

SUPPORTING STATEMENT
Trade Activity Participant Report (TAPR)
OMB Control No. 1205-0392

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.*

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 Adjustment Reauthorization Act of 2015 (TAARA 2015). Broad authority to collect data from states regarding activity for TAA is also found in 20 CFR 617.57 and 617.61.

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.*

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).

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 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 Unemployment Insurance (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.

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.*

Currently, 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.

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

No small businesses or entities are impacted.

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 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 Trade and Globalization Adjustment Assistance Act (TGAAA) and under the Government Performance and Results Act (GPRA).

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner:*

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

8. *If applicable, provide a copy and identify the date 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 recordkeeping, 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.

A 60-day Notice was published in the Federal Register on February 2, 2016 (81 FR 5486). No public comments were received. Telephone conferences and live presentations with states were conducted from January through March of 2012 to ensure smooth submission of TAPR data. (Prior to the last update to the current record layout.)

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

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

10. *Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.*

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. The Privacy Act does not apply because 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.

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 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.

12. *Provide estimates of the hour burden of the collection of information.*

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 three parts: A) the burden of collecting participant data by state staff, B) the burden on program participants (third party disclosure) who must provide information that is used in the participant records, and C) the burden of preparing the TAPR submission for reporting.

TABLE 12A: DATA COLLECTION BURDEN- STATE STAFF

Each quarter, the states submit a file that contains information on current participants, as well as terminees. The Department currently receives approximately 100,000 records (composed of nine quarters worth of data) each quarter. This results in an average of 2,000 records per respondent (state). The annual total is approximately 400,000 records (50 states reports 2,000 records per quarter) Much of the data collection done by the states is automated, thus the 0.02 hour (1.2 minutes) estimate per record provided in the table below. Each state's burden for reporting to DOL is 40 hours (0.02 hours x 2,000) each quarter. Again, the table below describes the burden for each record. Some of the information in the participant record is updated each quarter – again, largely from automated data linkages.

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Number of Respondents (States)	Number of Responses Per Respondent	Frequency of Response	Total Number of Responses	Average Burden per Response (In Hours)	Total Annual Burden Hours	State Hourly Wage Rate*	Total Cost Burden
50	2,000	4	400,000	0.02	8,000	\$25.50	\$204,000

TABLE 12B: DATA COLLECTION BURDEN- PROGRAM PARTICIPANT/THIRD PARTY DISCLOSURE

When they apply for the program, participants provide demographic and other initial information to the states. This information is provided once for each participant. The table below describes the time and cost estimate of that action.

Number of Respondents (Participants)	No. Of Responses per Respondent	Total Number of Responses	Average Burden per Response (in Hours)	Total Burden Hours	Hourly Wage Rate *	Total Cost Burden
12,500	4	50,000	0.2	10,000	\$7.25	\$72,500

TABLE 12C: DATA REPORTING BURDEN-STATE STAFF

Some states have automated systems that prepare and submit the TAPR with the push of a single button. Others have more manual processes that require manipulation of spreadsheets and multiple database sources. The table below represents the time and cost estimates of the process to submit the report to the Department.

Number of Respondents (States)	Number of Responses per Respondent	Reporting Frequency	Total Number of Responses	Avg. Burden per Response (In Hours)	Total Burden Hours	State Hourly Wage Rate*	Total Cost Burden
50	1	4	200	2.5	500	\$25.50	\$12,750

SUMMARY TABLE (Tables 12A; 12B; and 12C)

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Number of Responses per Respondent	Response Frequency	Total Annual Responses	Per Submission (Hours)	Total Annual Burden (Hours)	Hourly Wage Rate	Total Cost Burden
TABLE 12A: Reporting	50	2000	4	400,000	.02	8,000	\$25.50	\$204,000
TABLE 12B: Third Party Disclosure	12,500	1	4	50,000	0.2	10,000	\$7.25	\$72,500
TABLE 12C: Reporting	50	1	4	200	2.5	500	\$25.50	\$12,750
Unduplicated Totals				450,200		18,500		\$289,250

Note that the \$25.50 Hourly Rate used to calculate state wage cost for the Trade Adjustment Assistance program are based on the estimated average hourly earnings for state-run programs according to the State Government, North American Industry Classification System (NAICS) code 926110 'Administration of general economic programs, All States and US' 2013 Annual Averages, Quarterly Census of Employment and Wages - Bureau of Labor Statistics

(http://www.bls.gov/cew/apps/table_maker/v3/table_maker.htm#type=0&year=2013&qtr=A&own=2&ind=926110&supp=0).

