

SUPPORTING STATEMENT
U.S. Department of Commerce
Office of the Secretary
Pledge to America's Workers Presidential Award
OMB Control No. 0690-NEW

A. JUSTIFICATION

The U.S. Department of Commerce (Department), is submitting this Information Collection Request (ICR) to permit the Department's issuance of a new information collection instrument in connection with Section 7(b) of Executive Order 13845 Establishing the President's National Council for the American Worker, which the Secretary of Commerce co-chairs and which calls for a national strategy to ensure that America's students and workers have access to affordable, relevant, and innovative education and job training that will equip them to compete and win in the global economy. Section 7(b) calls for the establishment of, "a plan for recognizing companies that demonstrate excellence in workplace education, training, and re-training policies and investments, in order to galvanize industries to identify and adopt best practices, innovate their workplace policies, and invest in their workforces." The White House has asked that the Department create and administer this program.

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.

President Trump has outlined key workforce policy priorities through two Executive Orders. In June 2017, he signed the Presidential Executive Order 13801 Expanding Apprenticeships in America to "provide more affordable pathways to secure, high paying jobs by promoting apprenticeships and effective workforce development programs."

On July 19, 2018, President Trump issued Executive Order 13845 as amended by Executive Order 13853 (83 F.R. 35099 as amended by 83 F.R. 65073), titled "Establishing the President's National Council for the American Worker" which directed the newly established National Council for the American Worker (Council) (co-chaired by the Secretary of Commerce, the Secretary of Labor, the Assistant to the President for Domestic Policy, and the Advisor to the President overseeing the Office of Economic Initiatives [Co-Chairs]) "to work with private employers, educational institutions, labor unions, other non-profit organizations, and State, territorial, tribal, and local governments to update and reshape our education and job training landscape so that it better meets the needs of American students, workers, and businesses." The National Council is creating a national workforce strategy in accordance with the Trump Administration's workforce policy priorities and achievements.

In parallel to Executive Order 13845, President Trump launched the Pledge to America's Workers, a White House-led initiative through which companies and trade groups make public commitments to expand programs that educate, train, and reskill American workers from high-school age to near-retirement. As of March 2020, more than 430 companies, trade associations, and unions have signed the Pledge, contributing to over 15.8 million new education and training opportunities for American students and workers over the next five years. Current information on Pledge commitments is available online at <https://www.whitehouse.gov/pledge-to-americas-workers/>.

The Department of Commerce through the National Institute of Standards and Technology's (NIST) Baldrige Performance Excellence program is creating a new Presidential Award to recognize companies' and trade association or unions' demonstrated excellence in implementing the Pledge to America's Workers. This program fulfills the requirements of the Executive Orders Expanding Apprenticeship in American and Establishing the President's National Council for the American Worker, each of which called for the creation of programs to recognize excellence in employer training investments. The Department of Commerce will administer the award program, with support from the Department of Labor, on behalf of the National Council for the American Worker.

Pursuant to Section 7(b) of the Executive Order, the Department of Commerce is creating a "Pledge to America's Workers" Awards Program. The collection of information is necessary in order to identify and evaluate programs eligible for recognition and to determine which programs will receive the awards.

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.

The representations and information collected through the form titled "Pledge to America's Workers Presidential Awards Application Form" will enable the Department to acquire voluntary information about outstanding companies' education and job training opportunities and will facilitate the Department's commendation of such quality programs.

If the information collection described herein is approved, the Department will continue to monitor the quality and practical utility of the information yielded from this form. As this is a new information collection, the Department may find it necessary to submit non-material change requests to clarify the requirements. Any substantive changes would, of course, require revising the ICR. _

The Pledge to America's Workers Presidential Awards program will be a voluntary organization recognition program administered by the Department of Commerce through the NIST. Through the Pledge to America's Workers Presidential Awards Program, NIST's Baldrige Performance Excellence program will solicit voluntary applications from organizations that already are participating in the Pledge to America's Workers and that want to be considered for a Presidential award. These awards are intended to recognize companies and trade association or unions' demonstrated excellence in workplace education, training, and re-training policies and investments.

The senior organizational representative who signed the Pledge to America's Workers on behalf of a company or trade association or union may submit the Pledge to America's Workers Presidential Awards Application Form. Along with the application, the official may also submit up to three supporting reference letters from partners, collaborators, beneficiaries, etc.

The Application Form will contain policy and process information along with qualitative data to be used as the basis for a rigorous evaluation. These evaluations determine each applicant's level of performance and achievements related to worker training and education efforts, and which, if any, organizations will receive the Presidential award. The President of the United States or his delegate will present the awards.

Because proprietary and confidential information may be included in Application Forms, the forms will be kept strictly confidential. Only staff and evaluators who have a need to know have access to the applications. Absolutely no information from the applications, including the names of the organizational applicants, will be shared beyond the need to know without prior consent.

If an applicant organization becomes an Award recipient, its name will be announced along with a brief summary of the organization's accomplishments to encourage other organizations to improve their workforce training and education programs.

If an applicant does not become an Award recipient, all information in its application form remains confidential.

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.

