

**SUPPORTING STATEMENT FOR  
PAPERWORK REDUCTION ACT OF 1995 SUBMISSIONS,  
OMB Control No. 1205-0398**

**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.

Section 112(a) of the Workforce Investment Act (WIA, Public Law 105-220, August 7, 1998) requires the governor of a state to submit to the Secretary of Labor a State Plan to be eligible to receive an allocation under Section 127 or 132, or to receive financial assistance under the Wagner-Peyser Act. The State Plan outlines a strategy for the statewide workforce investment system of the state that meets requirements of Sections 111 and 112 of the Act. This request deals with modifications to these Plans as required by WIA (20 CFR 661.230) or the Wagner-Peyser Act (20 CFR 652.212-214).

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.

Based on the State Plan and waiver plan that is submitted by the governor, the Secretary makes a determination whether the State Plan and waiver plan are consistent or inconsistent with provisions of title I of the Act or in the case of the portion of the plan described in Section 8(a) of the Wagner-Peyser Act, the portion satisfies or does not satisfy the criteria for approval. Acting on behalf of the Secretary, senior managers of the Employment and Training Administration (ETA) review each plan to ensure that the State Plan and waiver plan provide ETA with baseline data used to measure progress against established negotiated performance goals.

A state may submit a plan modification or a waiver request to ETA at any time during the life of the plan. State Plan modifications are required under 20 CFR 661.230 when: (1) changes in Federal or state law or policy substantially change the assumptions upon which the plan is based; (2) there are changes

in the state-wide vision, strategies, policies, performance indicators, the methodology used to determine local allocation of funds, reorganizations which change the working relationship with system employees, changes in organizational responsibilities, changes to the membership structure of the state board or alternative entity, and similar substantial changes to the state's workforce investment system; or (3) the state has failed to meet performance goals and must adjust service strategies.

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.

In compliance with the Government Paperwork Elimination Act, a state may submit the plan modification or waiver request electronically. Electronic submission options include: Posting State Plans on an Internet Web-site; via e-mail; or by submitting a CD-ROM. States submitting plan modifications electronically need not submit additional paper copies, but must submit signature pages with an original signature to both the National and appropriate Regional Office, if the electronic submission does not contain an electronic signature (see Attachment A in the Planning Guidance).

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.

State Plan modifications and waiver requests may be submitted by 50 states or commonwealths, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, and the Republic of Palau - 57 total entities. No similar information is available. The proposed data collection entitled "State Integrated Workforce Plan Requirements for Workforce Investment Act of 1998 (WIA), Wagner-Peyser Act, and Department of Labor Workforce Programs" revises and replaces only the stand-alone planning guidance for WIA/Wagner-Peyser programs, and it also includes instructions for the inclusion of other programs administered by ETA, including the Trade Adjustment Act (TAA) and, optionally, the Senior

Community Service Employment Program (SCSEP). Section 501 of WIA gives states the option to develop and submit a State Unified Plan to the Department of Labor as a central location in Washington, DC. The Unified Plan may contain any of sixteen Federal workforce development programs. The Unified Planning Guidance is also seeking an extension under this same OMB Control Number. As of April 15, 2011, 54 entities submitted standalone State Plans, and the remaining three submitted Unified Plans. This supporting statement pertains to all 57 entities that are able to submit State Plans for modifications during the next year.

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.

No small businesses or entities are involved.

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.

States may not be able to receive funds if a State Plan is not modified when required, or if a modification does not meet Act and regulation requirements. ETA also will have no way to measure continuous improvement in the states' performance, as required by statutes and regulations cited above, for the coming year.

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;

- requiring 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;
- including 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.

The agency's 60-day notice soliciting comments from the public on the information collection prior to submission to OMB was published in the Federal Register on July 19, 2011. The following comments were received.

<b>Issue</b>	<b>Summary</b>	<b>Commenter</b>	<b>Response</b>
<i>Delay in Approval</i>	The commenter noted that the number of additional federal agency reviews and signatures required for Unified planning may cause delay and impact the receipt of program allotments.	Washington State, Employment Security Department	WIA limits the Secretary's review and response to state plan submissions to 90 days, regardless of the number of other agencies included. The disbursement of program allotments will not be affected unless a state is egregiously non-compliant.
<i>Unified Plan difficult to implement</i>	The commenter noted that implementing the Unified Plan may be difficult considering unpredictable budget issues or conflicting regulations.	Washington State, Employment Security Department	The Department recognizes that Unified Planning may be challenging and will provide program flexibility where warranted and within statutory authority to facilitate program alignment. The Department also recognizes that changing budget

