

SUPPORTING STATEMENT FOR
OMB Control No. 1205-0222: MA 8-7, Transmittal of Unemployment Insurance Material

A. Justification

1. Necessity of Collection

Section 303(a)(6), SSA, requires, as a condition of receiving administrative grants, that state law contain provision for the “making of such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and compliance with such provisions as the Secretary of Labor may from time to time find necessary to ensure the correctness and verification of such reports.” Departmental regulations at 20 CFR 601.3 in part implement this requirement by requiring the submission of “all relevant state materials, such as statutes, executive and administrative orders, legal opinions, rules, regulations, interpretations, court opinions, etc. . . .” Also, the regulations for the UC for Federal Civilian Employees (UCFE) program at 20 CFR 609.1(d)(1) and for the UC for ex-servicemembers (UCX) program at 20 CFR 614.1(d)(1) require submission of certain documents to assure that states are properly administering these programs. The Trade Adjustment Assistance (which includes Trade Readjustment Allowances) program (TAA/TRA) regulations provide similar requirements at 20 CFR 617.52(c)(1).

The MA 8-7 is the mechanism for implementing these submittal requirements, the purpose of which is to provide the Secretary with sufficient information to determine if (a) employers in a state qualify for tax credits under the Federal Unemployment Tax Act; (b) the state meets the requirements for obtaining administrative grants under Title III, SSA; and (c) the state is fulfilling its obligations under Federal UC programs.

2. Purpose of Information

The information transmitted by Form MA 8-7 is used by the Secretary to make findings (as specified in the above cited Federal laws) required for certification to the Secretary of the Treasury for payment to states or for certification of the state law for purposes of additional tax credit. If this information is not available, the Secretary cannot make such certifications.

3. Information Technology

To facilitate transmittal of required material, the Department prescribes the use of Form MA 8-7, Transmittal of Unemployment Insurance Material. This simple checkoff form is used by the states to identify material being transmitted to the Office of Workforce Security and allows the material to be routed to appropriate staff for prompt action.

Introduced and enacted state legislation are available to the Department through an automated legislative reporting service for all states except Puerto Rico and the Virgin Islands. States with information that is made available through this reporting service are not required to submit introduced and enacted legislation.

4. Availability of Similar Information for Duplication

There is no similar information available to duplicate. The Office of Workforce Security is the only agency which needs or collects this material.

5. Impact on Small Businesses or Small Entities

This collection does not involve small businesses or entities.

6. Description of Consequences of Not Collecting Information

States could not be certified if this information were not collected and Form MA 8-7 greatly facilitates its receipt. Issues would not be identified timely if information is not collected frequently and transmitted by Form MA 8-7. The information is required by law and the use of Form MA 8-7 to transmit it speeds its receipt and makes for easy identification of information.

7. Special Circumstances

By law, states are required to collect and submit all relevant statutes transmitted by Form MA 8-7. The collection is in accordance with the guidelines of 5 CFR 1320.5 . The submittal of this information by Form MA 8-7 does not require any special circumstances. There are no changes in the way the information is collected.

8. Copy, Date, and Page Number of Federal Register Publication

In accordance with the Paperwork Reduction Act of 1995, the public was allowed 60 days to review and comment through the Federal Register Process. The Federal Register Notice was published January 25, 2010 (Vol. 75, No. 15), and no comments were received.

9. Payments or Gifts to Respondents

There are no payments or gifts to respondents.

10. Assurance of Confidentiality

There is no assurance of confidentiality to respondents.

11. Sensitive Questions

Questions are not of a sensitive nature.

12. Estimate of Hour Burden of the Collection of Information

It is estimated that states will transmit the forms and their attached materials about once a month. Based on experience, it is estimated that each form takes no more than a minute for state agencies to fill out the check list and place the already available materials in an envelope. This would average out to approximately 12 minutes each year for each state. If 53 state agencies transmit the forms, the conservatively approximated burden hours are estimated to be:

53 States X 1 min/transmittal X 12 transmittals/year = 10.6 hours, rounded to 11 hours.

The FY 2009 average hourly wage for state workforce agency staff as follows:

At an average salary of \$**35.77** per hour, and a total of 10.6 burden hours, rounded to 11 hours, the total cost to respondents is \$ **379** per year.

13. Estimate of Total Annual Cost Burden to Respondents

None. This, and all other reporting for Unemployment Insurance, is paid for by monies allocated to states for administration. There are no breakouts for specific reports or information collection.

14. Annualized Cost to the Federal Government

There is no cost to the Federal Government. The use of Transmittal Form MA 8-7 saves time and cost as it assures that only a secretary is needed to route materials to the proper staff for timely action rather than have a professional look through the materials first to determine content and assignment.

15. Reasons for Program Changes

There are no program changes.

16. Publication of Results

There are no results to be published from the collection of information.

17. Approval to Not Display the Expiration Date for OMB Approval

The Department is not seeking approval to not display the expiration date for OMB approval.

18. Exception to the Certification Statement

There are no exceptions to the Certification Statement.

B. Collection of Information Employment Statistical Methods

This collection does not employ statistical methods.