

## **OMB Control No. 1205-0342: Supporting Statement for Updated Investigative Forms Used to Assess Eligibility**

### **A. Justification**

#### **A-1. Reasons for Data Collection**

On February 17, 2009, the President signed into law the Trade and Globalization Adjustment Assistance Act of 2009 as part of the American Recovery and Reinvestment Act (ARRA). This statute provides for new eligibility criteria designed to expand the number of petitioning worker groups assessed as adversely affected by trade and therefore determined eligible to apply for Trade Adjustment Assistance.

In the revision, ETA modified the forms in OMB 1205-0342 to accommodate the amended Trade Act. In the original revision, both the number of forms and information collected were revised. The forms have been revised further for conciseness and effectiveness. The number of forms decreases while the information collected remains consistent with the original revision.

Section 221 (a) of Title II, Chapter 2 of the Trade Act of 1974, as amended (19 USC § 2271 et seq.) authorizes the Secretary of Labor and the Governor of each State to accept petitions for certification of eligibility to apply for adjustment assistance. The petitions may be filed by a group of workers, state workforce office, their certified or recognized union or duly authorized representative, employers of such workers, one-stop operators or one-stop partners. ETA Form 9042, Petition for Trade Adjustment Assistance, and its Spanish translation, ETA Form 9042a, establish a format that may be used for filing such petitions. Regulations regarding petitions for worker adjustment assistance may be found at 29 CFR 90.

The remaining forms in the revision are undertaken in accordance with Sections 222, 223 and 249 of the Trade Act of 1974 (19 USC § 2272, 2273 et seq.), as amended, which require the Secretary of Labor to certify groups of workers as eligible to apply for worker trade adjustment assistance (TAA). A determination of eligibility is reached after reviewing all the information obtained for each petition for worker adjustment assistance filed with the Department. The information collected in these data collections is necessary for the Secretary to specifically determine to what extent, if any, foreign competition has impacted the selling market of petitioning workers' firm, or a shift in production outside the United States, and thus determine whether the statutory criteria of eligibility to apply for TAA is met. These forms, which are used to investigate whether the petitioning worker group may be adversely affected by trade, are submitted to companies that are connected to the petitioning worker group, either as direct employers, or as some part of the petitioning worker group's customer base. These forms are listed below with italicized headings providing the revised collection format (totaling 6 forms), and then bulleted underneath according to the current format (totaling 9 forms):

#### *ETA-9043a Business Confidential Data Request – Firms that Produce an Article (CDR-A)*

- *ETA-9043a Business Confidential Data Request – Firms That Produce an Article (CDR-A)*

- ETA-9043c Business Confidential Data Request Firms Who Work on a Contractual Basis (incorporated into ETA-9043a & ETA-9043b as it relates to each)

*ETA-9043b Business Confidential Data Request – Firms That Supply a Service (CDR-S)*

- ETA-9043b Business Confidential Data Request – Firms That Supply a Service (CDR-S)
- ETA-9043c Business Confidential Data Request Firms Who Work on a Contractual Basis (as it relates to ETA-9043b)

*ETA-8562a Business Confidential Customer Survey*

- ETA-8562a Business Confidential Customer Survey – First Tier Purchasers of Articles
- ETA-8562b Business Confidential Customer Survey – Services

*ETA-8562a-1 Business Confidential Customer Survey – Second Tier Purchasers of Articles*

- ETA-8562a-1 Business Confidential Customer Survey – Second Tier Purchasers of Articles (no changes)

*ETA-8562b Business Confidential Customer Survey – Contracts and Projects*

- ETA-8562c Business Confidential Customer Survey – Article Related Projects
- ETA-8562d Business Confidential Customer Survey– Service Related Contracts

*ETA 9118 Business Confidential Information Request – Controlled Workers*

- ETA 9118 Business Confidential Information Request – Controlled Workers (no change)

**A-2. Users, Purposes, and Consequences of Failure to Collect the Information.**

The submissions will only be used by Employment and Training Administration (ETA) staff who will review the collected information in order to assess whether the petitioning worker group meets the statutorily mandated criteria for group eligibility under 19 USC § 2272 and 2273 et seq. Failure to do the collection would prevent the administration of TAA benefits and services as provided in 19 USC § 2274 et seq.

**A-3. Technology and Obstacles Affecting Reporting Burden**

There are no obstacles. Respondents may use email, fax, couriers, U.S. Postal Service or a number of express delivery services to provide the correspondence.