Application Forms for the Presidential award can be downloaded from the internet and will be submitted by the organization in pdf format. Applicants will submit the forms via email. The Application Forms will be distributed to the evaluators through an encrypted file sharing protocol.

Electronic copies of all Application Forms will be retained on a secure file server behind NIST's firewall. Evaluators will agree to abide by various policies and procedures to protect the confidentiality of the nominations forms that they receive. These policies include not sharing the application or any of the information contained within, no emailing of the application or applicant specific information that could identify the applicant, and deletion of any local copies saved on their devices at the end of the award cycle.

In this collection we are using information technology to reduce respondent burden via electronic submission and collecting electronic data files in various formats to enhance response and improve quality.

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 of Commerce does not currently have an established education and job training awards program and thus has no mechanism to collect data from companies, trade associations, or unions who participate in the Pledge to America's Workers who wish to be considered for the Presidential Award as described in President Trump's Executive Orders. Every effort has been made to identify and eliminate duplication of information.

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

Small businesses are subject to the same evaluation criteria and review process as other applicants. As with all applicants, small businesses can submit up to 10 pages or as little as they like. Thus, a small business can limit its paperwork burden to whatever it wishes to produce. Also, since the Application Form documents the organization's education and training policies, practices, and processes along with their associated results, only current and trend information on hand is relevant. No new information is required.

Most importantly, the application for the Presidential Award is strictly voluntary. Therefore, the burden falls only on those individuals and organizations who choose to submit applications. All applicant instructional material will be posted on the internet to ensure ease of access.

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.

The consequences to the Federal program of not collecting the voluntary information are that it would be impossible for the National Council for the American Worker to accomplish one of the mandates in the Executive Order—recognizing organizations that demonstrate excellence in employer training investments. In addition, it would negatively impact the ability to effectively accomplish the Executive Order on Expanding Apprenticeships in America and the effectiveness of the Pledge to the American Worker.

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.

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.

The 60-Day Federal Register Notice was published on March 31, 2020, 85 FR 17854. The public comment period ended on June 1, 2020. No comments were received from the public.

We contacted a group of public officials to obtain feedback. We learned that an additional question/item is needed in the collection instrument, for clarification. A 5th question was added under section "Organizational Context" (page 6). The item reads "What are your workforce education and training offerings/programs?" This item requests information at the core of the application's purpose.

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

This information collection does not involve payments to respondents.

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

The collection does not request any confidential data. These data are subject to provisions of Title 13, United States Code, Section 9(b) exempting data that are customarily provided in public records from rules of confidentiality. All forms contain information pertaining to this exemption of confidentiality and the voluntary nature of the collection. Further, award recipients are not required to share proprietary information even if such information was part of their award application.

Although this information collection requests that the individual provide their name, information will not be retrieved by a personal identifier (e.g. name). Therefore, a Privacy Act Statement and SORN are not applicable.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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 in this data collection, or None of the required information is considered to be sensitive.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

This is a two-part question and both parts must be addressed.

A) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.

Our estimate is that it will take an estimated 100 organizations an average of 3 hours to gather the necessary information, prepare the Application Form, solicit the recommendations, and submit the request for the nomination. These estimates include the time required for outside parties to draft and submit the recommendations to the organization applying for the award. Therefore, we estimate a total annual burden of 300 hours in 2020.

Estimated Annualized Respondent Burden Hours

Type of Respondent (e.g., Occupational Title)	# of Respondents (a)	Annual # of Responses/ Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hours/ Response (d)	Total Annual Burden Hours (e) = (c) x (d)
Business staff	100	1	100	3	300

B) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

Estimated Annualized Respondent Costs

Type of Respondent/ Occupational Title	Number of Respondents	Number of Responses per Respondent	Average Burden per Response	Hourly Wage Rate*	Total Annual Burden Costs
Business staff	100	1	3 hours	\$60.91	\$18,273

We expect that human resource managers will be preparing the Application Forms and submit them on behalf of the senior company executives who signed the Pledge to America’s Workers. These workers have an average hourly rate of \$60.91 according the latest estimates from the *Bureau of Labor Statistics’ Occupational Employment Statistics program.

Given this wage rate, we estimate that the annualized cost to respondents for the hours burden is \$18,273. The program will be conducted every other year.

13. Provide estimates 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 estimates 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.

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

Staff	Salary	Fringe (if applicable)	% of Effort	Total Annualized Cost to Gov't
Federal Oversight				
Project Manager	\$153,533		1.25%	\$1,919

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

This is a new information collection.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

Summary information will solely be used for the purposes of award recognition. After awardees are approved by the Department, information about their program will be posted on the Department's website so that individuals can readily assess the award recognition of these programs.

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.

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act."

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).

Certification Statement for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions.
- (b) It avoids unnecessary duplication.
- (c) It reduces burden on small entities.
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents.
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices.
- (f) It indicates the retention period for recordkeeping requirements.
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - i. Why the information is being collected;
 - ii. Use of information;
 - iii. Burden estimate;
 - iv. Nature of response (voluntary, required for a benefit, or mandatory);
 - v. Nature and extent of confidentiality; and
 - vi. Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions).
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

B. Collections of Information Employing Statistical Methods

This collection of information does not employ statistical methods.