

**OMB 1205-0342: Justification for Non-Substantive Change Request:
To align petition and investigative forms with the Trade Adjustment Assistance (TAA)
Program under 2014 Reversion**

1) To align petition (ETA-9042, ETA-9042a ,and 9042A-1) and investigative (ETA-9043, ETA-8562, ETA-8562(a), ETA-8562(a)1, ETA-8562(b), and ETA-9118) forms with TAA under Trade Adjustment Assistance Reform Act of 2002 (TAARA 2002) by deleting references to services and adding references to ATAA

2) To include two fields in investigative form ETA 9043a to comply more fully with the Reversion 2021 (TAARA 2002) provisions.

Background: The TAA Program, under chapter 2 of title II of the Trade Act (19 USC 2271 et seq.), was first established in 1974 and has been amended numerous times over the past forty years. The latest amendments were contained in the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015). Prior to TAARA 2015, the program operated under the Trade Adjustment Assistance Expansion Act of 2011 (TAAEA 2011), which followed the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA), and the Trade Adjustment Assistance Reform Act of 2002 (TAARA 2002).

Should Congress not reauthorize TAARA 2015, reversion and sunset provisions (Section 406) of TAARA 2015 require on July 1, 2021, administration of the TAA Program under a modified version of TAARA 2002 (Reversion 2021). Investigations of group eligibility for TAA will be limited to provisions of TAARA 2002 and include an investigation regarding eligibility to apply for the Alternative Trade Adjustment Assistance (ATAA) wage supplement benefit.

TAARA 2015 retained all provisions of TAAEA 2011, including the group eligibility criteria for the Trade Adjustment Assistance (TAA) for Workers Program and the replacement of ATAA with the Reemployment Trade Adjustment Assistance (RTAA) benefits for older workers.

To comply with Reversion 2021, as required by law:

- All petition and investigative forms must be modified to comply with the certification criteria under TAARA 2002. This includes updating the web-based version of the Petition form (ETA-9042a-1)
- ETA-9043, *Business Confidential Data Request*, will remain in use and retains the following modifications previously approved by OMB in January of 2011 (ICR Reference: 201312-1205-001):
 - Elimination of references to “services” or the “supply of services.”
 - Replacement of “A Petition for Trade Adjustment Assistance (TAA)” with “A Petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA)”
 - Two questions related to group eligibility for ATAA:
 1. “Do the workers in the workers’ firm possess skills that are not easily transferable: Yes/No?”
 2. “Number of workers reported age 50 or over (including leased or temporary workers) associated with this article”

If Congress does not reauthorize TAARA 2015 before July 1, 2021, ETA will implement Reversion 2021. Therefore, ETA requests OMB approval of the above non-substantive changes in order to operate the TAA Program under Reversion 2021. Should Congress pass and the President sign a reauthorization for the provisions, ETA will submit a second non-material change request to revert approval for this current request. **No burden changes are entailed in this request.**

Actions Requested: ETA seeks approval to use the forms previously approved during the expiration of TAAEA 2011 (ICR Reference No: 201312-1205-001): ETA-9042, ETA-9042a, ETA-9043, ETA-8562, ETA-8562(a), ETA-8562(a)1, ETA-8562(b), and ETA-9118, and to make non-substantive modifications to OMB approved form ETA-9043 and ETA-9042a-1.

ETA-9042, ETA-9042A, ETA-9042A-1 – Petition for Trade Adjustment Assistance

Revised title to include Alternative Trade Adjustment Assistance (ATAA). Changes all references from Reemployment Trade Adjustment Assistance (RTAA) to ATAA. Removed references to services and the International Trade Commission. These changes will impact every Petition for Trade Adjustment Assistance filed on or after July 1, 2021. There are no changes to the information collected via this form.

ETA-9043 - Business Data Request

Changed references from RTAA to ATAA. Removed references to services and activities performed. Modified question on employment levels and separation information.

ETA-8562A, ETA-8562A-1, ETA-8562A-2, ETA-8562A-3, ETA-8562B – Customer Surveys

Changed references from RTAA to ATAA. Removed references to services and activities performed. Modified question on likelihood of increased imports.

ETA-9118 - Business Information Request

Changed references from RTAA to ATAA. Removed references to services and activities performed.

ETA-8561 - Domestic Industry Study

Changed references from RTAA to ATAA.

ETA-9185 - Application for Reconsideration

Revised title to include Alternative Trade Adjustment Assistance (ATAA). Changed references from RTAA to ATAA.