			realities may impede successful implementation in some cases, and that state plans may require subsequent plan modifications.
<i>Federal partnerships</i>	The commenter welcomes the proposed changes to plan guidance from a state agency perspective and encourages the Department of Labor to develop joint guidance with other federal agencies to encourage participation in a joint planning process	Virginia, Virginia's Community Colleges	The Department of Labor currently is engaged in an endeavor with multiple Federal agencies to provide improvements to Unified Plan requirements across programs. The target for publishing joint guidance and/or joint planning requirements is 2013.
<i>Web links</i>	The commenter requested that web links be allowed for some information provided in state plan submissions for Sections I and II.	Missouri, Division of Workforce Development	Narratives in any section of the state plan may include web links to supporting documentation. The Department encourages states to make plans easily readable for all stakeholders, while still meeting documentation requirements.
<i>Not Streamlined</i>	The commenter indicated that neither the	Michigan Workforce Development	The Department concurs that the revised guidances

	<p>Integrated Plan guidance nor the Unified Plan guidance are substantially streamlined or contain fewer requirements than prior state planning requirements.</p> <p>The commenter noted that there are a number of circumstances under which a state must modify its plan, and that these circumstances have not changed from previous years' requirements.</p>	<p>t Agency</p>	<p>continue to contain many requirements. The Department has eliminated those state planning requirements not absolutely required in WIA statute or the regulations; we must require items established in law. In addition, where narrative discussion was not warranted, the Department has moved a substantial number of items to the "assurances" section of the plan to reduce the state's burden in drafting responses.</p> <p>The WIA regulations at 20 CFR 661.230 and 20 CFR 652.212 identify the circumstances under which a state must modify its plan. The Department must continue to require</p>
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			modifications under the conditions identified in the regulations.
<i>Fails to coordinate planning with research findings</i>	<p>The commenter indicated that the proposed collection lacks utility because its treatment of continuous improvement strategies is incomplete.</p> <p>The commenter said that the proposed collection should require state program evaluation research and reporting and identify how State and Federal research will be coordinated, as well as how states will "acquire, analyze, evaluate, and use data to improve policy and operational decisions."</p> <p>The commenter believes that the collection should seek to carry out the goals</p>	Wyoming, Department of Workforce Services	While the Department concurs that Federal-State coordination of evaluation research and reporting is important, we disagree that the proposed collection related to State Plans is the appropriate vehicle for such coordination requirement. Information about state activities related to evaluation is collected in a separate vehicle, the WIA Annual Report, and the Department believes that is the appropriate vehicle to collect such information. The primary focus of the Integrated Workforce Plan and Unified Plan collection is to streamline the planning and

	<p>established under the PL 111-352 GPRA Modernization Act regarding Federal Statistical Agency Strategic Plans to solicit state input into DOL's GPRA strategic plan.</p> <p>The commenter believes that the collection should include a requirement that states identify how they will use and develop employment statistics as a cross-cutting information and evaluation tool.</p>	<p>submission process for the service delivery components of WIA and other programs, and to require only those items specified in statute or regulations for plan submissions. The additional requirements suggested by the commenter would overly complicate state planning and the proposed data collection.</p> <p>The Department concurs that strategies regarding state use of and development of employment statistics as a cross-cutting information and evaluation tool is useful. Such information may be provided and discussed in Section II of the Integrated Workforce Plan, which requires a description of state operating systems that support</p>
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			coordinated implementation of state strategies.
<i>Include specific SCSEP items in planning requirements</i>	The commenter recommends that ETA require all states that include SCSEP in their Integrated Workforce Plan or Unified Plan to comply with specific regulations published in SCSEP Final Rule, particularly 641.302(i); 641.302(h); 641.315(a); 641.320 .	Senior Service America Inc.	The Department concurs with the commenter that the wording in the proposed collection needs to more closely mirror language in the SCSEP Final Rule. The proposed collections have been modified to more specifically use language used for those regulations.
<i>Governor's vision clarification</i>	The commenter asked whether the Integrated Workforce Plan requirements for the Governor's Vision refer to WIA reauthorization and the corresponding Workforce Innovation Grants.  The commenter noted that the guidance requires that states list the methods used for joint planning and coordination of programs/activitie	Utah Department of Workforce Services	Neither WIA reauthorization nor the Workforce Innovation grants are intended to be the focus of the Governor's Vision requirement. The Governor of each state may articulate his or her own vision.  The State Integrated Workforce Plan requirements do not include the Department of Education or Adult Education. SCSEP is included