In addition, an electronic petition filing application has been developed that will allow for users to go to the DTAA website, complete the application online, sign the petition electronically and then click a button that will result in simultaneous transmission of the petition to both the Department of Labor and the relevant State agency. It should be noted that the electronically filed petition application will not replace the paper petition, but will be available to provide an additional paperless option for those users who prefer it.

**A-4. Duplication**

There is no duplication for this collection.

#### A-5. Small Business

The collection of this information does not significantly impact small business or small entities.

In order to minimize the burden placed on small businesses or other small entities by the 9043a Business Confidential Data Request, ETA 8562a Business Confidential Customer Survey, ETA 9118 Business Confidential Information Request – Controlled Workers, DTAA staff assist, by telephone, firms or entities experiencing difficulty in completing the forms.

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

The petition and its Spanish translation are designed to be as simple as possible, taking only a few minutes to complete, and generally to be filled out by workers, employers or firm representatives.

For the remaining forms, only 40 days are statutorily permitted from the receipt of the workers' petition to make a determination of worker eligibility to apply for TAA. In order for the 40-day statutory time limit to be met, DTAA must not only issue the Business Confidential Data Requests, Business Confidential Customer Surveys and Business Confidential Information Request Questionnaires in successive order, but must obtain responses as quickly as possible after receipt of the petition. Thus, if the surveys were conducted less frequently, the Secretary would not be able to make the determinations as required by law.

#### A-7. Special Circumstances Involved in Collection of Data

The ETA Form 9042A Petition for Trade Adjustment Assistance and Alternative Trade Adjustment Assistance and its Spanish translation are consistent with the guidelines in 5 CFR 1320.5.

The ETA 9043a Business Confidential Data Request, ETA 8562a Business Confidential Customer Survey, and ETA 9118 Business Confidential Information Request are not consistent with the guidelines in 5 CFR 1320.5, because the requested information is to be returned in less than 30 days. This is necessary in order to meet the 40-day statutory requirement discussed in Item number 6 above. Frequently, several different forms must be administered within the same 40 day period. Since these data collections are undertaken sequentially, respondents need to complete and return the form in less than 30 days.

#### A-8. Preclearance Notices and Responses

A Federal Register Notice was published on April 29, 2009 (Vol. 74, p. 19602) concerning this collection that notified the public on how to access the documents in this information collection. The agency's notice soliciting sixty days comments on the information collection prior to submission to OMB was published in the Federal Register on June 18, 2009 (Vol. 74, No. 116,

page 28955 et seq.). The deadline for submission of comments under this notice was August 17, 2009. No comments were received.

#### A-9. Payments to Respondents

There are no payments to respondents.

#### A-10. Confidentiality

This information, in the form of a confidentiality statement, is provided to respondents on the information collection instruments:

“All information submitted under this request will be used to determine whether the criteria for certification of the workers covered by the petition have been satisfied. The U.S. Department of Labor will protect the confidentiality of the information you provide to the full extent of the law, in accordance with the Trade Act, 19 USC 2272 (e)(3)(c), the Trade Secrets Act, 18 USC 1905, the Freedom of Information Act, 5 U.S.C. 552, and 29 CFR Parts 70 and 90.”

#### A-11. Questions of a Sensitive Nature

The data collection includes no questions of a sensitive nature.

#### A-12. Respondents’ Burden and Cost of Collecting Information

### **INFORMATION COLLECTION #I: INVESTIGATIVE DATA COLLECTION REQUIREMENTS AS AMENDED BY 19 USC § 2271, ETA 9042 and ETA-9042a PETITION FORMS**

It is estimated that in fiscal year (FY) 2010 the Department will receive approximately 3,198 ETA-9042 petition forms. Since receipt of this form will trigger the issuance of all subsequent forms authorized under OMB 1205-0342, this number (3,198) is used as part of the calculation in establishing the burden hours and costs for all of the forms.

During the year, it is estimated that each ETA 9042 or ETA 9042a (Spanish version) or 9042a-1 (electronic petition) will require an average time burden of 25 minutes per petition. This total includes the estimated 20 minutes that it will take the respondent to complete the petition, and an additional 5 minute burden per petition for state agencies, including time to review petition for completeness.

3198 respondents x .416 hours (25 minutes) = 1326.21 hours

The annual cost to respondents for submitting the ETA 9042 and its variants is estimated at \$39,846.66. The petition form may be filed by 3 workers, a union representative, a company

official or a community based organization. Therefore, the salaries could range from about \$7. for a minimum wage employee to \$300 per hour for a CEO, with an estimated average of \$32.00.

The annual cost for the 3,198 petitions for State agency review is estimated at \$6,075.78. This estimate is based on estimates on the \$22.95 average hourly earnings for managerial and professional workers as reported in the Employment and Earnings Journal.

