

municipio in the Commonwealth of Puerto Rico.

### Procedures for Classifying Labor Surplus Areas

The Department of Labor (DOL) issues the LSA list on a fiscal year basis. The list becomes effective each October 1, and remains in effect through the following September 30. The reference period used in preparing the current list was January 2017 through December 2018. The national average unemployment rate (including Puerto Rico) during this period is rounded to 4.34 percent. Twenty percent higher than the national unemployment rate during this period is rounded to 5.21 percent. Since the calculated unemployment rate plus 20 percent (5.21 percent) is below the “floor” LSA unemployment rate of 6 percent, a civil jurisdiction must have a two-year unemployment rate of 6 percent or higher in order to be classified a LSA. To ensure that all areas classified as labor surplus meet the requirements, when a city is part of a county and meets the unemployment qualifier as a LSA, that city is identified in the LSA list, the balance of county, not the entire county, will be identified as a LSA if the balance of county also meets the LSA unemployment criteria. The FY 2019 LSA list, statistical data on the current and previous years’ LSAs are available at <http://www.doleta.gov/programs/lisa.cfm>.

### Petition for Exceptional Circumstance Consideration

The classification procedures also provide criteria for the designation of LSAs under exceptional circumstances criteria. These procedures permit the regular classification criteria to be waived when an area experiences a significant increase in unemployment which is not temporary or seasonal and which was not reflected in the data for the 2-year reference period. Under the program’s exceptional circumstance procedures, LSA classifications can be made for civil jurisdictions, Metropolitan Statistical Areas or Combined Statistical Areas, as defined by the U.S. Office of Management and Budget. In order for an area to be classified as a LSA under the exceptional circumstance criteria, the state workforce agency must submit a petition requesting such classification to the Department of Labor’s ETA. The current criteria for an exceptional circumstance classification are:

1. An area’s unemployment rate is at least 6% percent for each of the three most recent months;

2. A projected unemployment rate of at least 6% percent for each of the next 12 months because of an event; and

3. Documentation that the exceptional circumstance event has occurred. The state workforce agency may file petitions on behalf of civil jurisdictions, Metropolitan Statistical Areas, or Micropolitan Statistical Areas.

State Workforce Agencies may submit petitions in electronic format to [wright.samuel.e@dol.gov](mailto:wright.samuel.e@dol.gov), or in hard copy to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, 200 Constitution Avenue NW, Room C-4514, Washington, DC 20210, Attention Samuel Wright. Data collection for the petition is approved under OMB 1205-0207, expiration date July 31, 2020.

Signed at Washington, DC.

**John Pallasch,**

*Assistant Secretary for Employment and Training Administration.*

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**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Agency Information Collection Activities; Comment Request; Trade Adjustment Assistance (TAA) Efforts To Improve Outcomes

**ACTION:** Notice.

**SUMMARY:** The Department of Labor’s (DOL’s) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, “Trade Adjustment Assistance (TAA) Efforts to Improve Outcomes.” This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by October 25, 2019.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Robert Hoekstra, by telephone at 202-693-3522 (this is not a toll-free number), TTY 1-877-889-5627 (this is

not a toll-free number), or by email at [hoekstra.robert@dol.gov](mailto:hoekstra.robert@dol.gov).

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Trade Adjustment Assistance, 200 Constitution Avenue NW, Room N-5428, Washington, DC 20210; by email: [taa.reports@dol.gov](mailto:taa.reports@dol.gov); or by Fax 202-693-3584.

**FOR FURTHER INFORMATION CONTACT:**

Robert Hoekstra by telephone at 202-693-3522 (this is not a toll-free number) or by email at [hoekstra.robert@dol.gov](mailto:hoekstra.robert@dol.gov).

**SUPPLEMENTARY INFORMATION:** DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

On June 28, 2015, the Trade Adjustment Assistance Reauthorization Act of 2015 was signed into law. Under Section 239(j)(1)(c) of Title II, Chapter 2 of the Trade Act of 1974, as amended (19 U.S.C. 2271 *et seq.*), the Secretary is required to collect “a description of efforts made to improve outcomes for workers . . .” In addition to mandatory annual reporting, the Department collects these descriptions on a quarterly basis in order to track progress of efforts to improve outcomes and speed the identification of new state practices.

