

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

- 1. Explain the circumstances that make the collection of information necessary. What is the purpose for this information collection? Identify any legal or administrative requirements that necessitate the collection. Include a citation that authorizes the collection of information. 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, list the sections with a brief description of the information collection requirement, and/or changes to sections, if applicable.**

Section 107 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), 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 Rehabilitation Act and with the evaluation standards and performance indicators established under section 106 of the Rehabilitation Act subject to the performance accountability provisions described in Section 116(b) of WIOA. To fulfill its monitoring responsibility, RSA reviews a maximum of 15 VR agencies in each Federal fiscal year. 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 Rehabilitation Act, and implementing regulations at 34 C.F.R. 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 Federal fiscal year (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 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 in the CAP was resolved. In June 2020, RSA migrated the RSA MIS to a new platform, and the CAP form, which RSA staff and VR agency staff found cumbersome, is no longer available online. RSA is currently using a Word version of the form for submission of the original CAP and quarterly progress reports from VR agencies. Information from the Word forms submitted by the State agencies is then compiled by RSA staff on an Excel spreadsheet. The content of the Word form is identical to the content that was previously available online. This is a request to obtain approval for an extension of the use of this information collection.

- 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 tracked the agency's progress toward the resolution of the compliance findings and has identified the need for technical assistance to enable the agency to carry out the corrective actions. In addition, RSA has used this process 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 noncompliance.

- 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. Please identify systems or websites used to electronically collect this information. Also describe any consideration given to using technology to reduce burden. If there is an increase or decrease in burden related to using technology (e.g. using an electronic form, system or website from paper), please explain in number 12.**

Prior to the development of the CAP form 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 reporting system, RSA experienced difficulty in tracking the progress of the VR agencies toward the resolution of the CAPs.

Since FFY 2011, RSA has required VR agencies to use a standard form for developing CAPs. The use of a consistent form submission process allowed the VR agencies to develop and report progress on the CAPs in a more efficient and timely manner, thus reducing the reporting burden. Beginning in FFY 2012, RSA required the agencies to use an online submission process. The previously developed online form has not been available since June 2020, when RSA transitioned its MIS to the Drupal platform. RSA staff and VR agencies found this online form to be cumbersome due to the form's layout and insufficient text box size. Therefore, at this time, RSA plans to ask VR agencies to use a Word document when developing a CAP and when reporting on their progress in addressing corrective actions. RSA staff will then track the progress of VR agencies on an Excel spreadsheet. The information being collected is exactly the same as the information collected online previously.

- 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

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

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 Rehabilitation Act, and implementing regulations at 34 C.F.R. 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 noncompliance 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;**

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

- **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.

- 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.**

Include a citation for the 60 day comment period (e.g. Vol. 84 FR ##### and the date of publication). Summarize public comments received in response to the 60 day notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. If only non-substantive comments are provided, please provide a statement to that effect and that it did not relate or warrant any changes to this information collection request. In your comments, please also indicate the number of public comments received.

For the 30 day notice, indicate that a notice will be published.

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 regularly meets with the Council of State Administrators of Vocational Rehabilitation, the professional organization whose members are the directors of the State VR agencies, to discuss monitoring processes and procedures. The content for the corrective action plans and the process for developing and updating these plans is among the monitoring topics discussed with these stakeholders. Input was also gathered during the 60-day and 30-day publication processes for previous iterations of this information collection package.

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

On October 2, 2020, RSA published a 60-day Federal Register Notice (Vol. 85, No. 192, page 62285) to allow public comment on this request for OMB approval of the extension of this information collection. One non-substantive comment was received as a result of this notice. This comment did not relate to the information collection request and did not indicate or warrant any changes to this information collection request.

This is the request for the 30-day Federal Register notice inviting public comment.

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

This information collection does not involve 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.¹ 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 confidentiality of the data. If no PII will be collected, state that no assurance of confidentiality is provided to respondents. If the Paperwork Burden Statement is not included physically on a form, you may include it here. Please ensure that your response per respondent matches the estimate provided in number 12.

This information collection does not collect personally identifiable information, and therefore, there is no need to include an assurance of confidentiality.

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 collection contains no questions of a sensitive nature.

