

**SUPPORTING STATEMENT FOR 20 CFR PART 601  
ADMINISTRATIVE PROCEDURES AND FORM MA 8-7, OMB Control No. 1205-0222**

**A. Justification**

1. **Explain the circumstances that make the collection of information necessary.**

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-service members (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. **Explain how, by whom, how frequently, and for what purpose the information will be used.**

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. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

To facilitate transmittal of required material, the Department prescribes the use of Form MA 8-7, Transmittal of Unemployment Insurance Material. Form MA 8-7, a check-off

form, is used by the states to identify material being transmitted to the Office of Unemployment Insurance (OUI) 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. **Describe efforts to identify duplication.**

The Office of Unemployment Insurance is the only agency which collects this material; therefore, this report is not duplicated nor is there any similar information available for duplication.

5. **If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

This collection does not involve small businesses or entities.

6. **Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Were this information not collected or collected less frequently, states would not be certified and issues would not be identified in a timely manner. The information is required by law, and the use of Form MA 8-7 by states with their transmittal helps to avoid confusion and hastens the processing by identifying the specific nature of the materials transmitted by the state.

7. **Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

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. There are no proposed changes in the way the information is collected. Please note that 20 CFR 609.1(d)(1) and 614(d)(1) require covered responses to be provided in ten days.

8. **Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission.**

In accordance with the Paperwork Reduction Act of 1995, the public was allowed 60 days to review and comment on this data collection request by way of a Notice published

in the *Federal Register* on December 7, 2012 (Vol.77, p 73053). No comments were received.

9. **Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There are no payments or gifts to respondents.

10. **Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality to respondents.

11. **Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

Questions are not of a sensitive nature.

12. **Provide an estimate in hours of the burden of the collection of information.**

States transmit the MA 8-7 form along with their attached materials as needed. 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.

Instruments	Respondents	Hours Per Response	Annual Responses per Respondent	Total Annual Responses	Annualized Hours
Review of State Legislation	53	0.25h	5	265	66.25
Review of State STC policies	26	0.25h	1	26	6.50
Review of State SEA Policies	10	0.25h	1	10	2.50
<b>Unduplicated Totals</b>	53		7	301	75 (rounded)

In monetizing this burden, DOL uses the FY 2012 program planning average wage of SWA staff of \$40.99. As a result, the estimated cost of this reporting burden is 75 hours \* \$40.99 per hour = \$3,074.

13. **Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

There are no other costs involved other than those mentioned on item 12.

14. **Provide estimates of annualized cost to the Federal government.**

There is no cost to the Federal Government.

15. **Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

Because the Department now subscribes to a legislative reporting service, the number of responses from the states had been reduced and the burden hours associated with this collection have declined over the course of recent renewals. However, recent legislation, (i.e. PL 112-96) has mandated some changes to state laws as a pre-condition for eligibility for grants and additional benefit programs in the Unemployment Insurance system. As a result, OUI expects that there will be an increase in review of state legislation and policy as ongoing reviews of self-employment programs, workshare policies and other aspects of state administration of the UI system continue.

16. **For collections whose results will be published, outline the plans for tabulation and publication.**

The Department does not make the results of this collection available to the public.

17. **If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

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

18. **Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exceptions to the certification statement.

**B. Collection of Information Employment Statistical Methods**

This collection does not employ statistical methods.