

**OMB Control Number 1205-4NEW:  
SUPPORTING STATEMENT**

**Title:** Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act: Wagner-Peyser and WIOA Title I programs (Department of Labor) and Vocational Rehabilitation and Adult Education programs (Department of Education).

This information collection request (ICR) is being submitted in conjunction with the publication of regulations to implement the Workforce Innovation and Opportunities Act of 2014. The Departments of Education and Labor ask that OMB file comment on this ICR, as public comments are likely.

**A. Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This consolidated information collection would implement sections 102 and 103 of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), which requires each State to submit a Unified State Plan or, in the alternative, a Combined State Plan. The Unified or Combined State Plan requirements improve service integration and ensure that the workforce system is industry-relevant by responding to the economic needs of the State and matching employers with skilled workers. To that end, the Unified or Combined State Plan would describe how the State will develop and implement a unified, integrated service delivery system rather than discuss the State's approach to operating each core program individually.

Section 102(a) of WIOA requires each State, at a minimum, to submit a Unified State Plan that fosters strategic alignment of the core programs, which include the adult, dislocated worker, and youth programs (title I); Adult Education and Family Literacy Act program (title II); the Wagner-Peyser program (title III); and the Vocational Rehabilitation program (title IV). In the alternative, section 103 of WIOA permits a State to submit a Combined State Plan that would include the core programs plus one or more of the optional Federal programs listed in section 103(b). If the State chooses to submit a Combined State Plan, such plan will incorporate all of the common planning elements required in the Unified State Plan, as well as an additional element describing how the State will coordinate the optional programs with the core programs (WIOA sec. 103(b)(3)).

The consolidated information collection for the Unified State Plan will replace existing planning information collections for the core programs. For States that choose to submit a

Combined State Plan, those programs' existing information collections for the optional programs, including for program-specific planning requirements, will continue to exist under their current control numbers. A State's Combined State Plan must meet the information collections for all optional programs that a State includes. However, a State that submits a Combined State Plan is not required to submit any other State plan to receive funding for any optional program covered under that Combined State Plan (WIOA sec. 103(b)(2)).

**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.**

In order for a State to receive funding for the core programs, the State must submit a Unified or Combined State Plan every four years and a State plan modification at least every two years. A State must submit its Unified State Plan to the Secretary of Labor, who, in turn, shares the Unified State Plan with the Secretary of Education (WIOA sec. 102(c)(1)). Unified State Plans are subject to the approval of both the Secretary of Labor and the Secretary of Education, after approval by the Commissioner of the Rehabilitation Services Administration of the Vocational Rehabilitation services portion of the plan (WIOA sec. 102(c)(2)). In approving the Unified State Plan, the Secretaries of Labor and Education must determine whether the plan is consistent with Unified State Plan requirements, as well as relevant requirements for each of the core programs (WIOA sec. 102(c)(2)(B)).

Portions of the Combined State Plan covering a program or activity, excluding those related to the core programs, are subject to approval by the head of the Federal agency that administers such program (WIOA sec. 103(d)(2)). The portions of the Combined State Plan related to the core programs are subject to the same approval requirements applicable to the Unified State Plan.

Neither the Unified nor the Combined State Plan may be implemented until it is approved by the Secretaries of Education and Labor, as well as any other applicable Federal agency. Furthermore, a State may not receive funding for any core program or any optional program covered under the Unified or Combined State Plan until the plan has been approved in accordance with sections 102 or 103 of WIOA.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The Departments of Labor (DOL) and Education (ED) are developing an online portal to facilitate electronic submission of Unified and Combined State Plans. The Departments believe

that online submission will reduce burden on the States and facilitate the approval process at the Federal level.

**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.**

Currently, States submit program-specific State plans. There are 57 States and outlying areas, including the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, and, for certain programs, the Republic of Palau. The proposed consolidated information collection, known as the “Required Elements for Submission of the Unified or Combined State Plan and Plan Modifications under the Workforce Innovation and Opportunity Act,” is the only data collection instrument for States to submit either a Unified or Combined State Plan under WIOA for the core programs. This consolidated information collection will replace program-specific State plan collections for each of the core programs and will incorporate existing program-specific State plan collection for any optional program that a State includes in its Combined State Plan.

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The proposed information collection affects only States, not small businesses or entities.

**6. Describe the consequence 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.**

Sections 102 and 103 of WIOA require that the State submit a Unified or Combined State Plan every four years and a plan modification at least every two years. A State will not receive funding for core programs if it fails to submit a Unified or Combined State Plan (WIOA sec. 102(a)).

**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 that 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 which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, 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.**

There are no special circumstances that require the collection of information to be conducted in a manner inconsistent with 5 CFR 1320.5.

- 8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**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.**

Concurrent with this information collection submission, DOL and ED issued a Notice of Proposed Rulemaking (NPRM) that provides a 60-day period for the public to comment on the proposed change to the collection of information. In addition, the NPRM instructed that comments on the information collections in the proposed rule could be sent directly to OMB during a 30-day period.

**9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.**

No payment or gifts will be provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Not applicable. Respondents are state agencies, and state plans are public documents.

