

**OMB CONTROL NO. 1205-0392: SUPPORTING STATEMENT FOR REQUEST FOR OMB APPROVAL UNDER THE PAPERWORK REDUCTION ACT OF 1995**

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## **A. JUSTIFICATION**

### **A.1 Circumstances Necessitating Data Collection**

This is a justification for the Department of Labor, Employment and Training Administration's (ETA's) request for approval to extend the existing reporting and recordkeeping requirements for the Trade Adjustment Assistance (TAA) program, a single integrated collection format that meets all reporting requirements listed in amendments to the Trade Act of 1974 (19 USC 2311) through the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA), which is part of the American Recovery and Reinvestment Act (ARRA). Broad authority to collect data from states regarding activity for TAA is also found in 20 CFR 617.57 and 617.61.

### **A.2 How, by Whom, and For What Purpose the Information is to be Used**

States and grantees carry out the TAPR reporting requirements. The TAPR Data Preparation and Reporting Handbook that includes an appendix that contains the quarterly reporting formats and instructions as well as a full listing of the individual data elements to be collected in the Trade Act Participant Report (TAPR). At a minimum, information collected and reported through the quarterly reports and records is used by state and local workforce investment areas and Federal agencies for the following purposes:

1. To provide annualized TAA program and performance information to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives;
2. To make TAA benefit, services and performance information available to the public through a searchable format available through the TAA website administered by USDOL.
3. To continuously improve the quality, effectiveness, and efficiency of job training and employment-based programs to job seeker and employer customers;
4. To provide management information for use in Federal program administration and oversight, including grant-specific participation, service, and outcome summaries. Selected demographic information is used by grantees to demonstrate compliance with equal opportunity provisions in the law, and to prepare and maintain state management reports;
5. To measure compliance with the Government Performance and Results Act (GPRA)

### **A.3 Use of Technology to Reduce Burden**

In order to comply with the Government Paperwork Elimination Act, the collection of program participant data and performance reports is based on uniform data elements and data definitions provided to states electronically. All TAPR reports are submitted to ETA via the Internet. Although states and local areas decide on the best technology for collecting individual case management data, given their unique circumstances and resource availability, states collect, retain, and report all information electronically.

The use of UI wage records as the primary source of data on wages and employment-related outcomes will result in decreased burden hours for many states who administer TAA programs. ETA will continue to work with the states to access and exchange UI wage records among the states. ETA is also planning to upgrade existing reporting software for states that will import participant data, check for data errors and out of parameter records, and produce the TAPR in both printable and electronic data transfer formats.

#### **A.4 Efforts to Identify Duplication**

The TAPR is the only report on TAA participants that requires data on individual participants. Except where individuals are registered in other programs and outcomes are reported for them under those programs, there is no duplication of data. Where participants are reported on under other programs, for example the Workforce Investment Act (WIA) dislocated worker program, standardized data elements such as demographic information, services, and common outcome measures may be easily copied and transferred for use in the TAPR.

#### **A.5 Methods to Minimize Burden on Small Businesses**

No small businesses or entities are impacted.

#### **A.6 Consequences of Less Frequent Data Collection**

States and grantees are required to submit TAPR records to ETA electronically, and to upload aggregate performance outcome information into ETA's Enterprise Business Support System (EBSS) on a quarterly basis as required by statute. If states do not comply with these requirements, the funding for these programs would be compromised to the detriment of the individuals that benefit from services provided through these programs. ETA's responsibility for reporting, oversight, and monitoring will be severely hampered because there is no other vehicle for judging program performance and participant outcomes for TAA. The agency will also be unable to fulfill its reporting responsibilities mandated by TGAAA and under GPRA.

#### **A.7 Special Circumstances for Data Collection**

These data collection efforts do not involve any special circumstances. The proposed reporting system is consistent with the guidelines in 5 CFR 1320.5.

#### **A.8 Federal Register Notice and Consultation Outside the Agency**

Telephone conferences and live presentations with stakeholders have been conducted by the agency to ensure smooth submission of TAPR data. Comments received A Pre-clearance Notice was published in the Federal Register on December 8, 2009 (Vol. 74, page 64712 et seq). No comments were received.

**A.9 Payment of Gifts to Respondents**

There are no payments to respondents other than the formula funds and incentive funds provided for in the authorizing statutes.

**A.10 Confidentiality Assurances**

ETA is responsible for protecting the confidentiality of the TAPR data and will maintain the data in accordance with all applicable Federal laws, with particular emphasis upon compliance with the provisions of the Privacy and Freedom of Information Acts. TAPR data will not contain any individually identifying information. States will submit records on individuals, but they will submit them under an individual identifier, which must not include the individual’s social security number.

**A.11 Additional Justification for Sensitive Questions**

There are no sensitive questions included in the proposed data collection. Individual records, which contain wage record information, may be submitted using a unique personal identifier or pseudo-social security number.

**A.12 Estimates of the Burden of Data Collection**

The burden for preparing the TAPR submission assumes that each of the 50 states will prepare a quarterly TAPR submission, for a total of 200 reports per year. (It is possible that one or more state agencies will have no terminees during a quarter and therefore will not be required to submit a report.)

