

**Supporting Statement for OMB Clearance of the
Alien Claims Activity Report
ETA-9016**

A. Justification

1. Circumstances That Make Collection Necessary.

The Immigration Reform and Control Act of 1986, Public Law 99--603, enacted November 6, 1986, amended Part A of Title XI of the Social Security Act (SSA) by adding subsections (d) and (e) to Section 1137 - "Income and Eligibility Verification System". These provisions require states to verify through the U.S. Citizenship and Immigration Services (USCIS) the legal status of all aliens applying for benefits under certain federally assisted and federally funded programs unless their participation is waived. The USCIS verification system, commonly called the Systematic Alien Verification for Entitlement (SAVE) Program, is currently available and being utilized by the states. To comply with its responsibilities under the SSA, the Department of Labor must gather information from state agencies concerning alien claimant activities. The Alien Claims Activity Report is the only source available for collecting this information. The following explains the Department's responsibilities under the SSA and the necessity for approval of the attached Alien Claims Activity Report.

Section 302(a), SSA, provides for reimbursement to State Workforce Agencies (SWAs) of 100 percent of the reasonable costs of implementing and operating the immigration status verification system. The Alien Claimant Activity Report allows the Department to determine the number of aliens filing for unemployment compensation (UC), the number of benefit entitlement issues detected, the denials resulting from the use of the SAVE system and the extent to which state agencies use the system. This information is required for the Secretary to determine whether a state's continued participation in the USCIS SAVE program may be waived or whether a state previously waived should be required to participate. The Alien Claims Activity Report provides information needed by the Secretary of Labor in determining whether the SWAs' cost associated with the verification program are reasonable and reimbursable.

This collection is authorized under Section 303(a)(6) of the SSA. In 1988, 1990, 1992, 1995, and 1998 the Alien Claimant Activity Report was approved under OMB Approval No. 1205-0268 (expires February, 2005). We are requesting an extension of OMB Approval No. 1205-0268 with no changes in the collection of information, as described below.

Currently, five items are reported on the ETA-9016 Report:

1. Initial claims where claimant is not a citizen.
2. Number of claimants verified through the USCIS designated automated system.
3. Number of secondary (mail) verifications through the USCIS.
4. Nonmonetary determinations on the alien issue.
5. Denials resulting from the nonmonetary determinations on the alien issue.

The effectiveness of the SAVE verification process is well established. For the year 2000, it is estimated that over \$24 million was realized by identifying and denying benefits to ineligible aliens through the SAVE process. The total savings for the past 10 years is estimated at over \$100 million. Thus, it is no longer deemed necessary to justify use of the SAVE process on a national basis.

2. Description of Information Collection.

The report allows the Department of Labor to determine the number of aliens filing for UI, the number of benefit issues detected and the denials resulting from the USCIS SAVE system. From these data, the Department of Labor can determine the extent to which State agencies use the system, and the overall effectiveness and cost efficiency of the USCIS SAVE verification system.

3. Use of Improved Information Technology.

States select the hardware and software to collect the data. Using a microcomputer and software provided by the Department of Labor, the data is input quarterly into an electronic system and transmitted to a computer in the Department. States only report manually on exception bases, i.e., hardware/software problems.

4. Description of Efforts to Identify Duplication.

This collection of data is unique to the UI program and obtainable only through State agencies. No other Government agency collects similar information on the UI program.

5. Collection of Information Involving Small Business.

The collection of this information does not involve small business.

6. Consequences.

The ETA-9016 report is due quarterly. If this data were not collected, the Department of Labor and the Secretary of Labor would not be able to fulfill their responsibilities under the SSA. It is only through the collection of this basic information that the Department of Labor can make an assessment of the overall effectiveness and cost efficiency of the USCIS SAVE program and whether a State's participation in the system should be waived. Finally, the absence of this information would greatly limit the ability of the Department of Labor to make sound policy decisions involving the verification program.

7. Special Circumstances.

There are no special circumstances or instructions that require the collection of this information to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5.

8. Consultation Outside the Agency.

National Office program staff are routinely in touch with Regional Office employees who work with state staff through phone calls, visits and conferences. National Office staff are also directly available to state staff. Additionally, in accordance with the Paperwork Reduction Act of 1995, a Federal Register Notice for sixty days' public comment was published on January 31, 2008 (Vol. 73, No. 21, p 5875). Two comments were received.

One was from the State of Wisconsin's Division of Unemployment Insurance, stating that the current ETA-9016 reporting system was working well. The other was from a private citizen who voiced concern that benefit claims are being paid to non citizens. The Agency wishes to point out that states are required to use the CIS Systematic Alien Verification for Entitlement (SAVE) Program to verify the status of any alien filing a UI claim. The SAVE system and this reporting requirement provide information to Federal and state officials. This information allows states to verify that the individual meets the requirements pertaining to aliens to receive UI. The Alien Claims Activity Report provides information to the Department on the number of aliens filing for UI, the number of issues detected, and the denials resulting from the use of the SAVE system.

9. Payment/Gifts to Respondents.

There are no payments to the respondents.

10. Confidentiality Provided - Respondents.

To ensure confidentiality, written analysis of SAVE data does not identify individual respondents.

11. Sensitive Information.

Information contained in this report is not sensitive.

12. Estimated Annual Burden Hours. 212 hours annually.

Method of computation:

$$53 \text{ States} \times 4 \text{ reports} \times 1 \text{ hour/report} = 212 \text{ hours.}$$

13. Estimate of the Total Annual Cost Burden to Respondents.

There are no other costs involved.

14. Estimates of Annualized Cost to the Federal Government.

Data is entered by the SWAs and electronically transmitted to the National Office, along with many other reports, where it is immediately available for use.

15. Reasons for Changes in Burden, Including the Need for Any Increases.

No changes.

16. Information to be Published.

Results with this information will not be published.

17. Waiver to Not Display the Expiration Date.

The expiration date will be displayed as part of the Handbook instructions for the ETA-9016 form.

18. Exceptions. There are no exceptions.

B. Collections of Information Employing Statistical Methods.

The collection of this information does not employ statistical methods.