The annual cost for the 3,198 petitions for petitioners is estimated at \$33,770.88. The petition form may be filed by 3 workers, a union representative, a company official or a community based organization. Therefore, the salaries could range from about \$7.00 for a minimum wage employee to \$300 per hour for a CEO, with an estimated average of \$32.00.

For a more detailed breakdown of cost burden for ETA-9042, 9042a and 9042a-1, see Table 12a below:

<b>TABLE 12a: SUMMARY OF BURDEN COST TO RESPONDENTS</b>					
A	B	C	D	E	F
Role of individual(s) regarding petition	Estimated number of responses	Individual Time burden	Time Burden for all forms (B*C)	Hourly Salary	Cost Burden for all forms (D*E)
Petition filers	3198	.33 hours (20 minutes)	1055.34 hours	\$32.00	\$33,770.88
State Reviewers		.083 hours (5 minutes)	265.4 hours	\$22.89	\$6,075.78
<b>TOTAL PETITION BURDEN</b>		.416 hours (25 minutes)	1332.29 hours		\$39,846.66

**BREAKOUT OF FOUR TYPES OF RESPONDENTS WHO FILL OUT ETA-9042 and 9042a**

The table below further delineates the distribution of hour burden by breaking out categories of people filling out TAA petitions in English and Spanish (ETA-9042, 9042a). In calendar year 2008, the latest year for which we have such data, a management information system maintained by the Department of Labor calculated that 9042 and the 9042a submissions totaled 2,452. In order to obtain an annualized estimate of future submissions, each of the most recent year's numbers should be increased by 30%, which reflects estimates the expanded population of worker groups from the service sector which may be deemed eligible from service industries. As a result, the annualized estimates for petition activity in the proposed 9042 and 9042a, totals 3,198. This number includes 1,785 from the private sector (including 1,440 company officials and 345 unions), 569 filed by the public sector (or state /local government staff), and 844 filed by individuals (groups of three or more workers). For further elaboration, please see Table 12B below:

<b>TABLE 12B: Breakout of Petitioner Types for ETA-9042</b>					
Type of Petitioner	CY 2008 petition activity	Projected increase of 30% more activity	Audience	Projected petition activity	Percent of Projected petition activity
Company official	1108	1440	Private	<b>1785</b>	55.2%
Unions	265	345			
State/Local	438	569	Public	<b>569</b>	17.8%
Workers	649	844	Individuals	<b>844</b>	27 %
<i>Total</i>	<b>2452</b>	3198		<b>3198</b>	100%

NOTE: A similar table is not provided for the subsequent information collections below because all forms in Information Collection #II are filled out by company officials or their representatives and are mandatory.

**INFORMATION COLLECTION #II; BUSINESS CONFIDENTIAL DATA REQUESTS, BUSINESS CONFIDENTIAL INFORMATION REQUESTS, BUSINESS CONFIDENTIAL CUSTOMER SURVEYS**

Business Confidential Data Requests: ETA 9043a and 9043b

It is estimated that for submissions of 9042 or 9042a that are received, a 9043a will be issued to the petitioning worker group's company 50% of the time (in cases where the worker group produces an article), while the 9043b will be submitted to the other 50% (in cases where the worker groups provide a service). Previously, the 9043c, (which served as an addendum to either the 9043a or 9043b in cases where the company solicits a significant portion of its business through a bid process), was estimated to be necessary in 5% of all petition investigations. That information has been integrated into the 9043a and 9043b forms, so 9043c is no longer necessary and is estimated to not add any time burden. To estimate the burden hours, DTAA used a random sample of past responses to TAA confidential data responses. It is estimated that the revised form 9043a and 9043b should take 4 hours per response. Using the average, ETA estimates a total of 6,376 hours for ETA-9043a and 6,376 for ETA-9043b. For further elaboration, see Table 12C:

<b>Table 12C: Time Burden for ETA 9043a and 9043b</b>			
A	B	C	D
ETA Form Number	Number of Responses/ % of 3,198	Time Burden per response	Total Time Burden (B*C)
9043a	1,599/50%	4 hours	6,396 hours
9043b	1,599/50%	4 hours	6,396 hours
	3,198/NA		12,792 hours

In order to determine the annualized cost, DTAA estimates an hourly salary of company officials to be completing the forms to be \$30 an hour. The resulting calculations are noted below:

<b>TABLE 12D: SUMMARY OF BURDEN COST TO RESPONDENTS</b>			
A	B	C	D
ETA Form Number	Total Time Burden (See Table 12b, Column "D")	Estimated Hourly Salary for Staff	Total Burden Cost (B*C)
9043a	6396 hours	\$30.00	\$191,880.00
9043b	6396 hours		\$191,880.00
			\$383,760.00

Customer Surveys: ETA 8562a, 8562a-1, 8562b, 8562c, 8562d

Based on the most recent annualized activity, it is estimated that the customer survey information collected by the current 8562 is needed in 50% of all petitioning worker group investigations, or 1,599 of 3,198 ETA 9042 petition forms that are anticipated annually. Using a sample of cases requiring customer surveys, DTAA approximates that about 4 customer surveys will be sent for each petitioning worker group, leading to a total of 6,396 survey questionnaires to be sent. (Four customers reducing purchases from the subject firm represents an average number used to represent the subject firm’s sales decline). This estimate is upward biased as it considers the number of surveys sent to customers, not the number of respondents.

Regarding time burden, ETA estimates a slight decrease in the ETA-8562 (Business Confidential Customer Survey) group. ETA-8562a (Articles), which normally took 2.5 hours to complete, and 8562b (Services), which took 2 hours to complete, have been combined. ETA-8562a (Business Confidential Customer Survey) will now be used for both articles and services. Due to streamlining the questions in the form, the estimated time to complete 8562a is 2 hours. 8562c (Business Confidential Customer Survey Article Related Projects) and 8562d (Business Confidential Customer Survey Service Related Contracts) have also been combined into 8562b with an estimated completion time of 2 hours. ETA-8562a-1 (Business Confidential Customer Survey Second Tier Purchases of Articles) remains unchanged at 2 hours.

In terms of frequency that each of the above mentioned forms will be issued, it is anticipated that the 8562a will be issued in 45% of all cases where an ETA 9042 has been filed on behalf of a



worker group, or 1439.1 each of 3,198 initiating petitions. In turn, it is assumed that a customer survey for those businesses that solicit work through a bid process (ETA-8562b) will be necessary in five percent total, each of all cases that are initiated by the ETA 9042, or 160 each. The ETA 8562a-1, which will only be issued to the customers of the petitioning worker groups' customers, is only collected cases where the ETA-8562a is first issued and is estimated to be collected in 25% of all cases where an ETA-8562a is involved, or 11.25% of all 3,198 petition investigations.

<b>TABLE 12E: SUMMARY OF TIME BURDEN FOR ETA 8562a, 8562b and 8562a-1</b>			
A	B	C	D
Form Number	Estimated Percent of 3,198/ Number of Responses	Individual Time Burden for Each Form	Sum of Time Burden for forms (B*C)
8562a	45%/1439.1	2 hours	2878.2 hours
8562b	5%/159.9	2 hours	319.8 hours
8562a-1	11.25%/359.78	2 hours	719.55 hours
	NA/1958.78		3917.55 hours

In order to determine the annualized cost, DTAA estimates an hourly salary of company officials to be completing the forms to be \$30 an hour. The resulting calculations are noted in Table 12F below:

<b>TABLE 12E: SUMMARY OF BURDEN COST FOR ETA 8562a, 8562b, 8562c, 8562d, 8562a-1</b>
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A	B	C	D
Form Number	Time Burden (see TABLE 12E, Column “D”)	Estimated Hourly Salary for Staff	Total Cost Burden (B*C)
8562a	2878.2 hours	\$30.00	\$86,346.00
8562b	319.8 hours		\$9,594.00
8562a-1	719.55 hours		\$21,586.50
	4277.33 hours		\$117,526.50

ETA 9118

ETA 9118 Business Confidential Information Request – Controlled Workers remains unchanged, and is submitted to the employer of a petitioning worker group that exclusively provides contract support for companies that may produce an article or supply a service that is adversely affected by trade. It is estimated that contracting petitioning worker groups file ETA 9042 petition forms in 5% of the estimated annual submission of 3,198 petitions, for a total of 159.9 possible situations.

<b>TABLE 12G: SUMMARY OF TIME BURDEN FOR ETA 9118</b>			
A	B	C	D
Form Number	Percent of 3,198/Number of Responses	Individual Time Burden	Total Burden Hours

ETA-9118	.05%/159.9	1 Hour	159.9 Hours
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In order to determine the annualized cost, DTAA estimates an hourly salary of company officials to be completing the forms to be \$30 an hour. The resulting calculations are noted in Table 12H below:

<b>TABLE 12H: SUMMARY OF BURDEN COST FOR ETA 9118</b>			
A	B	C	D
Form Number	Total Burden Hours (See TABLE 12G, Column "D")	Hourly Staff Salary	Total Cost Burden
ETA-9118	159.9 Hours	\$30.00	\$4,797.00

A-13. There are no capital or start-up costs involved in the collection of the data for the petition form. The burden hours associated with editing, analyzing, validating in inputting the data are described in Item 12.

