

**SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION
MONITORING OF STATE IMPLEMENTATION OF CHANGES CAUSED BY PL 112-96**

A. Justification

The U.S. Department of Labor (USDOL) has responsibility for ensuring that states implement the extension and modifications to the Emergency Unemployment Compensation (EUC) program, including Reemployment Services and Reemployment and Eligibility Assessment Activities (REA) for recipients of EUC, herein referred to as EUC RES/REA, and the Work Search Audit requirement in accordance with the Middle Class Job Creation and Tax Relief Act of 2012 (Act), Title II, Subtitle C, and USDOL operating instructions.

ETA is responsible for conducting EUC reviews, Work Search Audit, and EUC RES/REA program reviews. Given the lack of resources available for detailed monitoring, ETA intends to use a questionnaire as a monitoring tool to establish which states are most in need of technical assistance. The goal of this questionnaire is to ensure that states have plans to properly implement and administer the EUC modifications, Work Search Audit, and EUC RES/REA requirements. This proposed collection should provide ETA with key areas in which technical assistance is necessary.

Justification for Seeking Emergency Approval:

PL 112-96 mandates that states begin complying with many of the operational requirements of the MCTRJC within 30 days of passage or as soon as Federal guidance is made available. ETA's extensive history of monitoring state Unemployment Insurance (UI) operations has shown that a key element to successful implementation of large scale changes is ensuring that understanding of the new requirements and plans for implementation are consistent with Federal law and guidance, as well as program objectives. To be successful, this collection must occur during the planning and implementation phase. Failure to accomplish this critical step introduces the risk that many types of misunderstandings may go uncorrected, and be propagated into operational aspects of the programs, and require subsequent corrective action.

Any delays in establishing a robust monitoring program provides the opportunity for misunderstandings about program scope, operation, and requirements to linger, potentially denying claimants opportunities and putting states at the risk of operating programs out of compliance with Federal laws and guidance. For this reason, ETA seeks emergency clearance from OMB for approval of this new collection to be prepared to immediately monitor state plans and implementation of these programs once PRA approval is granted.

1. Circumstances that make the collection necessary. The recent enactment of the MCTRJC brought with it a large number of changes for states that are operating Federal UI programs in their states. Since ETA has principal responsibility for providing oversight of state UI operations, monitoring of modifications to Federally-sponsored UI programs is critical to ensure that claimants are properly served, and that states are not making improper payments using Federal funds. ETA cannot provide suitable oversight on state implementation of provisions in the MCTRJC without collecting data describing state plans, state activities, state law changes and the use of Federal funds by states.
2. Use of Information. The information collected from state applications will be used to evaluate state actions in response to the MCTRJC and prioritize additional technical

support and oversight. ETA has scarce resources for regional monitoring so this information will be used to target support and oversight activities where they will be most needed. Any data collected on grant tracking will be used to ensure that proper financial data is provided to support reimbursement and oversight of program development and administration.

3. Information Technology. ETA does anticipate that this data will be reported electronically, though not incorporated into the current automated reporting systems. Many of the reporting elements required in this collection involve narratives and would not be supported by substantial automation. It is expected that all of the materials states provide will be electronic and will be provided through email to the appropriate regional office.
4. Duplication. This data is not available from other sources in any manner.
5. Small Entities. There is no impact on small businesses. Only state workforce agencies are respondents to this collection.
6. Consequences of Not Collecting or Collecting Less Frequently. This information will be collected only one time. If these data were collected less frequently, ETA's ability to carry out its statutory oversight responsibilities and document state issues in implementing the programs would be compromised.
7. 5 CFR 1320.5. ETA will endeavor to ensure that all materials provided to the regions display the OMB control number, expiration date and estimated response times.
8. Publication in Federal Register and Other Consultation. Traditional clearance processes would prevent timely fulfillment of statutory obligations; consequently, DOL is using emergency clearance procedures available under 5 C.F.R. 1320.13, including obtaining a waiver from publishing Notices in the Federal Register to seek public comments, for this information collection request. The agency is taking steps to work with state agencies to minimize the burden of collecting this information. The agency does not anticipate a need to continue this collection beyond a six-month period.
9. Payment to Respondents. No payments are made to respondents.
10. Confidentiality. The materials in this collection contain no personal or confidential data.
11. Sensitive Questions. There are no questions of a sensitive nature.
12. Burden Hours. ETA expects that every State Workforce Agency (SWA) will need to submit a completed questionnaire. Based on conversations with USDOL regional office staff, ETA anticipates that states have the information on hand to complete this questionnaire and the burden involved will largely be organizational: compiling the answers electronically from various program offices and organizing them into the questionnaire itself. ETA estimates, based on conversations with the same regional staff that routinely conduct on-site reviews, that the average response time for completing the questionnaire will be 30 hours. As there are 53 SWA respondents to the questionnaire, the total estimated burden from this collection would be 53 respondents (SWAs) x 30 hours = 1,590 hours.

In monetizing this burden, DOL used the FY 2012 program planning average wage of SWA staff of \$40.99. As a result, the estimated cost of this reporting burden is 1,590 hours * \$40.99 per hour = \$ 65,174.10.

- 13. Burden Costs. There are no burden costs.
- 14. Federal Annualized Costs. The completed questionnaires will require some degree of analysis by ETA staff in order to accomplish the intended goal of identifying areas for concern and prioritizing technical assistance to the SWAs that are operating these programs. It is anticipated that for each completed questionnaire, ten hours will be required to review the individual responses from SWAs as well as meet with peers to discuss and document findings. Given that there are 53 expected responses from SWAs operating UI programs, we would estimate the aggregate Federal burden at:

53 responses x 10 hours per response = 53 hours.

In monetizing this burden, ETA generally assumes the hourly cost will be based on the current fiscal year's locality-based wage rate for a GS-12, step 7 employee (ref: <http://www.opm.gov/oca/12tables/gsrates.xls>). The table below shows the various ETA regional offices (Atlanta, Boston, Chicago, Dallas, Philadelphia, and San Francisco) as well as the number of states that reside within those regions, and the FY 2012 locality-based pay rate for each. The resulting estimated cost burden is \$22,848.20.

Region	States	Hours per State	Total Estimated Hours	Estimated Hourly Rate	Estimated Cost Burden
ATL	8	10	80	41.34	\$ 3,307.20
BOS	10	10	100	43.25	\$ 4,325.00
CHI	10	10	100	43.36	\$ 4,336.00
DFW	11	10	110	41.82	\$ 4,600.20
PHL	6	10	60	42.21	\$ 2,532.60
SF	8	10	80	46.84	\$ 3,747.20
Totals	53	10	530		\$ 22,848.20

It should be noted that this is a one-time cost, and not an annualized or recurring cost.

- 15. Changes in Burden. This is a new collection.
- 16. Publication. There are no plans to publish the data collected from this project at this time.
- 17. Display of OMB Approval and Expiration. ETA will display the OMB control number and expiration date, once provided through notice of action by OMB on each directive (UIPL) since it forms the source of the application materials, guidance, and statutory authority.
- 18. Certification Exceptions. There are no exceptions.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed for this report.