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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

[CFDA Number: 84.133B-3]

Final Priority: National Institute on Disability,
Independent Living, and Rehabilitation Research--
Rehabilitation Research and Training Centers

AGENCY: Administration for Community Living, Department of
Health and Human Services.

ACTION: Final priority.

SUMMARY: The Administrator of the Administration for
Community Living announces a priority for the
Rehabilitation Research and Training Center (RRTC) Program
administered by the National Institute on Disability,
Independent Living, and Rehabilitation Research (NIDILRR).
Specifically, we announce a priority for an RRTC on
Employment Policy and Measurement. The Administrator of
the Administration for Community Living may use this
priority for competitions in fiscal year (FY) 2015 and
later years. We take this action to focus research
attention on an area of national need. We intend for this

priority to contribute to improved employment outcomes for individuals with disabilities.

DATES: EFFECTIVE DATE: This priority is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Patricia Barrett, U.S. Department of Health And Human Services, 400 Maryland Avenue, SW., room 5142, Potomac Center Plaza (PCP), Washington, DC 20202-2700. Telephone: (202) 245-6211 or by email: patricia.barrett@acl.hhs.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Purpose of Program: The purpose of the Disability and Rehabilitation Research Projects and Centers Program is to plan and conduct research, demonstration projects, training, and related activities, including international activities, to develop methods, procedures, and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, especially individuals with the most severe disabilities, and to

improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended (Rehabilitation Act).

Rehabilitation Research and Training Centers

The purpose of the RRTCs, which are funded through the Disability and Rehabilitation Research Projects and Centers Program, is to achieve the goals of, and improve the effectiveness of, services authorized under the Rehabilitation Act through well-designed research, training, technical assistance, and dissemination activities in important topical areas as specified by NIDILRR. These activities are designed to benefit rehabilitation service providers, individuals with disabilities, family members, policymakers and other research stakeholders. Additional information on the RRTC program can be found at:

<http://www2.ed.gov/programs/rrtc/index.html#types>.

Program Authority: 29 U.S.C. 762(g) and 764(b)(2)(A).

Applicable Program Regulations: 34 CFR part 350.

We published a notice of proposed priority (NPP) for this program in the Federal Register on February 25, 2015 (80 FR 10099). That notice contained background information and our reasons for proposing the particular priority.

There are no differences between the proposed priority and this final priority.

Public Comment: In response to our invitation in the notice of proposed priority we did not receive any comments on the proposed priority.

FINAL PRIORITY:

The Administrator of the Administration for Community Living establishes a priority for an RRTC on Employment Policy and Measurement. The purpose of the proposed RRTC on Employment Policy and Measurement (RRTC-EPM) is to investigate the impact of Federal and State policies and programs on employment of individuals with disabilities, paying particular attention to the effects of program interactions. The RRTC-EPM will also examine new ways of measuring employment outcomes and facilitate the translation of research findings to guide policymaking and program administration. Applicants must identify targeted research questions in response to the problems identified below and propose rigorous research methodologies to answer these questions. Of particular interest is research that investigates the interaction between the Affordable Care Act (ACA), Social Security Disability Insurance (SSDI), and employment. The desired outcome of this investment is new knowledge about the effect of new or existing policies on

employment-related decision-making of individuals with disabilities, and ultimately on rates and quality of employment by these individuals.

The RRTC must contribute to improving the employment outcomes of individuals with disabilities by:

(a) Generating new knowledge about the effects of program interactions on employment outcomes of individuals with disabilities, including but not necessarily limited to the interaction between Social Security disability benefit programs and the ACA. Specifically, the RRTC must generate new knowledge of the potential impacts of varied policy scenarios regarding the SSDI trust fund exhaustion on the employment and economic outcomes of individuals with disabilities.

(b) Developing reliable and valid methods of measuring employment outcomes for people with disabilities;

(c) Serving as a national resource center on policy issues that impact employment outcomes of individuals with disabilities, and

(d) Increasing incorporation of research findings from the RRTC into practice or policy by:

(1) Collaborating with stakeholder groups to develop, evaluate, or implement strategies to increase utilization of research findings;

(2) Conducting training and dissemination activities to facilitate the utilization of research findings by policymakers, employers, and individuals with disabilities;

(3) Providing technical assistance to facilitate use of information produced by the RRTC research; and

(4) Collaborating and sharing information with other agencies across the Federal government. In addition, the RRTC must collaborate with appropriate NIDILRR-funded grantees, including knowledge translation grantees and grantees involved with employment research.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the Federal Register. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (45 CFR Part 75).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by: (1) Awarding additional points, depending on the extent to which the application meets the priority (45 CFR part 75); or (2) selecting an application that

meets the priority over an application of comparable merit that does not meet the priority (45 CFR part 75).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (45 CFR part 75).

This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the Federal Register.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this regulatory action is "significant" and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may--

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an "economically significant" rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This final regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this final regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency--

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account--among other things and to the extent practicable--the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives--such as user fees or marketable permits--to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency "to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as

possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing this final priority only on a reasoned determination that its benefits justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits. Based on the analysis that follows, the Administration for Community Living (ACL), Department of Health and Human Services believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, ACL assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the ACL’s programs and activities.

The benefits of the Disability and Rehabilitation Research Projects and Centers Program have been well established over the years, as projects similar to the one envisioned by the final priority have been completed successfully, and the proposed priority will generate new knowledge through research. The new RRTC will generate, disseminate, and promote the use of new information that would improve outcomes for individuals with disabilities in the areas of community living and participation, employment, and health and function.

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You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically,

through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: April 14, 2015.

John Tschida,
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National Institute on Disability,
Independent Living, and
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