SUPPORTING STATEMENT
Form ETA-9189, TAA Administrative Collection of States (TAAACS)
OMB Control Number 1205-0540

A. Justification.

The revision to this Information Collection Request (ICR) is being submitted to improve information collected in the TAAACS by reducing unnecessary questions, improving clarity, and expanding information on state practices in critical program areas pursuant to the Trade Adjustment Assistance (TAA) program under Section 239(c) of Title II, Chapter 2 of the Trade Act of 1974, as amended (19 USC § 2271 et seq.). The current version of the TAAACS does not expire until December 31, 2022, however, the Department seeks approval prior to October 1, 2021 in order to utilize the improved collection.

The name of the form is also being updated to include the form number to "Form ETA-9189, TAA Administrative Collection of States."

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.*

Under Section 239(c) of Title II, Chapter 2 of the Trade Act of 1974, as amended (19 USC § 2271 et seq.), the Secretary has the authority to collect any data necessary to meet obligations specified under Chapter 2 of the Trade Act of 1974.

The proper administration of the TAA Program under Chapter 2 of the Trade Act of 1974 requires that the Department identify the range of state practices and organization to better understand the state strategies being employed to administer the program. The TAAACS is designed to provide a comprehensive collection of information regarding the organization and practices of State Workforce Agencies (SWAs) with regard to how the TAA Program is administered. The recent issuance of new regulations for the TAA program and the analysis of information provided under the first two collection rounds has identified the need for adjustments to the collection to better identify differences in the practices of SWAs.

This collection is designed to provide discrete data for analysis on SWA organization and practices to allow the Department to identify the practices currently being employed to administer the TAA program throughout the state workforce system. The collection is operated annually to provide updates responses so that the Department can identify revisions in the organization and practices of SWAs, update worker list metrics, and identify newly developing perceived barriers and areas where states believe they may have created promising practices.

The revised collection includes eight subjects for collection:

a. State Organization: This portion of the collection obtains information regarding staffing levels, the distribution of TAA work between various groups, information regarding the experience level of staff, and information regarding SWA centralization and localization. This information is necessary the Department to understand current state staffing levels, experience and training needs, and how the state organizes staff in operating the TAA Program. Substantial revisions to this section seek to improve clarity in the collection of staffing numbers and to better articulate and clarify national and local areas of control.

b. Outreach: The outreach portion of the collection obtains information regarding how SWAs identify worker groups that are potentially eligible for TAA, who files TAA petitions, and how they obtain worker information. This will allow the Department to identify SWAs who may be in need of technical assistance regarding the identification and notification of potentially affected workers and compare outreach strategies between SWAs. This section was moved to better align with the temporal process and some questions have been moved to this section to improve clarity. This revision replaces previously difficult rankings and subjective assessments about the quality of the outreach with more clear, objective questions about methodologies.

c. Eligibility and Program Benefits and Services: This portion of the collection obtains information regarding who makes TAA-related determinations and what state practices are used in making those determinations to understand the barriers and complexity to these processes within the SWA. The revision improves clarity, adds information regarding the format of service delivery, and both incorporates the previous section on job search and relocation and expands information on barriers to providing these specific services.

d. Integration: The integration section of the collection obtains information regarding the integration between various SWA functions related to the provision of TAA services and the level of integration between the TAA Program and other SWA-administered workforce programs. This will enable the Department to identify SWAs that may need additional technical assistance to promote inter-unit and inter-program integration. Revisions to this section removed unnecessary questions, added questions regarding whether the same agency within the SWA administered partner programs, and added two new rating with partners that were missing.

e. IT Systems and Reporting: This section of the collection obtains information regarding the use of data analytics and reporting units, the integration of IT systems, how recent IT upgrades have been performed, and the use of IT systems for the delivery of TAA services. This section provides critical information on IT modernization efforts and SWA leveraging of data. The revision to this section enhances clarity on IT capabilities and remove questions regarding specific forms that were unnecessarily granular, making the section both less burdensome and more helpful.

