Supporting Statement for the ACL Consolidated Program Performance Report Information Collection OMB Control Number 0985-New

**Justification Part A**

1. **Circumstances Making the Collection of Information Necessary**

The purpose of this information collection request (ICR), the *ACL Consolidated Program Performance Report* is to collect program performance data for the Administration for Community Living (ACL) formula and competitive grant programs authorized by the Older Americans Act (OAA), as required by and in accordance with P.L. 116-131 and 42 USC Chapter 7, Subchapter XX, Division B (authorizing legislation); 45 CFR 75.342 (monitoring and reporting program performance); 45 CFR 75.301 (performance measurement); and the GPRA Modernization Act of 2010 (Pub.L. 111-352, Sec 12).

ACL is primarily a grant-making agency whose mission is to maximize the independence, well-being, and health of older adults, people with disabilities across the lifespan, and their families and caregivers by supporting partnerships and providing funding, guidance, training, and technical assistance. The collection of program performance data is required for all ACL grantees, including grants authorized by the OAA, to:

1. Monitor achievement of program performance objectives;
2. Identify areas of performance that may benefit from technical assistance and/or corrective action;
3. Establish program policy and direction; and
4. Prepare responses and reports for Congress, the Office of Management and Budget (OMB), the public, and legislatively required reports.

If ACL did not collect program performance data, the agency would be unable to monitor and manage program performance as expected or develop program changes or improvements directed toward assuring the most effective use of limited OAA funds.

Program performance data for OAA authorized grant programs was captured under the following OMB information collections:

* Performance (Progress) Report for AoA Grantees (0985-0006)
* State Performance Report for FY 2022-2025 (0985-0072)

1. **Purpose and Use of the Information Collection**

ACL consistently looks for ways tostreamline the collection of required program performance data. The proposed *ACL Consolidated Program Performance Report Information Collection* is an efficient mechanism for the collection of program performance data elements across OAA authorized programs, and ensure each programs’ indicators, demographics, priorities, and objectives are being achieved.

The collection of performance elements will enable ACL to analyze program performance broadly across its grantee portfolio, allowing ACL and its grantees to align measures over time.

**Attachment A** is the proposed *ACL Program Performance Report* template

**Attachment B** is the *State Performance Report* for ACL’s largest program performance portfolio under the OAA

1. **Use of Improved Information Technology and Burden Reduction**

Most grantees are required to submit reports through electronic collection, and ACL’s largest performance collection under the OAA uses a reporting system hosted by ACL and each state maintains their own system for collecting data with third party vendors. Other electronic submissions could include web portals or other online data management systems. Grantees may be required to enter and retrieve information pertinent to their grants through electronic forms closely resembling the paper forms (i.e., fillable PDFs or tailored online data management systems). Such technology support is expected to improve standardization and timeliness of grantee reporting and to ease further analyses of reported data. ACL will continually assess burden of information collected and ease of reporting using all these methodologies, with an eye toward reducing grantee burden.

1. **Efforts to Identify Duplication and Use of Similar Information**

ACL is not aware of any other sources that collect this or similar information. ACL will continue to monitor information collections under this mechanism to ensure there is no duplication.

1. **Impact on Small Businesses or Other Small Entities**

ACL is not aware of any impact to small businesses through this collection.

1. **Consequences of Collecting the Information Less Frequently**

In most cases, the OAA has provisions that require annual or semi-annual performance reporting. If the reports were made less frequently, ACL would not fulfill its required reporting responsibilities.

1. **Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

Statistical Policy Directive (SPD)-15 and Demographic Data Collection Elements

For grantees that collect demographic information, ACL is developing a plan for implementing SPD-15 and other demographic data changes such as sexual orientation and gender identity (SOGI) data elements for the aging network. Not all grants require demographic data, but for those that do, ACL is working within the organization to develop a realistic timeline for implementation. Please note that grantees have proprietary systems for reporting that are used to collect and house data that the state then report to ACL. Changing reporting elements or measures requires contractual changes with third party vendors at the state level and at ACL, human resources for training and technical assistance, and time to train local service providers on how to collect information at the point of service from older Americans.

Given the complexity of the Aging Network and the interplay between states, Area Agencies on Aging, local service providers, healthcare delivery partners (including payors), and other partners, ACL is developing a process for seeking feedback on a realistic and timely approach for implementation with grantees that is well within the deadline given for implementing SPD-15.

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

A 60-day notice published in the Federal Register on December 5, 2023, Vol 88, Number 232, pp. 84335-84336. A 30-day notice published in the Federal Register on March 25, 2024, Vol 89, Number 58, pp. 20663-20664. During the 60-day public comment period, ACL received two comments related to the ACL Program Performance Report Template. A summary of the comments and the ACL response is provided below:

Comment #1: Suggest including more specific instructions for completing the elements in the proposed ACL Program Performance Report Template:

ACL response: While ACL appreciates this suggestion, the instructions for completing the elements must be somewhat broad in order to account for differences in the goals, objectives, and activities across the programs.

Comment #2: Request confirmation that the grantee will be responsible for submitting a comprehensive program performance report each reporting period to ACL (as opposed to having grantees’ subcontractors each submit individual reports to ACL).

ACL response: Although grantees could work with their subcontractors to gather information to complete their program performance report, grantees would be responsible for submitting a comprehensive program performance report for the specified reporting period.