A-14. The annualized cost to the Federal Government for the ETA 9042 and 9042a is \$0. Currently the TAA petition is made available exclusively by download on its website.

The annualized cost of the 9043a to the federal government is estimated at \$2.25, or 5 minutes of staff time at a rate of \$27 an hour. This estimate is based on the assumption that entering correct petitioning worker group information and updating the relevant time periods on the form requires five minutes of staff time at an approximate salary of \$27 per hour.

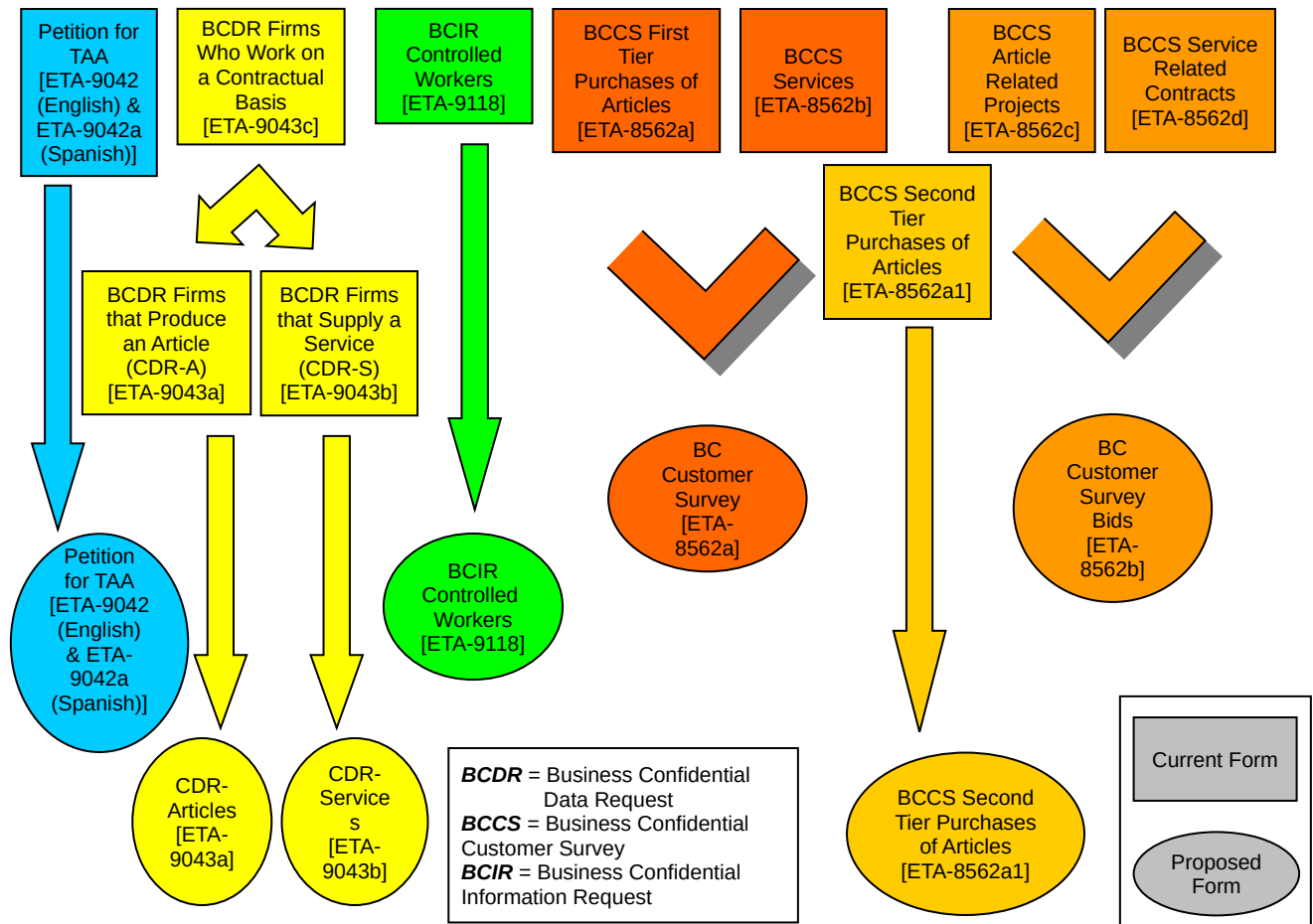
The annualized cost to the federal government for each 8562 questionnaire is estimated at \$2.25 for each form, or a total of \$4,407.24. This is based on the assumption that it takes approximately 5 minutes of staff time to modify the form to reflect accurate contact information, product description and relevant time periods, at a salary estimated at \$27.00 per hour.