**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. This 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.**

No information of a sensitive nature will be requested in the proposed information collection.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. 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.**

As explained in question 1 above, this collection will replace the following currently-approved State Plan collections for the core programs:

- Control Number 1205-0398, Planning Guidance and Instructions for Submission of the Strategic State Plan and Plan Modifications for Title I of the Workforce Investment Act and Wagner-Peyser Act, with an annual burden of 2,280 hours;
- Control Number 1830-0026, Adult Education and Family Literacy Act State Plan, with an annual burden of 2,565 hours; and
- Control Number 1820-0500, State Plan for the Vocational Rehabilitation Services Program and Supplement for the Supported Employment Services Program (now referred under WIOA as the VR services portion of the Unified or Combined State Plan), with an annual burden of 2,000 hours.

In an effort to give full meaning to the requirement that States submit a Unified or Combined State Plan, the Departments propose to consolidate all currently-approved program-specific State Plan submissions for each of the core programs into one information collection instrument. To that end, the total burden hours associated with this proposed new consolidated information collection is the sum of the additional burden required to satisfy the integrated strategic and operational planning requirements plus the currently-approved requirements (see bullets above). However, the net additional burden to respondents is only that associated with the new planning requirements.

Fifty-seven jurisdictions submit a plan the first year, and all 57 are required to submit an update in the third year of the planning cycle. No submissions are required the second year unless it is a program-specific requirement for an optional program included in a State's Combined State Plan. This means that the Departments estimate they will receive 38 state plans annually over three years. This is the same as the current planning documents.

The Departments estimate the annual time burden to be 3,279 hours. This number includes the hours for all the jurisdictions to submit a Unified State Plan, plus an additional 0.25 hour for each respondent submitting a Combined State Plan. The additional 0.25 hour per respondent is for the additional planning element required in Combined State Plans. We estimate that 10 respondents will submit a Combined State Plan. It also includes the estimate that all respondents will submit an update in the third planning year, which is estimated to require a third of the hours compared to submitting the initial plan. The burden required for fulfilling the program-specific State Plan requirements (for the non-core, optional programs that may be included in the Combined State Plan) will continue to be separately accounted for under the non-core, optional programs' existing, approved Information Collections. Those existing Information Collections are described in the table below for reference:

<b>Optional Program Control Number</b>	<b>Approved Burden Hours</b>
Control Number 1830-0029, Carl D. Perkins Career and Technical Education Improvement Act of 2006 (P.L. 109-270) State Plan Guide	2,240 hours
Control Number 0970-0145, Temporary Assistance for Needy Families (TANF) State Plan Guidance	594 hours
Control Number 0584-0083, Supplemental Nutrition Assistance Program Operating Guidelines, Forms, and Waivers, Program and Budget Summary Statement	1431 hours
Control Number 1225-0086, Grant Application Requirements for the Jobs for Veteran State Grants Program	1620 hours
Control Number 1205-0132, Unemployment Insurance State Quality Service Plan Planning and Reporting Guidelines	1530 hours
Control Number 1205-0040, Senior Community Service Employment Program Performance Measurement System	406 hours
Control Number 0970-0382, Community Services Block Grant (CSBG) Program Model Plan Applications	112 hours

The table does not include the optional programs that may be part of a Combined State Plan but do not have currently-approved planning requirements of their own, such as the Housing and Urban Development Employment and Training Programs and the Trade Adjustment Assistance Program. Because these programs do not have currently-approved planning collections, the additional burden hours would be the total additional burden associated with the new unified planning requirements set forth in the table above that would be true for any program included in the Unified or Combined State Plan.

**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 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 purchasing or 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 rule-making 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.**

There are no other costs involved.

**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.**

Based on program experience and on an assessment of average times spent reviewing plans under WIA, it is estimated that, on average, 8 GS-13s will spend a total of 8 hours each, or



64 hours total, reviewing each plan. Assuming pay at the GS-13 level is \$65.77 per hour, the Federal cost of reviewing and processing each Plan is estimated to be \$4,209, resulting in a total cost of \$239,928.96 for all 57 plans. Since plans are reviewed electronically, operational costs, including printing and support staff costs, do not apply.

8 hours x \$65.77/hour = \$526.16 x 8 staff = \$4,209.28 x 57 plans = \$239,928.96

**15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

The changes from the existing planning requirements to the new planning requirements are further explained in sections 20 CFR 652.211, 653.107(d), 653.109(d), 676.105, 676.110, 676.115, 676.120, 676.135, 676.140, 676.145, 677.230, 678.310, 678.405, 678.750(a), 681.400(a)(1), 681.410(b)(2), 682.100, 683.115, and 34 CFR parts 361 and 463 of the joint NPRM and in the preamble related to those sections. They will also be explained in more detail in a forthcoming information collection notice that will give states further guidance as they prepare to complete their Unified or Combined State Plans.

**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.**

There are no tabulations or results for State plans and therefore no plans to publish such information. The Unified or Combined State Plans are used as the basis for awarding funding for the core programs.

**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.**

There are no plans to seek non-display of the OMB approval.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

No exceptions are requested.