

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSIONS
ETA-9016, ALIEN CLAIMS ACTIVITY REPORT, OMB 1205-0268**

A. JUSTIFICATION

1. Explain the circumstances that make collection of information 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 Service (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 to and being utilized by the states. To comply with its responsibilities under the SSA, the Department of Labor (Department) must gather information from state agencies concerning alien claimant activities. The Alien Claimant 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. We are requesting a regular extension of OMB Approval No. 1205-0268, with no revisions, in the collection of this 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.
- 2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

The report allows the Department to determine the number of aliens filing for unemployment insurance (UI), the number of benefit issues detected and the denials resulting from the USCIS SAVE system. From these data, the Department 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. 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.**

States are free to take advantage of any available technology to generate the report data. State Unemployment Insurance programs benefit from computer hardware and software developed by ETA that provides for data storage, data collection and data processing. ETA provides computers and a software system to all states, and that system is, generally speaking, the only method by which states may report data. When a state logs into the system, they see facsimiles of the reports and do entry either directly into those facsimiles or by loading pre-formatted, delimited ASCII files exported from their computer systems into the software to populate the reporting interface. The only State that does not report electronically is the Virgin Islands.

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

The collection of this information does not involve small business.

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

The ETA-9016 report is due quarterly. If this data were not collected, the Department and the Secretary would not be able to fulfill their responsibilities under the SSA. It is only

through the collection of this basic information that the Department 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 to make sound policy decisions involving the verification program.

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

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. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

In accordance with the Paperwork Reduction Act of 1995, the public was allowed 60 days to review and comment through the Federal Register Notice posted on March 20, 2014 (Vol. 79, Page 15612). No comments were received.

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

No payments or gifts were made to any respondents.

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

Written analysis of SAVE data does not identify individual respondents.

11. Sensitive Information.

The information contained in this report does not involve questions of a sensitive nature.

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

212 hours annually.

Method of computation:

53 States x 4 reports x 1 hour/report = 212 hours.

Respondent Time Value Estimate

212 hours x \$43.23¹ per hour = \$9,164.76 (annualized value).

Burden Summary ETA 9016: 53 respondents, 212 responses, 212 hours.

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).

Respondents incur no costs that are not reimbursed by the Federal Government (e.g., computers States use to prepare information to respond to these and other ETA reporting requirements are paid for with Federal funds).

14. Estimates of Annualized Cost to the Federal Government.

Federal Burden for Data Collection: ETA 9016.

Annual Burden Hours: 40 (10 hours per quarter).

Estimated Annual Salary Cost to Review Data: \$1,643.

Note: The estimated cost is based upon the annual salary for a Washington, DC based GS-12, Step 5 at \$41.07 per hour. (See Office of Personnel Management Salary Table 2014-GS, http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2014/DCB_h.pdf). \$41.07 x 40 hours = 1,642.80.

The data is received and stored on Department owned computer equipment along with all other Unemployment Insurance Reports data.

Although no staff are required to process this report, during FY2014, ETA budgeted \$791,000 to operate and maintain the Unemployment Insurance Required Reports system. Including the subject ICR, this system supports 30 information collections. For administrative purposes, each information collection is assumed to contribute an equal share of the cost for supporting the entire system; therefore, the cost allocated to this ICR is estimated to be \$26,367 (\$791,000 system cost/30 information collections = 26,366.67).

1. ***Source:** The hourly rate is computed by dividing the FY 2014 national average PS/PB annual salary for state staff as provided for through the distribution of state UI administrative grants (http://wdr.doleta.gov/directives/attach/UIPL/UIPL_23_13_Att1.pdf) by the number of hours worked in a year (1,711).
\$73,972 annual rate/1,711 hours = \$43.23.

Total Federal costs are estimated to be \$28,010. $\$1,643 + 26,367 = 28,010$.

15. Explain the reasons for any program changes or adjustments.

No changes.

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

Results with this information will not be published.

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 expiration date is displayed as part of the Handbook instructions for the ETA-9016 form.

18. Explain each exception to the certification statement.

There are no exceptions.

B. Collections of Information Employing Statistical Methods.

The collection of this information does not employ statistical methods.