

Justification - Supporting Statement

1. Necessity of Information Collection

The National Endowment for the Arts' (NEA) mission is "to strengthen the creative capacity of our communities by providing all Americans with diverse opportunities for arts participation." With the advice of the National Council on the Arts and advisory panels, the NEA Chair establishes eligibility requirements and criteria for the review of applications for funding. Section 959 (c) of the NEA's enabling legislation, as amended, directs the NEA Chair to utilize advisory panels to review applications and to make recommendations to the National Council on the Arts, which in turn makes recommendations to the NEA Chair.

The legislation requires the NEA Chair "(1) to ensure that all panels are composed, to the extent practicable, of individuals reflecting a wide geographic, ethnic, and minority representation as well as to (2) ensure that all panels include representation of lay individuals who are knowledgeable about the arts..." These panels are considered to be committees under the Federal Advisory Committee Act (FACA), which also requires that committees be balanced geographically and ethnically. In addition, the membership of each panel must change substantially from year to year and each individual is ineligible to serve on a panel for more than three consecutive years. To assist with efforts to meet these legislated mandates regarding representation on advisory panels, the NEA has established a database of names, addresses, areas of expertise and other basic information on individuals who are qualified to serve as panelists for the NEA.

The Panelist Profile Data Collection, for which clearance is requested, is used to gather basic information from qualified individuals recommended by the arts community; arts organizations; Members of Congress; the general public; local, state and regional arts organizations; NEA staff, and others.

2. Needs and Uses of Information

Information provided in the Panelist Profile Data Collection is entered into the eGMS (electronic grants management system), a database of names, addresses, areas of expertise and other basic information on individuals who are qualified to serve as panelists for the NEA. This system is used by NEA staff in the selection and approval of panelists to ensure that the legislative mandates cited above are fulfilled. Short biographies are kept on file to supplement the information contained in the database. In addition to providing a more detailed picture of an individual's suitability for a particular panel, the biography also provides specifics about the individual's affiliations that are helpful in avoiding possible conflicts of interest with the applications to be reviewed.

3. Uses of Information Technology

The use of information technology has been a prime consideration in the design of this data collection. Our eGMS allows individuals to enter and submit their information online themselves, rather than with a fillable PDF form.

4. Efforts to Identify Duplication

The National Endowment for the Arts has carefully analyzed existing data collections to make certain that there is no duplication with the information requested.

In order to keep information current, periodic updates by individuals will be requested.

5. Minimizing the Burden in Small Businesses or Small Entities

Not Applicable

6. Consequences of Not Conducting Data Collection

Information collected through the use of the Panelist Profile Data Collection is necessary to fulfill the NEA's obligation to ensure that the panels adhere to the requirements of FACA and the NEA's legislation to provide review panels that are geographically and racially and ethnically diverse. The database also allows us to ensure that, in accordance with our Congressional mandate, no panelist serves for more than three consecutive years. In addition, through our data collection activities we widen the pool of potential panelists who demonstrate diverse ethnic and artistic backgrounds. If the NEA abandoned its data collection efforts, the NEA's ability to fulfill Congress' mandates would be severely hampered. Any failure to do periodic updates will result in outdated and inaccurate information in the database.

7. Special Circumstances

An individual who wants to be considered for inclusion in the database will complete this data collection once. In order to keep information current, periodic updates will be requested. Additionally, as individuals serve on panels, they are requested to review the information currently on file, and to update the information as necessary. This is to ensure that the records are kept as accurate as possible.

8. Public Comment and Consultation Outside the Agency

The collection is conducted consistent with the guidelines in 5 CFR 1320.6. A notice in the Federal Register was published on April 22, 2024 (89 FR 29367), to solicit comments on the approval of the Panelist Profile Data Collection. No comments were received.

9. Payment to Respondents

Not Applicable

10. Assurance of Confidentiality

Assurance of confidentiality is provided under the terms of the Privacy Act of 1974.

11. Questions of a Sensitive Nature

Some items are potentially sensitive (relating to race and/or ethnicity, gender, disability, and languages spoken), but these are optional, and that is indicated on the data collection.

12. Estimated Hour Burden of Respondents

The estimated burden to respondents for this collection is explained in table A-1 below:

A-1 Estimated Response Burden of Data Collection Activities

Hour Burden to Respondents

| | | | | |
|--------------------------------------|---|---|---|--|
| <i>Number of Potential Panelists</i> | x | <i>Time to Complete Data Collection</i> | = | <i>Total Annual Hour Burden to Respondents</i> |
| 1000 | x | 10 minutes | = | 167 hours |

Annualized Cost

There is no cost to the respondent other than that of their time (10 minutes) to respond.

13. Cost Burden to Respondent

Not applicable. There are no annual costs to respondents or record keepers resulting from this collection of information.

14. Cost to the Federal Government

All Panelist Profile Data is reviewed by employees of the Federal Government, therefore no additional cost is incurred to the government in terms of contracting. Since the data collection is electronic, no mailing costs will be incurred.

15. Explanation of Changes

The following changes are being proposed: 1.) Race and/or Ethnicity Standards have been updated to reflect government-wide changes announced by OMB on March 28, 2024. This is an optional question. To reduce burden on the public and to the agency, and to best align these standards with the data's intended use (to ensure broad diversity across NEA panels consistent with the agency's legislation), NEA proposes to adopt the "Minimum Categories Only and Examples" option. Additionally, NEA's existing technology used for the data collection cannot currently support implementation of the "Minimum Categories, multiple detailed checkboxes and write-in responses" option—if NEA were to implement this option, therefore, the public would need to use an additional form or method of data collection for this question that would add undue burden. 2.) Gender options have been updated consistent with recommendations from the Office of the Chief Statistician of the United States published on January 11, 2023. This is an optional question.

Instructions for other questions have been updated to clarify information for individuals and reduce reporting burden.

16. Statistics

Not applicable. We do not plan to publish data.

17. Seeking Approval to Not Display OMB Expiration date

Not applicable. We are not seeking this approval.

18. Exception to the Certificate Statement

Not applicable. There are no exceptions to the certification statements.