Form Number	Staff Salary/Cost	Number of Responses	Total (Staff Cost Multiplied by Number of Responses)
ETA 9042 &	\$0.00	3,198	\$0.00

9042a			
ETA 9043a & 9043b	\$2.25	3,198	\$7,195.50
ETA 8562a, 8562a-1 & 8562b	\$2.25	1,958.78	\$4,407.26
ETA 9118	\$2.25	159.90	\$359.78
Totals			\$11,962.53

A-15. Changes in the data collection proposed under 1205-0342 are made due to three months experience utilizing the older forms; the program realized that there are inefficiencies and confusion, and the proposed forms are the result of correcting those. Questions, information and data fields have been combined, added, removed and moved. Some forms have been absorbed and others have been combined to adequately assess petitioning group eligibility for Trade Adjustment Assistance. These include:

- Integrating contract information from ETA-9043c into ETA-9043a for articles and ETA-9043b for services, thus nullifying the necessity for ETA-9043c
- Combining the Customer Survey of First Tier Purchases of Articles (ETA-8562a) with the Customer Survey of Services (ETA-8562b) to create a single Business Confidential Customer Survey (ETA-8562a)
- Combining the Customer Survey for Article Related Projects (ETA-8562c) with the Customer Survey for Service Related Contracts (ETA-8562d) to create a single Business Confidential Customer Survey for Contracts and Projects (ETA-8562b)



PETITION CHANGES

The Petition for TAA [ETA-9042] and its Spanish translation [ETA 9042a] remain unchanged.

INVESTIGATIVE FORM CHANGES

ETA 9043a and 9043b

There are no significant data or information changes made to the proposed forms from the current forms. The one significant change is that unsuccessful bid information from the *Business Confidential Data Request (BCDR) – Firms Who Work on a Contractual Basis (ETA-9043c)* will be absorbed into the *BCDR – Firms That Produce an Article (ETA-9043a)* and *BCDR – Firms That Supply a Service (ETA-9043b)*. The need for ETA-9043c is nullified, thus leaving only 9043a and 9043b.

*Specific Changes to BCDR Forms that Produce an Article [ETA-9043a]*

- Department of Labor (DOL) contact information added at the beginning, after the petition information
- “Instructions” information after petition information removed due to redundancy. Instructions are found on the *Processing Instructions* on the first page of the form
- Under *Subject Firm Information*, it asks for the names and addresses of all contracting and staffing agencies supplying leased or temporary workers provided to the subject firm and their functions. This question is moved from the *Organizational Structure* section
- The *Organizational Structure* section is placed before the *Articles Produced* section
- Under *Articles Produced*, a question is added which asks if articles produced by the subject firm are used as components in another article and to identify them
- Under *Articles Produced*, a question is added if workers are separately identifiable by product if the subject firm produces more than one product
- Under *Recent Activities of Subject Firm*, it asks how many workers were separated since the impact date, and when any future worker separations are expected
- The questions under *Recent Shifts in Production and Imports* in current form have been placed under *Recent Activities of Subject Firm* in proposed form
- The information from sections *Total Employment / Employment per Article at Subject Firm* and *Subject Firm Sales, Production, and Imports* in the current form have been combined into *Subject Firm Employment, Sales, Production, and Imports*
- The *Lost Bids / Contracts for Articles* section was incorporated from ETA-9043c

#### *Specific Changes to BCDR Firms that Supply a Service [ETA-9043b]*

- Department of Labor (DOL) contact information added at the beginning, after the petition information
- The “ATTENTION Public Agency Respondent” explanation was removed
- “Instructions” information after petition information removed due to redundancy. Instructions are found on the *Processing Instructions* on the first page of the form
- Under *Subject Firm/Public Agency Information*, it asks for the names and addresses of all contracting and staffing agencies supplying leased or temporary workers provided to the subject firm and their functions. This question is moved from the *Organizational Structure* section
- The *Organizational Structure* section is placed before the *Services Supplied* section
- Under *Organizational Structure*, a question is added asking if there are any other subdivisions manufacturing articles that are like or directly competitive with the articles manufactured at the subject firm, and to attach diagrams of the organizational structure
- Under *Services Supplied*, a question is added if more than one service is provided at the subject firm, if workers are separately identifiable by service
- *Recent Employment Activities of Subject Firm* changed to *Recent Activities of Subject Firm*
- Under *Recent Activities of Subject Firm*, a question is added asking how many workers were separated at the subject firm since the impact date

