

# THE SUPPORTING STATEMENT

## A. Justification

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

The Statement of Goals and Priorities (SGP) is required by legislation. The Developmental Disabilities Protection and Advocacy systems (P&As) are authorized in Subtitle C, of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15001 et seq.] (the Act). The P&As are required to submit a Statement of Goals and Priorities annually, as per Section 143(a)(2)(C) and 143(a)(2)(D) [42 U.S.C. 15043(a)(2), paragraphs C and D].

The Act mandates the P&A system of each State, as per Section 143(a)(2)(C) and 143(a)(2)(D), to annually prepare a Statement of Goals and Priorities (SGP) and to submit it to public comment in the State. Further, the Regulations in 45 C.F.R. 1386.23(c) require submission of the final SGP by January 1 of each applicable fiscal year.

Additionally, Section 144(e) of the Act requires submission of an annual report including “the process used to obtain public input, the nature of such input, and how such input was used.”

<<**Note:** the regulations, including their citations and nomenclature, are currently being updated to reflect the changes in the Act as of 2000.>>

The collection of this information is both necessary and authorized. First, the information is necessary for annual monitoring of the P&A program’s planning process. Second, the Department is specifically authorized to collect the information in Section 143(a)(2)(C), Section 143(a)(2)(D), and Section 144(e).

Additionally, information is collected in the SGP that is necessary in interpreting performance data that is submitted a year later in the P&A Annual Program Performance Report (PPR) and reported to Congress in compliance with the Government Performance and Results Act of 1993 (GPRA).

This is an ongoing data collection, and does not represent a change in requirements.

### 2. Purpose and Use of the Information Collection

The information provided in the SGPs is first used to monitor compliance of P&A systems with requirements to annually develop the SGP and to solicit public comment as required in Section 142(a)(2)(paragraphs C and D). Additionally, the information is used to provide a national perspective on where the program is going

(prospective view), and to provide a gauge for program accomplishments against program objectives for purposes of identifying continuing challenges and formulating technical assistance and management support provided to P&A systems. Finally, the SGP's prospective information is compared for interpretation purposes with the corresponding outcome data that is reported to Congress, as required by the Government Performance and Results Act of 1993 (GPRA).

ADD plans to make the data from these SGPs available on the internet to the general public.

### **3. Use of Improved Information Technology and Burden Reduction**

The Statement of Goals and Priorities (SGP) is submitted electronically. A major consequence of the electronic submission of the SGP is enhanced ability to review the SGPs and to manage the data in them.

### **4. Efforts to Identify Duplication and Use of Similar Information**

A careful review of the P&A SGP and the P&A Program Performance Report (PPR) was conducted to avoid any duplication between these two reports that are submitted by the P&As. No duplication was found. Note that the SGP is prospective, showing intentions of the P&A in the coming year, while parallel reporting in the PPR is retrospective, showing how the SGP led to outcomes.

Note also that no other federal program providing protection and advocacy for individuals with non-developmental disabilities requires an SGP, and hence there is no duplication between the prospective reporting for this program with such reporting for any other similar program.

### **5. Impact on Small Businesses or Other Small Entities**

The information collected does not involve, nor result in assignment of burden to any small business or other small entity. It is collected from 57 State systems designated by the governor of each State.

### **6. Consequences of Collecting the Information Less Frequently**

The collection of data less frequently than that prescribed by the requirements of the Act and by the regulations (annually), would violate statute and regulation. Less frequent collection would also prevent the Department from meeting its obligations under GPRA. Further, it would deny the Department the opportunity to have a year to year understanding of the P&A planning process in each State for purposes of providing technical assistance and ensuring that the requirements of the Act are being met.

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

There are no special circumstances governing the collection of data that are inconsistent with the established guidelines pursuant to 5 CFR 1320.5.

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

A 60-day comment period was provided. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 73, number 247, page 78802 (December 23, 2008). No comments were received during the 60 days nor anytime thereafter.

Issues of the scope, content, availability of data, format, and clarity of instructions for the SGP have been discussed with all of the P&A systems, through focus groups, work groups, and in conferences organized on behalf of ADD by the National Disability Rights Network (NDRN). The format is based on the efforts of these focus groups, work groups and conferences. The P&As have had experience now using the same format for several years, since this is an ongoing data collection and it represents no change in format, and no change in requirements. The current OMB approval for this collection included no terms of clearance.

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

No payments or gifts to respondents are planned.

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

There are no data collected that requires confidentiality, and hence no assurance of confidentiality is required.

### 11. Justification for Sensitive Questions

No data is directly collected that is of a sensitive nature.

### 12. Estimates of Annualized Burden Hours and Costs

The following table summarizes the burden hour estimate for this information collection:

No. of States	No. of Responses Per State	Average Burden Hours Per State	Total Hours
57	1	44	2,508

The estimate of annual burden to the States varies very greatly with the size, program complexity and the capability of the States. Consultations with selected States indicated that a range of times would vary. The current estimate of annual burden is from 5 to 20 four-hour days, with most common figure of about 11 four-hour days. Hence, a mode of 11 such days (44 hours) is being used in these calculations.

Consequently, the estimated burden hours is 2,508 hours (57x44).

The annualized cost of the hour burden, expressed in dollars is:

Average Cost/Hour	Average Burden Hours/State	Average Annual Cost/State	Total Annual Cost
\$40	44	\$1,760	\$100,320

### 13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There is no annual cost burden or startup cost to respondents resulting from collection of information for the PPR.

### 14. Annualized Cost to the Federal Government

This computation is based on an estimated \$40 per hour for the efforts of a Program Specialist; this estimated hourly rate includes fringe benefits.

Program specialists will devote an estimated 300 hours every year to organize and review the Program Performance Reports and to generate analyses of the information therein for staff use.

Total Estimated Federal Costs:..... \$12,000

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

This is an on-going data collection, with no change in burden.

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

The results of this information collection are not planned to be published for statistical use.

The SGPs are prepared by the P&A systems and submitted to the Department by January 1 of each year. Program personnel check the SGPs for completeness and consistency, and prepare program reviews and summaries of the information for use in technical assistance formulation, and for program management studies. Program personnel aggregate the data, do national analyses (sum, average, etc.), and other management studies.

Legislation and regulation mandate the information collected within the SGP, and once acquired becomes a public document. The information obtained is used by ADD to develop program priorities and to formulate technical assistance.

The small amount of quantitative data is summed to show national totals for reports. Analysis and reporting of the data includes pie-charts and bar-charts. Textual data is stored in electronic data bases for access by word-searches, to search for commonalties among States with regard to researching activities of evolving interest. Reporting on this data will be on an annual basis.

Additionally, prospective information contained in the SGP provides an informative backdrop to outcome performance measures based on the data in the Annual PPRs submitted a year later. The performance data reported to Congress under GPRA is analyzed in light of the prospective information in the SGP.

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

Not applicable.

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

Not applicable.

**B. Statistical Methods (used for collection of information employing statistical methods)**

This information collection does not employ statistical methods.