OMB Number: 1820-0694

SUPPORTING STATEMENT

FOR PAPERWORK REDUCTION ACT SUBMISSION

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 hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Please limit pasted text to no longer than 3 pages. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

   The Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (Act), requires the Commissioner of the Rehabilitation Services Administration (RSA) to conduct annual reviews and periodic on-site monitoring of the vocational rehabilitation (VR) program to determine whether a state agency is complying substantially with the provisions of its State Plan under section 101 of the Act and with the evaluation standards and performance indicators established under section 106. To fulfill its monitoring responsibility, RSA is reviewing a maximum of 15 VR agencies in each Federal fiscal year (FFY) from FFY 2017 through FFY 2020. When, based on its monitoring, RSA determines that a state agency has not administered and operated the VR program in compliance with its State Plan, the Act and implementing regulations at 34 CFR Part 361, the agency must develop a corrective action plan (CAP) for RSA approval within 45 days from the issuance of the final monitoring report.

   As explained in response to Question 3, to promote the consistency of the information contained in the CAPs and the ability of RSA to assess a VR agency's completion of the action steps therein, as well as to ease the burden on the VR agencies in the development of and reporting on the CAPs, in FFY 2011 RSA developed a form and on-line submission and reporting process through its management information system (MIS). Beginning in FFY 2012, each of the VR agencies monitored during the year that RSA has found to be out of compliance with Federal requirements used this form located on the RSA MIS to submit a CAP for RSA approval and thereafter to report progress on the action steps contained in the CAP on a quarterly basis, until such time as each compliance finding represented by the CAP is resolved.

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.\

   The CAP must contain the specific steps that the VR agency will take to resolve each finding, timelines for the completion of each step and methods for evaluating that the findings have been resolved. RSA requires the agency to report progress toward completion of the CAP on a quarterly basis. Using this information for each VR agency required to submit a CAP, RSA has been able to track the agency's progress toward the resolution of the compliance findings and identify the need for technical assistance to enable it to carry out the corrective actions. In addition, RSA has been able to use this on-line system to identify trends in the nature of the compliance findings common among the VR agencies and the technical assistance needs of the VR agency network as a whole, thereby assisting the agencies to avoid future findings of non-compliance.

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

   Since FFY 2011, RSA has required VR agencies to use a standard online form for the development of CAPs. This on-line system enables RSA to carry out this activity. The use of a consistent form and Web-based submission process allows the VR agencies to develop and report progress on the CAPs in a more efficient and timely manner, thus reducing the reporting burden.

   Prior to the development of the online CAP in FFY 2011, RSA had accepted the CAP in any format submitted by a VR agency, so long as it included all required information. Likewise, RSA did not require agencies to use a uniform method for the reporting of progress on CAPs. Lacking a uniform Web-based reporting system, RSA experienced difficulty in tracking the progress of the VR agencies toward the resolution of the CAPs. ..

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 above.

   The CAP must contain the specific steps that the agency will take to resolve each finding, timelines for the completion of each step and methods for evaluating that the findings have been resolved. No similar information is available to RSA through other information collections.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

   A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

   The collection of information does not impact small businesses or other small entities.

6. Describe the consequences 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.

   When, based on its monitoring, RSA determines that a state agency has not administered and operated the VR program in compliance with its State Plan, the Act and implementing regulations at 34 CFR Part 361, the VR agency must develop a CAP for RSA approval within 45 days from the issuance of the final monitoring report. RSA uses the information required in a CAP, to determine that a VR agency has resolved findings of non-compliance and that no further corrective action must be taken.

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 than 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 that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

- requiring respondents to submit proprietary trade secrets, 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 this information collection to be conducted in any manner listed above.

There are no special circumstances that require this information collection to be conducted in any manner listed above.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as 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 instruction 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.

   RSA published a 60-day and 30-day Federal Register notice to allow for public comment; there were no public comments received during the 60-day public comment period.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees with meaningful justification.

   RSA has made no decision to provide any payment or gift to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency

Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information). If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentially of the data.

There is no assurance of confidentiality and the collection instrument does not collect individual, personal or sensitive data.

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. The 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.

This report contains no questions of a sensitive nature.

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

- Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. 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 the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)
- Provide estimates of annualized cost to respondents of 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.

•	CAP Development and MIS Submission	CAP Quarterly Response and MIS Submission	Total Annual Burden
Number of Respondents	15*	15*	15
Frequency of Response	Initial	Quarterly	
Total Annual Responses	15*	45*	60
Hours per Response	50	5	55
Total Hours	750	225	975
Cost per Hour	$35	$35	
Total Cost per Response	$1750	$175	$1,925.00
Total Cost	$26,250	$8,175	$34,425.00

The time required for each respondent to develop the CAP and complete the form. During Phase 1 RSA conducted a field test of three respondents and found that the CAP can be developed and submitted into the MIS in an average time of 50 hours. The hourly cost to respondents is $35.00, and cost per development and submission for the CAP to average $1,750 per respondent. RSA estimates a total annual cost burden for CAP development to be $26,250 and 750 hours. The additional burden for quarterly update estimates totals 45 responses.

*RSA intends to monitor each of its 80 VR agencies between 2017 and 2021, reviewing approximately 15 agencies per year. Because the number of agencies developing and reporting on a CAP will vary, RSA is using 15 respondents as the number developing CAPs per year and 45 quarterly progress responses or 3 quarters (beginning the quarter after initial CAP development) X 15 respondents.

Based on experience with this process in past years, RSA estimates that the 15 respondents will report progress on the CAP for the three remaining quarters of the fiscal year, for a total of 45 responses. RSA has determined that each respondent will require approximately 5 hours to complete and submit each quarterly update in the MIS, for a total of 15 hours over the three quarters. Again, based on an hourly rate of $35.00, RSA calculates that the cost to each respondent per quarter to be $175.00, for a total annual cost to the 15 respondents over the three quarters of reporting of $8,175. These estimates were confirmed through Phase 2 of the field testing conducted during July, 2011 and are maintained in this extension request.

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 acquiring and maintaining 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 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 rulemaking 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. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

  Total Annualized Capital/Startup Cost:

  Total Annual Costs (O&M):

  Total Annualized Costs Requested:

States and territories incur no additional cost burden when submitting the CAP.

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.

	CAP review and approval	Quarterly progress reports review and	Total Annual Cost

		approval	
Annual cost to the Federal government	22.5 hours x $45/ hour = $1012.50	33.75 hours x $45/ hour = $1518.75	56.25 hours/ $2,531.25
Annual Federal computer cost			$500
Total cost to Federal Government			$3,031.25

RSA estimates that one GR-13 staff will require one and one-half hours to review and approve each CAP submission prior to approval of the CAP, totaling 22.5 hours of review time (15 x 1.5). RSA estimates that one GR-13 staff requires 45 minutes to review and approve each Quarterly CAP submission; totaling 33.75 hours (45 x .75) RSA is now using an hourly cost of $45.00 for each hour of review, based on an hourly rate of staff responsible for this activity. The annual cost burden for review and approval of the CAP and Quarterly Progress reports is estimated at $3,031.25 and takes 56.25 hours.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

There are no program changes or adjustments.

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.

The CAP is not published information.

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.

RSA is not seeking approval to not display the expiration date.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions to the certification statement.