

**SUPPORTING STATEMENT**  
**TRANSMITTAL FOR UNEMPLOYMENT INSURANCE MATERIALS**  
**OMB Control Number 1205-0222**

**A. Justification**

The Department of Labor (DOL), Employment and Training Administration (ETA) requests a revision for the Transmittal for Unemployment Insurance Materials information collection request (ICR).

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.*

Social Security Act section 303(a)(6), (SSA), 42 U.S.C. 503(a)(6), 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 Transmittal for Unemployment Insurance Materials, also known as Form 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. *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 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 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.*

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

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

This collection does not involve small businesses or entities.

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.*

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

By law, states are required to collect and transmit all relevant statutes and other state materials using 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. *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 comment through the *Federal Register Notice* posted on December 28, 2018 (83 FR 67354). No public 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. 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.*

Questions are not of a sensitive nature.

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

States transmit the Form MA 8-7 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 checklist and place the already available materials in an envelope.

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

Activity	Respondents (Average)	Responses Per Respondent (Advance & Repayments)	Total Annual Responses	Time Per Response	Total Burden Hours	Hourly Value*	Monetized Burden Hours (Rounded to nearest \$)
Review of State Legislation	53	5	265	0.25	66.25	\$49.95	\$3,309
Review of State Work Search Policies	53	1	53	0.25	13.25	\$49.95	\$662
Unduplicated Totals	53	6	318	0.25	79.5	\$49.95	\$3,971

\*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](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= \$49.95.

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 other costs involved other than those mentioned on item 12.

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.*

There is no cost to the Federal Government.

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

The burden has increased because respondents increased from 301 to 318, while hours increased from 75 to 80. Review of State Short Time Compensation (STC) Policies and Review of State Self-Employment Assistance (SEA) Policies have been removed from the table as we are only seeking information on state legislation and policies relating to work search at this time.

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.*

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 displays the expiration date for OMB approval of the information collection.

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. Collection of Information Employment Statistical Methods**

This collection does not employ statistical methods.