

SUPPORTING STATEMENT
REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT (RESEA) REPORTS
OMB Control Number 1205-0456

The Department of Labor (DOL), Employment and Training Administration (ETA) is submitting a revision of currently approved collection for the ETA 9128 Reemployment Services and Eligibility Assessment Workload and ETA 9129 Reemployment Services and Eligibility Assessment Outcomes, which are required reports under the Reemployment Services and Eligibility Assessment (RESEA) program. Changes include removal of separate reporting for program participants receiving Unemployment Compensation for Ex-Servicemember (UCX) that was previously conducted under the ETA 9128X and 9129X reports and increase in estimated burden hours to reflect new RESEA program requirements enacted by recent legislation and the varying levels of integration across states' reporting and case management systems.

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.*

Revision for existing approved forms with revisions, ETA 9128 and ETA 9129: This is a justification for the DOL's request to extend with revisions the information collection by State Workforce Agencies (SWAs) about the RESEAs they schedule and conduct. The Secretary's authority to implement this reporting requirement is found in the Social Security Act (SSA) section 303(a)(6), 42 U.S.C. 503 (a)(6), which requires that state law include 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 assure the correctness and verification of such reports.

The Secretary interprets section 303(a)(6), SSA, to authorize DOL to prescribe standard definitions, methods and procedures, and reporting requirements for the collection of information on benefit payment accuracy and the reemployment of Unemployment Insurance (UI) benefit recipients and to ensure accuracy and verification of these data.

This information is needed to administer the RESEA program. It reflects the workloads that are funded and the outcomes that result from participant selection and participation in the program. OMB previously approved DOL's request that this data collection be approved and extended for three years through August 31, 2019.

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.*

DOL uses the information collected in ETA 9128 and ETA 9129 to: 1) evaluate state performance in terms of service delivery; and 2) report on the RESEAs, including the number of scheduled in-person reemployment services and eligibility assessments, the number of individuals who participated and the number who failed to appear for scheduled assessments, actions taken as a result of individuals not appearing for an assessment (e.g., benefits terminated), results of assessments (e.g., referred to reemployment services, found in compliance with program requirements), and average weeks to reemployment and average weeks of benefit payments.

Historically, the RESEA program has served two target populations: claimants who have been determined to be most likely to exhaust their benefits and veteran receiving UCX. The Bipartisan Budget Act of 2018 (Public Law 115-123) permanently authorized the RESEA program by enacting a new Section 306 of the Social Security Act. This permanent authorization does not require states to specifically target UCX claimants for RESEA participation. To ensure alignment with the recent RESEA authorization and to reduce reporting burden placed on SWAs, the DOL is proposing to discontinue the ETA 9128X and ETA 9129X reports, which were previously established to collect information specific to the UCX population.

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.*

This data reporting requirement uses automated procedures for data collection, transmission, and analysis that utilize state and Federal information processing technology. DOL provides computers to each state and jurisdiction along with reporting software and a proprietary network to use to transmit data to the computers at the DOL National Office.

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.*

There is no duplication.

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

This collection does not impact small businesses.

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.*

Collecting this information less frequently than quarterly would not allow for adequate monitoring or evaluation of the impact of the reemployment services and eligibility assessments. SWAs already report workload counts and outcomes to ETA each quarter and collecting this data less frequently would not materially diminish the burden of this data collection initiative.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the requirements of 5 CFR § 1320.5.*

This ICR implicates no special circumstances.

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 given an opportunity to review and comment through a notice in the *Federal Register* on March 13, 2019 (84 FR 9140).

The DOL received additional comments on May 13, 2019 and May 14, 2019. The first commenter submitted a proposed redesign of the report templates that would collect additional and more detailed data elements than those currently in use. DOL is finalizing implementation of the recently authorized RESEA program and assessing future reporting needs. Since the RESEA program is currently in a state of transition and many policy and programmatic elements remain in development, the DOL is not positioned at this time to implement significant changes, such as those proposed by the commenter, to RESEA reporting.

The second commenter raised concerns that the DOL underestimated burden hours (.5 hours). The DOL agrees that the current burden hours does not properly reflect requirements of the new RESEA program and variations across states in the level of program and system integration. In response DOL has increased burden hours from .5 to 2.5 hours per report. The commenter also raised concerns that data should not be routinely collected using the “comments section” of the reports. Under the proposed collection, the comment section will only be used at a State’s discretion to explain and document any unusual circumstances or challenges that may have impacted the reported data.

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

No payments and/or gifts are made to respondents.

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

There are no issues of confidentiality as no personal data on individual claimants is provided to the ETA as part of this collection. ETA maintains strict controls over the data gathered through the UI reporting system. ETA does not receive any data on individual claimants from States as a requirement of this data collection. Only aggregate data describing activity for all claimants are reported to DOL.

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.*

No questions of a sensitive nature are included.

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

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

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response (Hours)	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
ETA 9128	53	4	212	2.5	530	\$49.94	\$26,468.20
ETA 9129	53	4	212	2.5	530	\$49.94	\$26,468.20
Unduplicated Totals	53	--	424	--	1060		\$52,936.40

*Source: The hourly rate is computed by dividing the FY 2019 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_10-18.pdf) by the average number of hours worked in a year (1,711). For FY 2019, this calculation is: \$85,453 / 1,711 = \$49.94.

The original submittal was made when the program was implemented and it is envisioned that all 53 SWAs will participate.

The total burden comprises SWA activities related to assembling automated record system files, conducting automated cross matches of these files, and electronically reporting the results to DOL. Estimates of the burden follow, based on the fact that ETA awarded RESEA grants to states during fiscal year 2017/2018, according to the availability of appropriated funds.

ETA estimates that it will take the same amount of time for States to complete the ETA 9128 and the ETA 9219: 150 minutes for each form or 2.5 hours. These data are already being collected and reported to DOL.

13. Provide an estimate for 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 already reflected on the burden worksheet).

There are no annualized costs to respondents.

14. Provide estimates of annualized costs 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. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Federal Burden for Data Collection: ETA 9128 and 9129.

ETA 9128 - Annual Burden Hours: 530 hours (average 2.5 hours per report)

ETA 9128 - Estimate Annual Salary Cost to Review Data: \$26,124

ETA 9129 - Annual Burden Hours: 530 hours (average 2.5 hours per report)

ETA 9129 - Estimate Annual Salary Cost to Review Data: \$26,124

Note: The estimated cost is based upon the annual salary for a Washington, DC based GS-12, step 8 at \$49.29 per hour. (See Office of Personnel Management Salary Table 2019-GS, https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB_h.pdf). $\$49.29 \times 530 \text{ hours} = \$26,123.70$.

The data is received and stored on DOL owned computer equipment along with all other UI Reports data.

Although, no staff is required to process this report, during 2019 ETA budgeted \$965,920.33 to operate and maintain the UI Required Reports system. Including the subject Information Collection Request, 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.)

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

The changes in burden reflect the fact that each State makes an individual decision in each year regarding their participation in the RESEA program. As a result, the number of reports we anticipate will change with the number of States participating. The change from 49 to 53 States participating produces a small increase in overall expected burden. To ensure alignment with the recent RESEA authorization, the DOL is proposing to discontinue the ETA 9128X and ETA 9129X reports, which were previously established to collect information specific to the UCX population. The DOL is also proposing to collect data for two RESEA groups which are “initial” and “subsequent” RESEAs.

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.*

Decisions on publication of data have not been made.

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

The expiration date for OMB approval will be displayed.

18. *Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions,*

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.