The annual national burden for states for TAA reporting is comprised of two parts: 1) the burden of collecting participant data, and 2) the burden of preparing the TAPR submission.

In order to determine estimates, five states of various sizes and participant ranges were polled.

**DATA COLLECTION BURDEN**

|                 |                      |  |  |   |                        |   |
|-----------------|----------------------|--|--|---|------------------------|---|
| TAA Burden      | Hrs. Per TAPR Record | Total Annual Participant Record Estimate | Annual TAPR Burden Hours (.02*450,000) | Hrs per TAPR Submission (9,000/50states/4 submissions per year) | Applicable Hourly Rate | Annual TAPR Burden Dollars (45*\$39.17) |
| TAPR Submission | .02                  | 450,000                                  | 9000                                   | 45  | \$39.17                | \$352,530.00                            |

**DATA REPORTING BURDEN**

|            |                          |                               |  |                        |  |
|------------|--------------------------|-------------------------------|--|------------------------|--|
| TAA Burden | Hrs. Per TAPR Submission | States Submitting Per Quarter | Annual TAPR Burden Hours (2.5*50 states*4 submission per year) | Applicable Hourly Rate | Annual TAPR Burden Dollars (500*\$39.17) |
|------------|--------------------------|-------------------------------|--|------------------------|--|

|                 |     |    |     |         |             |
|-----------------|-----|----|-----|---------|-------------|
| TAPR Submission | 2.5 | 50 | 500 | \$39.17 | \$19,585.00 |
|-----------------|-----|----|-----|---------|-------------|

Combining the burden estimates for collecting and reporting 1205-0392 results in the estimates represented in the table below:

**TOTAL BURDEN**

|   |              |
|---|--------------|
| Annual Hour Burden<br>(9000 for collection + 500 for reporting) | 9500         |
| Hour Burden for Each Submission<br>(9500/50 states/4 quarters)  | 47.5         |
| Cost Burden<br>((\$352,530.00 + \$19,585.00))                   | \$372,115.00 |

**A.13 Estimated Cost to Respondents**

19 USC 2285 stipulates that a portion of administrative funds distributed to states should be used to address necessary reporting system upgrades needed to accommodate new statutory provisions under the Trade Act of 1974, as amended by TGAAA. Therefore there is no cost to respondents.

**A.14 Estimates of Annualized Costs to Federal Government**

ETA collects and stores the data in house, through its Office of Performance and Technology. The cost to the Federal government is minimal. It is estimated that staff spend 5 hours per quarter monitoring the data and providing technical assistance for a total of 20 hours per year. Using an average hourly staff rate of \$32.50, the estimated annual cost to the Federal government is \$650.00.

**A.15 Changes in Burden**

There are no changes in burden. The concept of requiring additional quarters was discussed during regional conference calls with states. The state of New York first proposed that the requirement to submit TAPR files should be expanded to 10 quarters in order to allow a single file to meet this OMB requirement for 1205-0448, rather than the four separate files that they would have to use when reporting 6 quarters after exit. All states currently have electronic case management and reporting files where the data is stored in a database. All states must keep data going back at least 10 quarters to fulfill data validation requirements under 1205-0448. Using these facts, states must simply expand the date parameters in the query that is written to pull the relevant records, in this case moving from a range 6 quarters after exit to 10 quarters after exit. Approximately 60% of states (29) currently report 10 quarters after exit.

**A.16 Tabulation of Publication Plans and Time Schedules for the Project**

States submit the TAPR reports on a quarterly basis to DOL within 45 days after the end of each program year quarter. Reports are due on the following dates:

| Report Quarter | Due Date |
|----------------|----------|
|----------------|----------|

|                |                     |             |
|----------------|---------------------|-------------|
| 1st Quarter FY | October to December | February 14 |
| 2nd Quarter FY | January to March    | May 15      |
| 3rd Quarter FY | April to June       | August 14   |
| 4th Quarter FY | July to September   | November 14 |

Quarterly report data are analyzed by ETA and VETS staff. Data analysis is used to identify strategies for continuous improvement and areas where additional federal guidance is needed. DOL uses these data to prepare GPR reports, management and budget reports, Office of Management and Budget's (OMB) Program Assessment Tool (PART), and other ad hoc reports.

Each year, the Department issues an annual report summarizing program performance against the Secretary's goals. Some of the data included in the Department's annual report are generated from the TAPR reports. Additionally, ETA prepares an annual report for TAA based on the data collected through the TAPR. To satisfy its requirements under Title 38, the Veterans' Employment and Training Service (VETS) publishes an annual report that focuses on services delivered by DVOP and LVER staff. The Department's annual report, ETA's TAA annual report, and VETS annual report are submitted to Congress. All reports are available on the Internet and accessible to the general public and interested stakeholders.

**A.17 Approval Not to Display OMB Expiration Date**

The expiration date for OMB approval will be displayed. We are not seeking approval to have this concealed.

**A.18 Exceptions to OMB Form 83-I**

No exceptions are requested in the "Certification of Paperwork Reduction Act Submissions."

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection request does not contain statistical methods.