden Hours	Estimated Respondent Average Hourly Wage	Total Annual Costs (hourly wage x total burden hours)
State Government	NA	100%	51	51	1 hour	51	\$57.72	\$2943.72
Annualized Totals			51	51	1 hour	51	\$57.72	\$2943.72

Please ensure the annual total burden, respondents and response match those entered in IC Data Parts 1 and 2, and the response per respondent matches the Paperwork Burden Statement that must be included on all forms.

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 : NA
Total Annual Costs (O&M) : NA
Total Annualized Costs Requested : NA

This item is not applicable. No additional or special equipment is needed to respond to the data collection. In addition, SLAs do not contract out this data collection.

- 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 Department estimates that it will take one hour per response to review information submitted. There are 51 SLAs operating RSVFPs. This will result in a total review time of fifty-one hours, with an hourly rate to the Government at \$56.00. This results in a total cost to the Government of \$2,856.00.

- 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).

Provide a descriptive narrative for the reasons of any change in addition to completing the table with the burden hour change(s) here.

This is a program change due to enactment of the Consolidated Appropriations Act of 2021, Division H, Title III, Section 318, which necessitates the development of a new information collection instrument. This provision authorized the Secretary of Education to award \$20,000,000 for one-time financial relief and restoration payments grants to SLAs, consistent with the purposes of the R-S Act as authorized under Section 10 of such Act (20 U.S.C. 107f). Prior to this legislation, Congress had not appropriated funds for the RSVFP. As such, the Department is seeking this data collection to meet its obligation to ensure that Federal funds were used for their prescribed purposes and that the SLAs satisfy all applicable R-S Act requirements. The Department estimates that this data collection will result in a minor burden increase to respondents, 1 hour per respondent.

	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
Total Burden	51 hours	0	0
Total Responses	51	0	0
Total Costs (if applicable)		0	0

- 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.**

The information collected will not be published for statistical use.

- 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.**

This item is not applicable to this data collection.

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

There are no exceptions to the certification statement.