A 30-day notice published in the Federal Register on March 19, 2023, Vol 89, Number 58, pp. 20663-20664. During the 30-day public comment period, ACL received no comments.

A 30-day corrective notice published in the Federal Register on September 26, 2024, Vol 89, Number 187, pp 78878-78879 and makes correction to the information collection type. The previously published 30-day notice requested public comment on this information collection as a generic ICR.

1. **Explanation of Any Payment or Gift to Respondents**

There are no payments of gifts to respondents.

1. **Assurance of Confidentiality Provided to Respondents**

This ICR does not collect Personally Identifiable Information (PII). Individual level/person level data are not collected, therefore PII is not applicable. Grantee reporting contains only aggregate level data collection. There are no assurances of confidentiality. Data will be kept private to the extent allowed by law.

1. **Justification for Sensitive Questions**

There are no questions of an inherently sensitive nature included in the program performance report forms. All grantees must adhere to 45 CFR § 75.303 (e) to take reasonable measures to safeguard protected personally identifiable information of program participants should they collect that information in their own systems.

In general, this information collection does not ask sensitive questions. However, for a small number of respondents, the collection of SOGI data could be considered sensitive. Despite the potentially sensitive nature of these items, years of data collection on this topic indicates that respondents are willing to respond and do not report sensitivity concerns. ACL is using SOGI questions designed specifically for administrative data collections, for which all PPRs are, to collect the best available evidence on this population. ACL worked with many of the SOGI data experts on the [National Academies report, *Measuring Sex, Gender Identity, and Sexual Orientation*](https://nap.nationalacademies.org/catalog/26424/measuring-sex-gender-identity-and-sexual-orientation), and other SOGI data experts throughout the Department of Health and Human Services to modify the survey questions in the report for administrative data systems. One key aspect for administrative data systems is to keep burden for reporting as low as possible, which ACL kept in mind.

Additionally, the [SOGI Best Practices document](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whitehouse.gov%2Fwp-content%2Fuploads%2F2023%2F01%2FSOGI-Best-Practices.pdf&data=05%7C02%7Ctomakie.washington%40acl.hhs.gov%7Ccbc9256c5d874a226bf908dcaa6dd4ea%7Cd58addea50534a808499ba4d944910df%7C0%7C0%7C638572636375334501%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=2ZR1HcmCKeL7UdOQCYCBVknb0zB058QUtTVU9li20gY%3D&reserved=0) outlines on the first page that:

***This report does not mandate any particular approach or create any new requirements for agencies. In the future, Federal agencies may need to diverge from the recommendations in this report to reflect new, evidence-based best practices.***

In keeping with this principle in the document, ACL has crafted what is hopefully the least burdensome and most useful set of questions for the administrative systems that are used by ACL grantees.

1. **Estimates of Annualized Burden Hours and Costs**

ACL estimated total annual burden for this IC is 27,700 hours. This estimate is based on the current number of grantees for these programs, consideration of the program performance information necessary to ensure adequate progress toward program goals, and previous experience with program performance reporting.

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| --- | --- | --- | --- | --- | --- |
| **Respondent/Data Collection Activity** | **Number of Respondents** | **Responses Per Respondent** | **Hours Per Response** | **Annual Burden Hours** | **Annual Cost to Respondents\*** |
| Older Americans Act Title IV Grantee | 1,189 | 2 | 10 | 23,780 | $1,697,416.40 |
| Older Americans Act Title III and VII Grantee Performance Reports (SPR) | 56 | 1 | 70 | 3,920 | $279,809.60 |
|  |  |  |  | **Total Hours**:  27,700 | **Total Cost**:  $1,977,226 |

\*The annual cost to respondents was calculated using the Bureau of Labor Statistics job code for Social and Community Service Managers[[1]](#footnote-3).

The median hourly wage is $35.69. To account for fringe benefits and overhead the rate was multiplied by two, which is $71.38. Therefore, the estimated annual cost to respondents is $1,977,226 ($71.38/hour x 27,700 hours).

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

There are no other monetary costs to respondents and record keepers.

1. **Annualized Cost to the Federal Government**

Annual costs to the Federal Government are estimated based 50% of time for four GS-13s[[2]](#footnote-4) for data collection, review, and related technical assistance. Therefore, the estimated annual cost to the federal government is $235,924 (four GS-13s x $58,981).

1. **Explanation for Program Changes or Adjustments**

There are no program changes or adjustments. This is a new collection.

1. **Plans for Tabulation and Publication and Project Time Schedule**

Results will be analyzed and published in a variety of ways across the programs included in this IC. Some examples of ways data may be used include, but may not be limited to: inclusion in budget justifications and reports to Congress; publication on ACL’s website; inclusion in tangible, technical assistance resources for grantees; and inclusion in journal articles and conference presentations. The time schedule for tabulation and publication of information varies across programs. Data access plans are described and consistent with the OPEN Government Data Act (Title II of the Foundations for Evidence-Based Policymaking Act of 2018, P.L. 115-435

1. **Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable as ACL will display the expiration date

1. **Exceptions to Certification for Paperwork Reduction Act Submissions**

No exceptions are being sought for this IC.

1. Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Social and Community Service Managers, at https://www.bls.gov/ooh/management/social-and-community-service-managers.htm (February 5, 2024). [↑](#footnote-ref-3)
2. Step 1, at 50% time, adjusted for Washington-Baltimore-Arlington, DC-MD-VA-WV-PA: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2024/general-schedule> [↑](#footnote-ref-4)