f. Training for TAA Staff: This portion of the collection provides information regarding how training is delivered to state and local staff. This allows the Department to provide technical assistance in a matter most tailored to those delivery mechanisms. There are no revisions to this section.

g. Barriers and Technical Assistance: The barriers section of the collection allows current barriers, technical assistance needs, and states with best practices to share. Further, it allows the Department to analyze the comparative utility of various forms of technical assistance. This section has been extremely useful and the revision greatly expands this section to capture SWA self-assessment of needs and strengths as well as specific technical assistance mechanisms. The revision also reduces burden by adjusting overly burdensome rankings with response types that are easier and more helpful.

h. Worker Lists: The most significant revision to this collection is the addition of questions on the worker list acquisition and notifications for each petition the SWA has sent notifications on in the previous year. This information is essential to provide insight on issues with Departmental layoff estimates, identify best practices in acquiring complete worker lists, and examine worker notification methodologies.

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 submissions are used by Employment and Training Administration (ETA) staff to collect information regarding SWA administration and operations of the TAA Program to evaluate the range of state practices. This information can also be used to find co-variance between practices and efficiencies to target future evaluation of promising practices. Furthermore, this will allow the Department to facilitate peer learning by pairing SWAs interested in making organizational changes with SWAs employing the practices they seek to implement. Failure to collect this information would prevent the Department from identifying the most promising mechanisms SWAs are employing to administer the TAA program.

Previous collections are extensively to identify barriers and needs for technical assistance, compare outreach methodologies to promote peer learning and better design behavioral intervention studies, examine gaps in staffing based on state comparison, and identify states with IT modernization needs. The collection has reduced the burden for regional staff in providing monitoring of SWAs by allowing staff to quickly orient to a SWA's structure and note unique features in the organization of particular SWAs. Integration information is to assess state perceptions of their coordination with required state partners, shape co-enrollment policy and its implications, and identify gaps in knowledge for TAA staff. Information from this collection has allowed ETA to better identify peer states and is extensively used in technical assistance materials including numerous webinars in the last year alone.

In addition to the ETA utilization of this information, it has become apparently asking states to assess these factors about their program administration has promoted critical rethinking of their processes including driving IT modernization efforts and expanding outreach methodologies.

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 collection is designed for use with standard, widely available spreadsheet software. The spreadsheet can be transmitted electronically to minimize burden. If respondents are unable to complete the collection electronically, a paper version of the collection can be made available and transmitted by email, fax, couriers, U.S. Postal Service or a number of express delivery services to provide the correspondence.

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.*

This information is not currently being collected in any other collections and its collection cannot be reasonably integrated into existing reporting systems which collect substantially different information on differing frequencies. The additional worker list section fills a critical gap in information between the Department's group eligibility determination and actual participants served that has been opaque. There is no duplication for this collection.

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

The collection is for State grantees of the Department. No small businesses or small entities will be responding to the collection. Therefore, collection of this information does not have any impact on small businesses or other small entities.

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 Department needs the collection in order to understand the range of practices being employed to administer the TAA program and to identify co-variances between practices and program efficiency and performance metrics for future evaluation in the identification of best practices. The data collection occurs only once per year to minimize burden. Collection less frequently than each year would prevent the Department from identifying changes in state practices and operations and meaningfully matching outreach and worker list information.

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.*

There are no special circumstances involved in this collection.

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.

When considering the need for a revision for the TAAACS, the Department discussed the gaps in the collection and how it should be improved to reduce burden with twelve (12 state partners) including lists of suggested changes such as clarifying language between March 9 and March 18, 2021. A subsequent national question and answer session about how the collection could be changed was held on March 18, 2021 which went over what changes were being considered that was highly favorable of the reorganization. The session indicated clear gaps between states in the collection and tracking of worker list statistics on the newly added second table of the collection. The number of numeric fields was reduced from five initially considered to two that were both the most essential and most easily tracked by SWAs and the language was re-worked to improve comprehension of the information being asked for.