- All questions under *Recent Shifts in Services and Imports* in the current form have been moved under *Recent Activities of Subject Firm*, except a question asking if the firm has lost bids for contracts in the past two years, which was left out
- At the end of *Recent Activities of Subject Firm*, an ‘Important’ notice is placed, saying that if the company increased imports of services identified in the section of shifted the supply of services to a foreign country to stop their and contact the DOL investigator assigned to the case for further instructions
- The information from sections *Subject Firm Sales, Production and Imports* and *Total Employment / Employment per Service at Subject Firm* in the current form are combined and placed under *Subject Firm Employment, Sales, Production, and Imports* in the proposed form; the direction is added that if more than one service is provided at the location, to reproduce and complete a form for each service
- Under *Sales to Customers*, the question is added asking if the numbers shown are actual or estimates; and the question asking to identify the article if the service is used to produce an article is removed
- The *Lost Bids / Contracts for Services* section was incorporated from ETA-9043c

#### ETA 9118

- The Business Confidential Information Request – Controlled Workers [ETA 9118] remains unchanged.

#### ETA-8562a, a1, and b

The Business Confidential Customer Surveys [currently known as ETA-8562a, a1, b, c and d] is proposed to be condensed from five into three separate forms:

1. Current forms *Business Confidential Customer Survey – First Tier Purchasers of Articles [ETA 8562a]* and *Business Confidential Customer Survey – Services [ETA 8562b]* will be condensed into a single form, *Business Confidential Customer Survey [ETA 8562a]*
2. Current forms *Business Confidential Customer Survey – Article Related Projects [ETA 8562c]* and *Business Confidential Information Request – Service Related Contracts [ETA 8562d]* will be condensed into a single form, *Business Confidential Customer Survey – Bids [ETA 8562b]*
3. The current form, *Business Confidential Customer Survey – Second Tier Purchasers of Articles [ETA 8562a1]* will remain unchanged

#### *Specific Changes to Business Confidential Customer Survey [ETA 8562a]*

- Under the *Processing Instructions* on the first page, the proposed form asks for the subject firm’s name, city and state

- Throughout the entire proposed form, it asks for “Article or Service” together, instead of either “Article” or “Service” independently
- Throughout the entire proposed form, language relating to services performed and articles manufactured are deleted when previously alone, or added when needed
- For Question #1:
  - The phrase, “Include like or directly competitive products or services” is in the proposed form and the current form covering articles, but not in the current service form
  - The headers in the table in the proposed form have been consolidated from both previous forms
  - Examples of measurable quantities are given under the table
  - Under the table, a question is added to list the countries where the imports originated
- For Question #2
  - If the “product was wholly or partially” manufactured was added
  - Appropriate years are added in the table
  - “List countries” is deleted
  - “Are numbers shown actual or estimates?” is deleted
- In Question #4, the questions from the current two forms are combined and simplified, asking if the firm produces articles incorporating component parts or supplies services
- The IMPORTANT statement is simplified, instructing the person filling out the form where to proceed to depending on the answer given in Question #4
- Question #5 simplifies the identification of the articles incorporated into components and services supplied by the firm. This information is also asked for in Question #8 in the proposed form
- Question #6 in the proposed form asks for a list of all U.S. facilities of the firm that produce articles incorporating components or services purchased from the subject firm
- In the current two forms, the data from Questions #6, #7 and #8 have been simplified and placed in Question #8 for the proposed form
- Question #7 on the proposed form has been added, asking if the company is switching from purchasing articles or services from the subject firm to a supplier outside the U.S.
- Question #8 in the proposed form has been added, for each article identified in Question #5 to provide information on the firm’s total sales, U.S. imports which contain U.S. manufactured part and non-U.S. manufactured part, and a list of countries where the U.S. imports originated
- Question #10 in the current forms is simplified and added into Question #9 in the proposed form, asking for a list of the firm’s foreign and domestic declining customers that account for the majority of the sales for the last two years

*Specific Changes to Business Confidential Customer Survey – Bids [ETA 8562b]*

- Question #4 has no changes from the current survey for services, but deletes, “first shipment of the product to arrive” from the current article survey
- Question #5 has no changes from the current survey for services, but deletes, “last shipment to be delivered” from the current articles survey



- Question #6 merges from both the current articles and services survey the question asking for an indication of where products or services were supplied from

*There are no changes to Customer Survey – Second Tier Purchasers of Articles [ETA 8562a1]*

**Notes on Total Number of Respondents for ETA 9042A, ETA 9043a, ETA 9118 and ETA 8562a**

This section explains why the number of “unique” respondents in the revision differs from the total number of responses in several forms.

