

**SUPPORTING STATEMENT  
ALIEN CLAIMS ACTIVITY REPORT  
OMB Control No. 1205-0268**

**A. Justification.**

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.*

Section 432 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (also referred to as the Welfare Reform Act of 1996) (Pub. L. 104-193), requires 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. The Employment and Training Administration (ETA) is requesting an extension of OMB Approval No. 1205-0268, 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. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.*

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 collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

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. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

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 impacts small businesses or other small entities, describe any methods used to minimize burden.*

The collection of this information does not involve small business.

6. *Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

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 would cause an information collection to be conducted in a manner that requires further explanation pursuant to regulations 5 CFR 1320.5.*

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

8. *If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

*Describe 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.*

*Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.*

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 May 23, 2017 (82 FR 23603). No public comments were received.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.*

No payments or gifts were made to respondents.

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

Written analysis of SAVE data does not identify individual 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. This justification should include the reasons why the agency considers the questions*

*necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

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

12. *Provide estimates of the hour burden of the collection of information.*

Method of computation:

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

Respondent Time Value Estimate

212 hours x \$49.00 per hour = \$10,388 (annualized value).

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

*The following table can be used as a guide to calculate the total burden of an information collection.*

Activity	Number of Respondents	Annual Frequency	Total Annual Responses	Time Per Response (Hours)	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
ETA-9016	53	4	212	1	212	\$49.00	\$10,388.00
<b>Unduplicated Totals</b>	<b>53</b>	<b>4</b>	<b>212</b>	<b>//////////</b>	<b>212</b>	<b>//////////</b>	<b>\$10,388.00</b>

\*Source: The hourly rate is computed by dividing the FY 2017 national average PS/PB annual salary for state staff as provided for through the distribution of state UI administrative grants ([https://wdr.doleta.gov/directives/attach/UIPL/UIPL\\_20-16.pdf](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_20-16.pdf)) by the average number of hours worked in a year (1,711). For FY2017, this calculation was: \$81,777 / 1,682.10 = \$49.00

13. *Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).*

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. *Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.*

Federal Burden for Data Collection: ETA-9016.

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

Estimated Annual Salary Cost to Review Data: \$1,731.60.

Note: The estimated cost is based upon the annual salary for a Washington, DC based GS-12, Step 5 at \$43.29 per hour. (See Office of Personnel Management Salary Table 2017-GS, ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/DCB\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/DCB_h.pdf))).  $\$43.29 \times 40 \text{ hours} = 1,731.60$ .

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

During FY2017, ETA has budgeted **\$965,920.33** 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 \$32,197.34 ( $\$965,920.33$  system cost/30 information collections).

Total Federal costs are estimated to be **\$33,929.34**.  $\$1,732 + \$32,197.34 = \$33,929.34$ .

*15. Explain the reasons for any program changes or adjustments reporting on the burden worksheet.*

There is no change in burden.

*16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.*

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 that display would be inappropriate.*

ETA displays the OMB approval number and expiration date.

*18. Explain each exception to the certification statement identified in "Certification of Paperwork Reduction Act Submission."*

There are no exceptions.

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

This information collection does not employ statistical methods.