The Office of Trade Adjustment Assistance (OTAA) is revising the ICR for Trade Activity Participant Report (TAPR) (OMB control number 1205-0392). This ICR removes the collection requirement for the individual record reporting that constituted the bulk of the collection burden, but retains the quarterly reporting requirement of “efforts made to improve outcomes”. Correspondingly, the collection title will be changed to “Trade Adjustment Assistance (TAA) Efforts to Improve Outcomes.” Section 239(j)(1)(c) of Title II, Chapter 2 of the Trade Act of 1974, as amended (19 U.S.C. 2271 *et seq.*) authorizes this information collection. This collection is being modified significantly as to no longer require the submission of individual participant

records under the TAPR. The prior TAPR data constituted the bulk of the burden of this collection, reducing the estimated total burden from 18,500 hours to 104 hours.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205-0392.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (e.g., permitting electronic submission of responses).

*Agency:* DOL-ETA.

*Type of Review:* Revision.

*Title of Collection:* Trade Adjustment Assistance (TAA) Efforts to Improve Outcomes.

*Form:* ETA-9173.

*OMB Control Number:* 1205-0392.

*Affected Public:* State Workforce Agencies.

*Estimated Number of Respondents:* 52.

*Frequency:* Quarterly.

*Total Estimated Annual Responses:* 208.

*Estimated Average Time per Response:* 0.5 hours based on estimated times provided by states who are currently providing this more limited collection.

*Estimated Total Annual Burden Hours:* 104 hours.

*Total Estimated Annual Other Cost Burden:* \$0.

*Authority:* 44 U.S.C. 3506(c)(2)(A).

**John Pallasch,**

*Assistant Secretary for Employment and Training, Labor.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Federal-State Unemployment Compensation Program: Notice of Federal Agencies With Adequate Safeguards and an Appropriate Method of Payment or Reimbursement To Satisfy the Confidentiality Requirements of Agency Regulations**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of Federal agencies with adequate safeguards and an appropriate method of payment or reimbursement for costs.

**SUMMARY:** In this notice, the Department of Labor (Department) recognizes that the exchange of information between State unemployment compensation (UC) agencies and the Internal Revenue Service (IRS) and the exchange of information between State UC agencies and the Department of Health and Human Services (HHS) meet the requirements of agency regulations. The Department has determined that the relative benefits of information received by State UC agencies from the IRS and the benefits of the information received by the IRS from State UC agencies are approximately equal. The Department has also determined that the relative benefits of information received by State UC agencies from HHS and the benefits of the information received by HHS from State UC agencies are approximately equal. Pursuant to this determination, it is not necessary for

State UC agencies to satisfy the agreement requirements of agency regulations for the disclosure of confidential UC information to these two Federal agencies.

**FOR FURTHER INFORMATION CONTACT:** Gay M. Gilbert, Administrator, Office of Unemployment Insurance, Employment and Training Administration, (202) 693-3029 (this is not a toll-free number) or 1-877-889-5627 (TTY), or by email at [gilbert.gay@dol.gov](mailto:gilbert.gay@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Employment and Training Administration interprets Federal law requirements pertaining to the Federal-State UC program. Section 303(a)(1) of the Social Security Act, as implemented at 20 CFR part 603 (71 FR 56830), generally requires States to maintain the confidentiality of UC information. The regulation at 20 CFR 603.10 requires State UC agencies to enter into a written, enforceable agreement meeting certain requirements with any agency or entity requesting disclosure of such confidential UC information.

20 CFR 603.10(d) provides that the requirements of 20 CFR 603.10 do not apply to disclosures of confidential UC information to a Federal agency if the Department has determined, by notice published in the **Federal Register**, that the Federal agency has in place safeguards adequate to satisfy the requirements of 20 CFR 603.9 and an appropriate method of paying or reimbursing the State UC agency (which may involve a reciprocal cost arrangement) for costs involved in such disclosures as required in 20 CFR 603.8(d).

On November 15, 2006, the Department published notice in the **Federal Register** of its determination that the IRS has in place adequate safeguards for purposes of tax administration, including administration of the Federal unemployment tax and the Health Coverage Tax Credit (HCTC). 71 FR 66556. Section 6103 *et seq.* of the Internal Revenue Code, 26 U.S.C. 6103 *et seq.*, provides safeguards adequate to satisfy confidentiality requirements consistent with the Department's regulation. State UC agencies and the IRS exchange confidential UC information for purposes of the proper administration of the Federal unemployment tax and the HCTC, as well as the Questionable Employment Tax Practices initiative. With the current notice, the Department recognizes that the exchange of information between State UC agencies and the IRS for these purposes meets the requirements of 20 CFR 603.8(d)