

SUPPORTING STATEMENT
Trade Adjustment Assistance Program Funding Request
OMB Control No. 1205-0275

A. Justification

The Department of Labor (Department) seeks approval of this revision information collection request to fulfill the requirements of Section 241 of the Trade Adjustment Assistance for Workers program of the Trade Act of 1974, as amended (Act). The current approved version of the collection is based on amendments made to the Act through the Trade Reform Act of 2002 (Pub. L. 107-210). Since that time, there have been three additional major amendments to the Act, most recently through the Trade Adjustment Assistance Reauthorization Act of 2015 (Pub. L. 114-27). One of the major changes authorized funding for the provision of employment and case management services under Section 235 of the Act. The current collection does not take into account this authorized expenditure category.

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 236(a)(2)(D) of the Trade Act of 1974, as amended, requires the Secretary to establish procedures for the distribution of funds remaining after the initial distribution under Section 236(a)(2)(B)(i):

“(D) The Secretary shall establish procedures for the distribution of the funds that remain available for the fiscal year after the initial distribution required under subparagraph (B)(i). Such procedures may include the distribution of funds pursuant to requests submitted by States in need of such funds.”

Enrollment in training is an entitlement for workers adversely affected by imports or shifts of production to certain countries. The Trade program benefits consist of trade readjustment allowances (TRA), job search allowances, relocation allowances, training, and employment and case management services. The Trade Adjustment Assistance (TAA) program has a statutory cap of \$450 million to provide job search allowances, relocation allowances, training, and employment and case management services. The entitlement nature of the TAA program, plus the statutory limitation on the amount of funds which may be obligated for these services requires the Department to institute procedures which ensures that States are funded equitably and that the \$450 million limit is not exceeded.

The Trade and Globalization Adjustment Assistance Act of 2009 (Pub. L. 111-5), amended the Act to include authorization to expend funds for the employment and case management services described in Section 235. Prior to this amendment, funding was not authorized for this purpose. The current collection is based on the 2002 amendments to

the Act and does not reflect this significant change. Thus, a revision is needed to require information on obligations and expenditures of funds under Section 235. As a result, the Department is eliminating the need for states to provide financial information on Job Search and Relocation Allowances on ETA Form 2117. The Department replaced this with the requirement to provide information on the amount of funds obligated and expended on employment and case management services under Section 235 of the Act.

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.*

ETA uses the information to analyze fund utilization rates (e.g., accrued expenditures, obligations, and uncommitted fund balances). Information collected using this form enables the Department to effectively provide financial information to stakeholders such as Congress, OMB, internal and external partners, and the public. States use the form to request additional funds for training costs, job search and relocation allowances, and employment and case management services for trade-affected workers.

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.*

States use their own automated accounting systems to generate financial data. The reserve requests are submitted by the states via email to the Department for consideration. All grant documents are issued electronically to the states and all financial reporting from the states is submitted electronically.

4. *Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

The Department is not aware of any duplication of this data collection. ETA's Office of Trade Adjustment Assistance is the only program that collects this information.

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

This data collection does not involve small businesses.

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 submit the ETA-9117 and the accompanying Standard Form (SF-424) Request for Federal funds on a case-by-case basis as additional funds are necessary to avoid the interruption of a trade-certified individual's training plan. The instructions for requesting reserve training funds are published annually. The current administrative guidance is contained in Training and Employment Guidance Letter 13-18. The absence of these forms would make it difficult to effectively evaluate a request for funds and could potentially allow States to exceed its obligational authority without the Department's knowledge.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner that requires further explanation pursuant to regulations 5 CFR 1320.5.*

The only circumstance that would require reporting more frequent than quarterly would arise in cases where a state determines that prior funding is not sufficient to meet the training needs of eligible individuals therefore; making it necessary to submit a subsequent request for TAA reserve funding within the same quarter.

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.

In accordance with the Paperwork Reduction Act of 1995, a 60 day notice seeking comments from the public was published in the *Federal Register* on March 29, 2019 (84 FR 12003). No public comments were received.

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

No gift or payments will be made to respondents.

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

Information collected on the ETA-9117 is public information. The data collected does not contain any information of a confidential nature. Therefore, no assurances are necessary.

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 questions of a sensitive nature being asked.

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

ETA estimates 25 states apply annually for additional training funding from the reserve account and that the time incurred to complete the ETA-9117 is two hours.

$$25 \text{ respondents} \times 2 \text{ hours} \times 1 \text{ report} = 50 \text{ hours}$$

$$\text{Total hours requested} = 50 \text{ hours}$$

The annual cost to the State Workforce Agencies is based on an estimate of the total average salary of \$48.58. The total annual value of respondent time equals \$2,429 (50 hours x \$48.58).

The following table can be used as a guide to calculate the total burden of an information collection.

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response (Hours)	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
ETA-9117	25	1	25	2	50	\$48.58	\$2,429
Unduplicated Totals	25	1	25	2	50	\$48.58	\$2,429

*This estimate is based on estimates on the \$48.58 average hourly earnings for managerial and professional workers as reported in the [Employment and Earnings Journal](https://www.bls.gov/oes/current/naics4_999200.htm#21-0000). BLS, May 2017 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 999200 - State Government, excluding schools and hospitals (OES Designation), Social Workers (Occupation Code 21-1020), Mean Hourly Wage. Available at https://www.bls.gov/oes/current/naics4_999200.htm#21-0000. For the state government employees, we use a

fringe benefits rate of 59 percent and an overhead rate of 41 percent. The fringe benefits rate is derived from the ratio of average total compensation to average wages and salaries in 2017.

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).*

The States have been collecting this information and supplying it to the national office since fiscal year 1989, therefore no start-up costs are necessary. Also, states collect this information within the agency and do not contract out services.

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.*

The costs of Federal staff reviewing information submitted at the regional and national level, providing reports, and making grant approvals would total one-half Full Time Employee (1,043.5 hours) at an annual cost of \$89,033. This is the pay rate of a Federal employee located in Washington, DC at the GS-13 Step 1 level*. The calculated hourly rate is \$89,033/2087 or \$42.66. This totals \$44,515.71 (1,043.5 x \$42.66).

Staff Hours	Hourly Wage (GS-13-1 in DC)	Total Government Cost
1,043.5	\$42.66	\$44,515.71

*Source: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/16Tables/html/DCB.aspx>

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

No program changes or adjustments since the last submission.

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.*

This data is not published and does not involve statistical activities.

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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.*

DOL displays the expiration date.

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

No exceptions are requested.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.