13. *Provide an estimate for 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 already reflected on the burden worksheet).*

As the proposed collection does not diverge from what was approved previously, start-up costs do not apply. In terms of maintenance, 19 USC 2285 stipulates that a portion of administrative funds distributed to states should be used to address system maintenance of data collection required under the Trade Act of 1974, as amended. Therefore, there is no cost to respondents.

14. *Provide estimates of annualized costs 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table.*

ETA collects and stores the data in-house using automated systems that require no adjustments. It is estimated that staff spend 100 hours per quarter, or 400 hours a year, in monitoring the data using licensed software, and providing technical assistance. Thus the total annual cost burden to the Federal Government is \$17,044.

Staff Hours	Hourly Wage*	Total Labor Cost	Annual Software License Fees	Total Cost
400	\$39.61	\$15,844	\$1,200	\$17,044

* This represents the hourly wage of an employee at the GS-12, Step 3 located in Washington, DC.

The source for this is available here: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/16Tables/html/DCB_h.aspx

15. *Explain the reasons for any program changes or adjustments reported on the burden worksheet.*

Item 12

- Time burden established in Table 12B of proposed ICR above differs from previous estimate because of changes to estimated number of responses. The previously approved collection provided an estimate of responses based on total number of *records* reported annually (450,000) rather than participants (who represent third party disclosure). A single participant will be represented repeatedly in successive quarterly records, but the input provided by the participant is generally “one time.” Based on current reporting volumes, the correct number of unique respondents subject to data collection for third party disclosure is 50,000 annually. Correspondingly, the time burden for each unique “participant” respondent is estimated at 12 minutes, or 0.2 hours. This leads to a net increase for the “participant” level time burden of 1,000 hours.
- Salary for proposed hour burden estimated in Table 12A: State Data Collection and 12C: State Reporting has been revised down from \$39.17 to \$25.50 to align with estimates for the DOL-only Performance Accountability, Information, and Reporting System (OMB No. 1205-0521)
- Salary for proposed hour burden estimated in Table 12B: Third Party Disclosure was revised down from \$7.50 per hour to \$7.25 to reflect the current Minimum Wage, in a manner that mirrors OMB No. 1205-0521, referenced above.

CHANGES TO BURDEN					
<ul style="list-style-type: none"> • Proposed Burden unshaded • Current Burden shaded in grey • Current Burden numbers that differ from Proposed Burden are in italics 					
	Annual Responses	Time per Response (Hours)	Annual Burden Hours	Hourly Rate	Monetized Value of Hour Burden

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State Data Record Collection	400,000	0.02	8,000	\$25.50	\$204,000
	450,000	0.02	9,000	\$39.17	\$352,530
Third Party Disclosure (participants)	50,000	0.2	10,000	\$7.25	\$72,500
	450,000	0.02	9,000	\$7.50	\$67,500
State Reporting	200	2.5	500	\$25.50	\$12,750
	200	2.5	500	\$39.17	\$19,585
Unduplicated Totals	450,200 records [400,000 records 50,000 participants 200 reports]	N/A	18,500	N/A	\$289,250
	450,000 records 450,000 participants 200 reports		18,500	N/A	\$439,615
Difference in Unduplicated totals					-\$150,365

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.

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 GPRA reports, management and budget reports, 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.

17. *If seeking approval not to display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.*

The expiration date for OMB approval is displayed.

18. *Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions,"*

There are no exceptions.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.