	<p>s listed in the plan, including the State Workforce Investment Board (SWIB), Department of Education, SCSEP (Older Workers Coordinating Committee), Migrant Seasonal Farm Workers organizations (Futures Through Training), Older Worker organizations (Easter Seals), Adult Education, etc. The commenter believes that by requiring this heightened level of coordination the preparation of the State Plan will be far more time and labor intensive.</p>		<p>as an optional program, should the state wish to streamline its plan submissions to the Department. The coordination necessary for the new requirements is not greater than prior planning requirements.</p>
<p><i>Economic and information analysis will require substantial manpower</i></p>	<p>The commenter indicated that in the Integrated Workforce Plan requirements, the required assessment of economy, industries and occupations, including major economic regions/sectors</p>	<p>Utah Department of Workforce Services</p>	<p>The requirements related to economic and information analysis is similar to prior years' planning requirements. The Department anticipates that the SWIB will rely on the State workforce</p>

	<p>within the state and across state lines, will require additional manpower and commitment by all states involved.</p> <p>The commenter requested that the Integrated Workforce Plan Requirements should clarify whether the State Workforce Investment Board (SWIB) or additional groups will need to be consulted to assess workforce skills and knowledge individuals need to obtain employment now and in the future as identified by employers.</p>		<p>agency's labor market information unit as well widely available public data to generate the economic analyses needed for appropriate planning. It is within the discretion of each state and SWIB what entities to consult and methods used to obtain the most relevant and useful information for its planning needs.</p>
<p><i>State strategies limited by low set-aside funding</i></p>	<p>For the Integrated Workforce Plan requirements the commenter noted that the requirement to discuss how the state will coordinate discretionary and formula-based investments as well as leverage other funds will</p>	<p>Utah Department of Workforce Services</p>	<p>The Department recognizes that declining Federal investments affects state investments. These challenges may be discussed in the State's plan submission.</p>

	be limited by the lack of set-aside funding.		
<i>Clarification sought on performance outcomes for Common measures states</i>	The commenter requested clarification on how to report common measures goals.	Utah Department of Workforce Services	The Integrated Workforce Plan Requirements provides an optional table that states may use to identify past performance and goals for required measures. States may use this table or modify it for the performance goals it is required to negotiate.
<i>SWIB planning burden</i>	The commenter noted that the requirement to describe how the State Workforce Investment Board (SWIB) coordinates and aligns resources and policies of programs in plan will be time intensive depending upon the level of SWIB interaction that is expected.	Utah Department of Workforce Services	The Department expects that the SWIB will fulfill its statutory role to develop a strategic state plan and coordinate resources and policies for the effective functioning of the state's public workforce investment system. That this expectation should be discussed in the state's plan is not a new planning requirement.

<p><i>MSFW clarifications</i></p>	<p>The commenter asked whether the required annual agricultural plan that must now be included in the WIA/WP State Plan needs to be coordinated with other agencies that provide similar services within the community.</p> <p>Regarding the requirement to include numerical goals in the agricultural plan, the commenter asked whether the Department plans to negotiate those levels or provide guidance in this area.</p>	<p>Utah Department of Workforce Services</p>	<p>Pursuant to 20 CFR 653.107 (a), wherever feasible, State agencies shall coordinate their outreach efforts with those of public and private community service agencies and Migrant and Seasonal Farmworker groups.</p> <p>The numerical goals that must be included in the agricultural plan are in reference only to the proposed outreach activities and are not negotiated performance targets. 20 CFR 653.107 states: The plan for the proposed outreach activities shall include:</p> <p>(i) Numerical goals for the number of MSFWs to contacted during the fiscal year by JS staff. The number of MSFWs planned to be contacted by</p>
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		<p>other agencies under cooperative arrangements during the fiscal year also should be included in the plan. These numerical goals shall be based on the number of MSFWs estimated to be in the State in the coming year, taking into account the varying concentration of MSFWs during the seasons in each geographic area, the range of services needed in each area and the number of JS and/or cooperating agency staff who will conduct outreach.</p> <p>(ii) Numerical goals for the staff years to be utilized for outreach during the fiscal year.</p> <p>The Department will provide additional guidance on the numerical goals and the equity</p>
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			and minimum service level indicators.
<i>Clarification on requirement for Single-Area States</i>	The commenter asked whether the requirement that Single-Area States provide a copy of the Memorandum of Understanding between the workforce investment agency and other agencies included in the One-Stop system is more appropriate to present as an assurance rather than a part of the plan.	Utah Department of Workforce Services	The Department concurs that this requirement for single-area states may be provided as an assurance along with documentation. This requirement has been removed from section II of the Integrated Workforce Plan requirements and added to Section III of the requirements.
<i>Additional burden to require links for assurances</i>	The commenter indicated that adding assurances that require Web links will create an added burden on states as much of the information was previously included within the plan itself and will now need to be broken out into independent documents.	Utah Department of Workforce Services	The Department does not believe that asking states to link to an existing policy or to provide an attachment of that policy in their plan submission creates an additional burden. If state policies are currently in a single document, the state may provide that document as an attachment and indicate the

