

**SUPPORTING STATEMENT FOR
GENERAL INQUIRIES TO STATE AGENCY CONTACTS**

OMB CONTROL NO. 1220-0168

This ICR seeks OMB clearance for an extension without change of the General Inquiries to State Agency Contacts package.

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.

The Bureau of Labor Statistics (BLS) awards funds to State agencies in the 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands (hereinafter referred to as the “States”) for the operation of the Labor Market Information (LMI) and/or Occupational Safety and Health Statistics (OSHS) Federal/State cooperative statistical programs, which themselves have been approved by OMB separately, as follows:

Current Employment Statistics (CES)	1220-0011
Local Area Unemployment Statistics (LAUS)	1220-0017
Occupational Employment Statistics (OES)	1220-0042
Quarterly Census of Employment and Wages (QCEW or ES-202)	1220-0012
Annual Refiling Survey (ARS)	1220-0032
Labor Market Information (LMI) Cooperative Agreement	1220-0079
Multiple Worksite Report (MWR)	1220-0134
Annual Survey of Occupational Injuries and Illnesses (SOII)	1220-0045
Census of Fatal Occupational Injuries (CFOI)	1220-0133
BLS/OSHS Federal/State Cooperative Agreement	1220-0149

(This list of BLS/State cooperative statistical programs may change over time.)

The Labor Market Information (LMI) Cooperative Agreement (CA)(1220-0079) and Occupational Safety and Health Statistics (OSHS)(1220-0149) CA packages are the vehicles through which State Grant Agencies (SGAs) are awarded funds. The CA packages include application instructions and materials, as well as financial reporting, closeout and other administrative requirements, as spelled out in Title 2 Part 200 of the Code of Federal Regulations (hereinafter cited as 2 CFR 200), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and as published by the Department of Labor in Title 2 Part 2900. Federal Assistance is encouraged by Public Law 91-596, the Occupational Safety and Health Act.

To ensure the timely flow of information and to be able to evaluate and improve BLS/State cooperative programs' management and operations, it is necessary to conduct ongoing communications between the BLS and its State partners. Whether information requests deal with program deliverables, program enhancements, operations, or administrative issues, questions and dialogue are crucial to the successful implementation of these programs.

In order to conduct these communications, the BLS is requesting OMB approval of general inquiries, allowing dialogue between the BLS and its State partners. Due to the day-to-day and sometimes urgent nature of these information requests, these inquiries are conducted on an ongoing basis. OMB agreed when this package was first submitted that the terms of clearance of this package would be: 1) if BLS is sending written requests to States under this clearance, the OMB control number and expiration date will be displayed somewhere on the request; and 2) if BLS makes an inquiry to more than nine States and estimates the response burden per State to be more than two hours, a copy of that inquiry will be forwarded to OMB. Inquiries that do not exceed nine States and two hours of burden per response will not have to be forwarded to OMB.

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.

Information collected under this clearance is used to support the administrative and programmatic needs of these joint BLS/State programs. Examples of types of requests are included in Attachment 1 – Examples of Inquiries to the States.

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.

The BLS primarily uses email or telephone contacts to collect information from the States. Written memoranda from the BLS to the States also are used to request information when appropriate. Many of the requests are made to address time-critical issues where the use of formal information collection instruments is not practical.

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 A.2 above.

Information collected from the States by the BLS is unique to these Federal/State collections.

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

Information is collected from governments of the 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. None of this information is collected from 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.

The BLS makes requests for information from the States to ensure that deliverables are provided on schedule and to identify and resolve any problems or issues encountered by the States and/or the BLS. Some of these requests are made on a scheduled basis and others are made when events or issues necessitate. Some are administrative in nature or may deal with estimation, benchmarking, training, conferences, updating information, program operations, etc.

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

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Some requests for information are made more frequently than quarterly and responses may be requested within fewer than 30 days. This is done when a quick turnaround time is appropriate to facilitate program operations.

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.

Federal Register Notice

No comments were received as a result of the Federal Register notice published in 86 FR 7306 on January 27, 2021.

Consultation outside the agency

The BLS and the States communicate on an ongoing basis and meet periodically regarding the conduct of these statistical programs.

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

The States receive Federal domestic assistance provided under the BLS/State cooperative agreements.

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

Information collected under this clearance request generally is not confidential. The information typically is operational or administrative in nature. (Program-specific statistical data from respondents are treated in accordance with confidentiality provisions applicable to the respective programs. The confidentiality of those data is addressed in the clearance requests for those programs.)

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 asked.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

The burden hours for individual inquiries are variable. The frequency per State per program per year also is variable. There are 54 potential respondents, and the time required to complete an inquiry typically will vary from ten minutes to two hours. The total annual burden hours (15,927) and the total annual responses (23,890) requested in this clearance are based on BLS experience in administering the programs and are estimates of the maximums that would be required. For purposes of estimating burden, the agency average response time is 40 minutes. $23,890 \text{ responses} \times 40 \text{ minutes} = 15,927 \text{ hours}$.

Respondents to this information collection are state employees whose average fully loaded earnings are estimated to be \$52.94 per hour. (See Employer Costs for Employee Compensation (ECEC), a product of the National Compensation Survey at <http://www.bls.gov/news.release/pdf/ecec.pdf>.) The agency estimates the total value of respondent time to be \$765,451.62. $15,927 \text{ hours} \times \$52.94/\text{hour} = \$843,175.38$.

Estimated Annualized Respondent Cost and Hour Burden

Activity	No. of Respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
General Inquiries to State Agency Contacts	54	Variable	23,890	40/60	15,927	\$52.94	\$843,175.38

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate 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 service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The agency anticipates no additional costs to respondents or recordkeepers resulting from the information collection.

14. Provide estimates of the annualized cost 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), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

None. This activity is an inherent aspect of the ongoing conduct of the BLS/State cooperative programs, which themselves have been cleared by OMB separately.

15. Explain the reasons for any program changes or adjustments.

There is no change in burden.

16. For collections of information whose results will be published, outline plans for tabulations, 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.

The information collected will not be used for publication but, rather, for program operation purposes, including carrying out BLS fiduciary responsibilities for managing and administering the funds appropriated for the BLS/State cooperative statistical 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.

BLS/State cooperative agreements under which these programs are conducted contain a notification paragraph explaining that the BLS will make inquiries to the States as needed to conduct the programs, and that those inquiries are covered under OMB Number 1220-0168.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.