

SUPPORTING STATEMENT FOR ALIEN CLAIMS ACTIVITIES REPORT

OMB CONTROL NO. 1205-0268

This ICR seeks to an extension without change to 1205-0268, Alien Claims Activities Report.

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 DOL must gather information from state agencies concerning alien claimant activities. The Alien Claimant Activities Report is the only source available for collecting this information. The following explains the DOL's responsibilities under the SSA and the necessity for approval of the attached Alien Claims Activities 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 Activities Report allows the DOL 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 Activities 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 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 DOL 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 DOL 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 A.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 DOL 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 DOL 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 DOL 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:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

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. There are no record keeping requirements.

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 12, 2020 (85 FR 28037). No public comments were received.

9. Explain any decision to provide any payments or gifts 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. The statement should:

Method of computation:

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

Respondent Time Value Estimate

212 hours x \$50.62 per hour = \$10,731.44 (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	\$50.62	\$10,731.44
Unduplicated Totals	53	4	212	//////////	212	//////////	\$10,731.44

*Source: The hourly rate is computed by dividing the FY 2020 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_16-19.pdf) by the average number of hours worked in a year (1,711). For FY 2020, this calculation is: \$86,609 / 1,711= \$50.62.

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

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis**

associated with the rulemaking containing the information collection, as appropriate.

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

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 the 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), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

Federal Burden for Data Collection: ETA-9016.

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

Estimated Annual Salary Cost to Review Data: \$1,875.20.

Note: The estimated cost is based upon the annual salary for a Washington, DC based GS-12, Step 5 at \$46.88 per hour. (See Office of Personnel Management Salary Table 2020-GS, (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/DCB_h.pdf)). $\$46.88 \times 40 \text{ hours} = 1,875.20$.

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

During 2020 ETA has budgeted \$1,024,744.87 contractual costs for operating and maintaining 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 \$34,158.16 ($\$1,024,744.87/30$ system cost/30 information collections.)

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

There is no change in burden.

16. For collections of information whose results will be published, outline plans for tabulations, 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.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This information collection does not employ statistical methods.