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John Cox
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September 27, 2016

Mr. Donald Haughton
U.S. Department of Labor
Employment and Training Administration
Office of Workforce Investment
200 Constitution Ave, NW, Room C-4510
Washington, DC 20210

Dear Mr. Haughton,

This is a response to the Federal Register notice: Agency Information Collection Activities; Comment Request; Workforce Information Grants to States (WIGS), FR Vol. 81 No. 157, August 15, 2016 (pp. 54126-7).

The notice asserts that "WIOA Section 308 requires the Secretary of Labor to oversee the development, maintenance, and continuous improvement of a nationwide Workforce and Labor Market Information System (workforce information) *system...*" (emphasis added). In effect, this charge is no different than the Secretary's charge in Workforce Investment Act with the exception of the fact that the statutory authority of the states as co-equal participants in the system has been eliminated. WIA's section 309 stated that:

TITLE 29 - LABOR
CHAPTER 4B - FEDERAL EMPLOYMENT SERVICE

-HEAD-

Sec. 491-2. Employment statistics

-STATUTE-

(a) System content

(1) In general

The Secretary, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide employment statistics system of employment statistics that includes - ...

(b) System responsibilities

(1) In general

The employment statistics system described in subsection (a) of this section shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

With (b)(1) eliminated in WIOA, the key difference between WIOA and WIA is the loss of state statutory authority as co-participants in the design of the labor market information system. In addition, WIOA contains a reference to a “workforce information” system but fails to define it. Since Congress has charged the Secretary to develop and continuously improve something that is undefined, the nation is on shaky ground with respect to obtaining a substantive result.

On the other hand, over the past ten years, the WIGS collection has remained basically the same. So too has the funding. In PY 2006 funds allocated to the states decreased from \$36.5 million in PY 2005 to \$32 million where they remained each year since and today in PY 2016 (Training and Employment Guidance Letter No. 3-06, August 4, 2006 and TEGL 1-16 July 8, 2016).

If the Secretary of Labor is inspired by the WIGS-required states’ Annual Performance Reports, he is keeping it to himself. As have others before him.

The information collected in state Performance Reports has never been a source of state-federal dialogue. It serves no visible purpose in the LMI community. This explains why the statement of work in PY 2016, other than a bit of elaboration upon the PY 2006 TEGL, remains basically the same statement of work as it was ten years ago. States are either not recording their responses to the changing needs of their customers and documenting it in the Annual Performance Report, or ETA is not consuming the information it collects from the states, distilling it into its major components and themes, and using it as a means to develop and continuously improve the system. If the Secretary was engaged in overseeing the development and continuous improvement in the labor market information system, there would have been some form of dialogue with the states relating to that effort, and some minor change in the basic content of the WIGS collection. But there is no evidence to that effect. Now, without a statutory role for the states in the co-development of the labor market information system, the Secretary has even less incentive to engage that component of the system that is closest to the customer, the state labor market information office.

There is no current or historic evidence that the WIGS collection, and especially the Annual Performance Report, has a demonstrated role in the proper performance of the functions of the Secretary as defined either by WIA or WIOA. If the information collected in the WIGS Annual Performance Reports had practical utility, the WIGS deliverables would have been the subject of some form of dialogue with the states during the past ten years. In fact, the system has remained dormant, neglected by the Secretary and grown facile as a function of diminishing real resources over the past ten years.

Many, including OMB and Congress, attempt to lead the charge for more effective government under the banner of “evidence based policy making,” “data driven” decisions, or as in ETA embraced the next generation of pop knowledge, “real time” labor market information, while neglecting core system development under the WIGS grant. As we pass the time awaiting the effects of these initiatives to transform government, let us hold the Secretary accountable for the Congressional requirement of continuous improvement. As a condition of allowing further collections under the WIGS grant control number, OMB should require that ETA summarize and publish a report on the states’ Annual Performance Reports, identifying commonalities and unique efforts in state performance, discussing procedures to support standardization and additivity, identifying training needs for effective data dissemination, summarizing state proposals to fund research and demonstration projects, evaluate the performance of the system and recommend needed improvements, and identify funding needs. Understanding all of these dimensions are essential to continuous improvement. A draft of ETA’s report should be sent to the states for comment prior to publication. If ETA is unwilling to carry out these responsibilities, then as has been shown, there is no purpose behind the Annual Performance Reports, and the states should not be compelled to submit them. Eliminating this requirement will make up for some of the loss of funding for the states (the real value of the WIG to states has fallen by 9.8% based on the CPIU for 2005 and 2015).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Gallagher", with a long horizontal flourish extending to the right.

Tom Gallagher
Manager, Research & Planning