¹ 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)

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

12. Provide estimates of the hour burden for this current information collection request. The statement should:

- Provide an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. Address changes in burden due to the use of technology (if applicable). Generally, estimates should not include burden hours for customary and usual business practices.
- Please do not include increases in burden and respondents numerically in this table. Explain these changes in number 15.
- 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. 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 this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burden in the table below.
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. [Use this site](#) to research the appropriate wage rate. 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. If there is no cost to respondents, indicate by entering 0 in the chart below and/or provide a statement.

Provide a descriptive narrative here in addition to completing the table below with burden hour estimates.

Estimated Annual Burden and Respondent Costs Table

| Information Activity or IC (with type of respondent) | Sample Size (if applicable) | Respondent Response Rate (if applicable) | Number of Respondents | Number of Responses | Average Burden Hours per Response | Total Annual Burden Hours | Estimated Respondent Average Hourly Wage | Total Annual Costs (hourly wage x total burden hours) |
|--|-----------------------------|--|-----------------------|---------------------|-----------------------------------|---------------------------|--|---|
| Total Annual Responses | | | 15 | 15 | 65 | 975 | 35.00 | 34125 |
| Annualized Totals | | | x | x | | x | | x |

Please ensure the annual total burden, respondents and response match those entered in IC Data Parts 1 and 2, and the response per respondent matches the Paperwork Burden Statement that must be included on all forms.

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

When this information collection was first developed, RSA conducted an informal field test with three VR agencies to determine the time required for each respondent to develop and submit the initial CAP as well as the time required to update the CAP on a quarterly basis. At that time, RSA found that the CAP can be developed and submitted in an average time of 50 hours, and each quarterly submission requires an additional five hours per quarter, for a total of 65 hours annually (50 hours for the first quarter plus 5 hours per remaining 3 quarters). Based on an average hourly cost to respondents of \$35.00, the average cost for the development and submission of the CAP is \$2,275 for each of 15 respondents. Based on these assumptions, RSA estimates a total annual hourly burden for developing and submitting the initial CAP to be 750 hours for 15 agencies (50 hours per agency multiplied by 15 agencies), and the total annual cost burden to be \$26,250 (750 hours multiplied by \$35.00). The additional annual burden for three quarterly updates for 15 agencies is estimated to be 225 hours (15 hours multiplied by 15 agencies) at a total annual cost of \$7,875. Altogether, on an annual basis, RSA estimates a total of 975 burden hours for the 15 agencies involved (65 hours per agency multiplied by 15 agencies) at a total annual cost of \$34,125 (975 hours multiplied by \$35.00 per hour). RSA does not expect to review more than 15 agencies per year.

Although the number of agencies developing and reporting on a CAP may vary from year to year, RSA is using an average of 15 respondents as the number developing initial CAPs per year. 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.

- 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**

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

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 annualized costs as described in this item when submitting and reporting on 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 approval | Total Annual Cost |
|---------------------------------------|------------------------------------|--|--------------------------------------|
| Annual cost to the Federal government | 22.5 hours x \$50/hour = \$1125.00 | 33.75 hours x \$50/hour = \$1687.50 | 56.25 hours x \$50/hour = \$2,812.50 |
| Annual Federal computer cost | | | \$500 |
| Total cost to Federal Government | | | \$3,312.50 |

RSA estimates that one GS-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 GS-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 \$50.00 for each hour of review, based on an hourly rate of the staff responsible for this activity. The annual cost burden for review and approval of the initial CAP and three Quarterly Progress reports for 15 agencies is estimated at \$3,312.50 and takes 56.25 hours; this cost includes \$500 of computer costs.

Tracking and OMB Number: 1820-0694

Revised: 12/02/2020

- 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).**

Provide a descriptive narrative for the reasons of any change in addition to completing the table with the burden hour change(s) here.

| | Program Change Due to New Statute | Program Change Due to Agency Discretion | Change Due to Adjustment in Agency Estimate |
|------------------------------------|--|--|--|
| Total Burden | N/A | N/A | N/A |
| Total Responses | N/A | N/A | N/A |
| Total Costs (if applicable) | N/A | N/A | N/A |

This submission requires no changes to the burden for hours and costs included in current OMB inventory.

- 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.