			appropriate page number for a given policy or document. The Department believes this is less burdensome than requiring the state to write narrative in a State Plan about policies that they have already prepared.
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9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

No payment is provided.

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.

There is no information of a sensitive nature being requested.

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.

ETA estimates it will receive modifications from each of 57 entities in the next year. ETA is reducing the number of estimated hours per modification from 50 hours in its last Information Collection Request to 40 hours for this request, based on the reduced number of questions to which states are required to respond.

ETA estimates that the burden hours for the preparation of a modification to the State Plan will be as follows:

- a. Respondents who prepare a State Plan modification will incur a burden of 40 hours. (5 staff preparing one modification x 8 hours per person x 1 modification/year). ETA estimates that over the next year, each of the 57 submitters must submit a modification.

57 entities x 40 hours = 2,280 total hours

- b. Total estimated cost to respondents for submitting one modification is approximately \$1,199, based upon an average rate of \$29.98 for each hour of time spent by professional staff x 40 hours. ETA derives this wage figure from the mean hourly wage of a "Social and Community Service Manager" in state governments as reported by the U.S. Bureau of Labor Statistics May 2010 Occupational Employment Statistics (OES) Survey.

40 hours x \$29.98 = \$1,199 per modification  
\$1,199 X 57 modifications = \$68,343

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.

Review of each State Plan modification will involve a Federal cost of approximately \$1,700. Based on program experience and on an assessment of average times spent reviewing modifications since the passage of WIA, it is estimated that, on average, 5 GS 13s will spend a total of 7 hours each, or 35 hours total. Assuming pay at the GS-13, Step 5, pay for 2011, the cost of reviewing and processing each Plan modification is \$1,700. Thus, the review of 57 modifications is \$96,900. Plan modifications are reviewed electronically; therefore operational costs, including printing and support staff costs, do not apply.

7 hours x 48.51/hour = \$340 x 5 staff = \$1700 x 57 entities = \$96,900

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

The estimate for burden hours per respondent decreased by 10 hours (from 50 hours to 40) because of changes proposed which reduce burden. ETA is requesting a three year extension with changes to the current information collection. Changes proposed to this collection which reduce burden include:

- 1) Removed national strategic direction
- 2) Streamlined and reduced required plan elements and questions to those required by statute or regulations
- 3) Reorganized State Integrated Workforce Plan requirements into three key sections: the Strategic Plan, the Operational Plan, and Assurances. Replaced several previously required narrative questions with a simple assurance statement.
- 4) Added instructions on how to submit waiver and work-flex requests.
- 5) Eliminated some assurances that were duplicative of those that the state signs in the annual grant agreement, such as uniform administrative requirements.

These changes reduce the total burden per modification from 50 hours per submission to 40 hours per submission.

During the next year, as explained in #4 of this Supporting Statement, all 57 entities are expected to submit plan modifications rather than the 15 estimated, and approved, for the previous submission, at 50 hours per plan modification (15 responses x 50 hours = 750 hours). Therefore the responses have been increased from 15 to 57, an addition of 42 responses, and the burden hours, now at 40 hours per response, are at 57 x 40 hours, or 2,280 hours.

These actions reflected a burden decrease of 10 hours per respondent due to discretionary agency action (reducing burden by 150 hours from the earlier estimate for the 15 respondents), and a burden increase 1680 hours of because of an adjustment in the agency estimate of 42 additional respondents.

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 plans to publish this 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.

There are no plans to seek non-display of the OMB approval. A draft directive, containing disclosure and burden information, is attached.

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.

B. Collection of Information Employing Statistical Methods

This request does not involve statistical methodology.