The ETA 9042 Petition for Trade Adjustment Assistance and its variants serves as the initiating document in all investigations for TAA group eligibility, and is completed and submitted by unique respondents. Similarly, the customers that complete the ETA 8562a, 8562a-1 or 8562b do not complete any of the other forms authorized under OMB 1205-0342. As a result, the number of responses for each of these forms matches the number of respondents.

In contrast, it is estimated that 45% of the respondents to the ETA-9043a also complete the 9042, or one of its variants. That is because historical data shows that 45% of ETA 9042 petition forms are completed and submitted by the companies that employ the petitioning workers, and these same companies will be required to complete ETA-9043a.

Because 45% of the respondents that complete the 9042 will also complete ETA-9043a or ETA-9118, there is a resultant reduction in the number of respondents indicated for these two forms. The reduction is established by multiplying 3,198 (petitions received) by 55% (the proportion of unique respondents to the ETA-9043a and ETA-9043b combined).

$3198 \times .55 = 1758.9$  unique respondents for ETA 9043a, ETA 9043a-1 and ETA 9118 combined

Further, ETA-9118 is only issued as an addendum to ETA 9043a, so it has no unique respondents.

The table below incorporates the numbers above in order to provide:

- a comparison of responses and unique respondents for each form, and
- relevant data that reveals how the total burden hours is a direct result of the formula:

*# of responses x average time per response = hour burden*

Form	Responses	Unique	Average Time	Total
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Number		Respondents	per Response	Requested Burden
ETA 9042 & ETA 9042a	3198	3198	0.4166 hours (25 minutes)	1332.5 hours
ETA 9043a, 9043b, 9043c and ETA 9118 (combined total)	3517.8****	<b>1758.9*</b>		
ETA 9043a	1599	<b>879.5**</b>	4 hours	6396 hours
ETA 9043b	1599	<b>879.5**</b>	4 hours	6396 hours
ETA 9118	159.90	<b>0</b>	1 hour	159.90
ETA 8562a	719.55	719.55	2 hours	1439.1 hours
ETA 8562a-1	359.78	359.78	2 hours	719.55 hours
ETA 8562b	719.55	719.55	2 hours	1,439.10 hours
TOTALS	8354.78	6755.88		17882.15 hours

\* 1758.9 is 55% of 3198

\*\* 879.5 is 50% of 1758.9

\*\*\*forms collected for:

- o ETA-9043a = 1599 +
- o ETA-9043b = 1599 +
  
- o ETA-9043c = 159.9 +
  
- o ETA-9118 = 159.9
  
- o Sums to 3517.8

The reviewer will note that the ETA-9042, ETA 8562a, ETA-8562a-1 and ETA-8562b have the same number of respondents as responses, while the ETA 9043a, 9043b and 9118 do not.

Notes on Change in Burden for Revised 1205-0342 vs. Currently Approved 1205-0342

The revised collection for 1205-0342 reflects a net decrease burden of 759.53 hours. Note that:

- ETA-9043 and its variant reflect decreased burden due to reorganization of information within the forms, and the integration of 9043c, resulting in its elimination
- ETA-8562 and its variants reflect a decreased burden due to reorganization of information within the forms, and the combining of 8562a with 8562b to create 8562a; and combining 8562c with 8562d to create 8562b
  
- ETA-9042 and 9042a burden remain unchanged
  
- ETA-9118 burden remains unchanged

<b>Change in Hour Burden between revised 1205-0342 and currently approved 1205-0342</b>			
<b>ETA Form #</b>	<b>Total Hour Burden for 1205-0342 revision</b>	<b>Total Hour Burden for 1205-0342 currently approved</b>	<b>Difference</b>
9042	1332.29	1332.29	0
9043 (revised to 2 forms)	12792	12871.95	-79.95
8562 (revised to 3 forms)	3597.75	4277.33	-679.58
9118	159.90	159.9	0
<b>TOTAL</b>	<b>17882</b>	<b>18641</b>	<b>-759</b>

A-16. Publication Information

There are no plans to publish the data for this collection of information.

A-17. Display of OMB Expiration Date

The expiration date for OMB approval of the information collection will be displayed on the report form.

A-18. Exceptions to the Certification Statement

There are no exceptions to the certification statement.

**B. Use of Statistical Methods**

This collection does not employ statistical methods.