In accordance with the Paperwork Reduction Act of 1995, a 60-day comment period was provided from April 16, 2021 to June 15, 2021 at 86 FR 20204. During the 60-day comment period, one comment was received from a state agency that encouraged the addition of an additional question to measure the integration of TAA with the recently expanded Reemployment Services and Eligibility Assessment (RESEA) grant program. In response to the comment, the collection was modified to add five questions to rate the integration between TAA and RESEA such as the level of integration, administrative and staffing integration, and where in the process services are provided. A 30-day comment period will also allow for further public comments.

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.

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

    This information, in the form of a privacy statement, is provided to respondents on the information collection instruments:

    “The U.S. Department of Labor will protect the privacy of the information you provide to the full extent of the law, in accordance with the Trade Act, 19 USC 2272(e)(3)(c), the Trade Secrets Act, 18 USC 1905, the Freedom of Information Act, 5 U.S.C. 552, and 29 CFR Parts 70 and 90.”

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.*

The data collection includes no questions of a sensitive nature.

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

The Department estimates this annual collection to have 52 respondents corresponding to the number of SWAs administering a TAA Program. This includes all 50 States plus Puerto Rico and the District of Columbia. Further, the Department estimates the collection will take 360 minutes to complete based on feedback provided by twelve states. This 360 minutes is a 60 minute increase over the previous version of the collection and represents a total of 120 hour estimate for the new worker lists section, but a reduction in the burden for the rest of the collection by 60 minutes. The reduction or the non-worker list portion recognizes that while some questions have been expanded, the burden is reduced by providing greater clarity and easier to determine responses. Through the initial collection, states provided feedback that the original 300-minute burden estimate may have been more than what most states experienced including a number completed collections being returned within the first few hours of a collection round.

The Department estimates a total annual cost of $10,576.80. This estimate is based on a median hourly earnings of $33.90 average hourly earnings for managerial and professional workers as reported in the BLS Current Population Survey, and assuming a 40-hour work week. Finally, SWAs are provided funding for administration and data reporting of the TAA Program that will fully cover personnel costs of this collection.

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	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Collection Response	52	Once Annually	52	6 hours	312	$33.90	$10,576.80
Unduplicated Totals	***52***	--	***52***	--	***312***	--	***$10,576.80***

** This estimate is based on a median hourly earnings of $33.90 (2020 results) average hourly earnings for managerial and professional workers as reported in the BLS Current Population Survey, and assuming a 40 hour work week. See: https://www.bls.gov/cps/cpsaat39.htm*

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).*

There are no capital or start-up costs involved in this collection. There is no maintenance or services required for this collection.

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.*

This collection will be disseminated by transmitting the spreadsheet to known SWA program contacts for it to be returned, once complete, electronically. The dissemination, review, and analysis specific to this collection is expected to require less than eight (8) hours of time from program staff. This was estimated based on approximately five (5) minutes for staff to review each individual collection for completeness and accuracy (260 total minutes) plus thirty (30) minutes to construct a dataset from individual sheets plus one (1) hour to identify outliers and inconsistencies in the dataset. The Department anticipates a total of thirty (30) minutes spent correcting identified data issues for a total federal burden of 380 minutes (6 hours and 20 minutes). This is a reduction of two hours from the prior estimate based on time spent during the previous collection and compensating for both the expansion of the collection and changes made to increase consistency and speed review of responses.

The identification areas of technical assistance and best practice states has already led to a reduction in staff time of approximately twenty (20) hours annually. The Department estimates a further reduction of ten (10) hours with the revised collection, largely by utilizing the SWA strengths assessment to speed the process of identifying states with promising practices and states needing technical assistance. Finally, the use of baseline data for monitoring has reduced regional staff time by five (5) hours, which is expected to expand to twenty (20) as the data is further leveraged.

The Department conservatively estimates a total annualized cost to the Federal Government of $0 or a net reduction in work.

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

The burden on respondents is expected to increase by sixty (60) minutes. This is the result of a one hundred twenty (120) minute increase in collection time for the newly added worker list information as well as a sixty (60) minute decrease to address clarification improvements and a previous over-estimate. Further details provided in #12.

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.*

    There are no plans to publish the data for this collection of information.

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 of the information collection will be displayed on the report form.

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

    There are no exceptions to the certification statement.