SUPPORTING STATEMENT FOR STATEMENT OF EXPENDITURES AND FINANCIAL ADJUSTMENTS OF FEDERAL FUNDS FOR UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES AND EX-SERVICEMEMBERS

OMB CONTROL NO. 1205-0162

This information collection request (ICR) seeks approval of an extension without change of the Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers (ETA 191).

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.

Public Law 97-362, Miscellaneous Revenue Act of 1982 amended the Unemployment Compensation for Ex-Servicemembers (UCX) law (5 U.S.C. 8509) and Public Law 96-499, Omnibus Reconciliation Act, amended the Unemployment Compensation for Federal Employees (UCFE) law (5 U.S.C. 8501 et seq.) to require each Federal employing agency to pay the costs of regular and extended UCFE/UCX benefits paid to its employees by the State Workforce Agencies (SWAs).

By submittal of Form Employment and Training Administration (ETA)191 each quarter, SWAs will show the amount of benefits that should be charged to each Federal employing agency. ETA will aggregate the quarterly charges reported on the Form ETA 191 and submit an official bill (showing all States' charges) to each Federal agency that is being charged. Federal agencies will reimburse the Federal Employees Compensation Account (FECA), maintained by the U.S. Department of the Treasury. This collection is authorized by the Social Security Act, Section 303(a)(6).

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 ETA 191 report is used by the ETA to bill Federal agencies for costs incurred by SWAs in paying unemployment insurance benefits to the employees of these agencies. Each SWA reports to ETA benefit charges by Federal agencies. These charges are aggregated for each agency and billed to the individual agencies. Without this data, ETA could not bill these agencies separately as required in the laws cited in item A.1. If ETA were unable to bill these Federal agencies, such agencies would be unable to reimburse the FECA. This would further result in the FECA not having available resources to cover UCFE and UCX benefit payments.

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.

The ETA 191 report is an electronic Form, and the data is currently transmitted electronically from the state level to ETA.

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.

The data reported on this report is unique in the U.S. Department of Labor (Department), ETA reporting system; 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 business or other small 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.

This collection is quarterly. Less frequent reports will result in less frequent reimbursements to the FECA which may result in insufficient funds being available to pay unemployment benefits to Federal civilian employees and Ex-Servicemembers.

Sec. 303(a)(6) of the SSA requires states to provide reports ‘from time to time’ containing such information to assure compliance with federal provisions as the Secretary of Labor finds necessary. Less frequently than a quarterly collection would mean less ability for the Department to track impact of legislation and less ability to track patterns of activity within a state over time.

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.

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 August 14, 2024 (89 FR 66145). No public comments were received.

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

There are no payments or gifts provided to respondents.

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

There is no assurance of confidentiality.

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 collection does not involve any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Fifty-three (53) SWAs utilize Form ETA 191.

The average estimated response time for a single report is 6 hours. The report is submitted by 53 SWAs at a quarterly frequency. We estimate the aggregate burden to be:

(53 respondents) x (4 reports/year) x (6 hours per report) = 1,272 burden hours.

Estimated Annualized Respondent Costs and Hour Burden

Activity	No. of Respondents	No. of Response per Respondent	Total Responses	Average Burden (Hours)	Total Annual Burden Hours	Hourly Wage Rate*	Total Burden Cost
Reporting of ETA191	53	4	212	6	1,272	$53	67,416
Unduplicated Totals	**53**	**4**	**212**	**6**	**1,272**		**67,416**

*Source: The hourly rate is computed by dividing the FY 2025 national average PS/PB annual salary for state staff as provided for through the distribution of state UI administrative grants. (https://www.dol.gov/agencies/eta/advisories/uipl-19-24) by the average number of hours worked in a year (1,711). For FY 2025, this calculation is: $90,282 / 1,711= $53.

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 startup 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.**

There are no other costs other than their time described in item 12 above.

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.

Although no staff is required to process this report, for FY 2025 ETA has budgeted $920,436.80 to operate and maintain the Unemployment Insurance Required Reports system. Including the subject ICR, this reporting 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 $30,681.23 ($920,436.80 system cost/30 information collections).

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

There are no program changes or adjustments affecting the burden to the report.

Few agency codes have been added to the instructions and the abolished agencies have been removed from the list. These changes do not impact the 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.

All of the items reported are used for program performance purposes and are a matter of public record. These data are made available to the public via the OUI website at http://ows.doleta.gov/unemploy/DataDownloads.asp

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 control number and expiration date on the ETA 191 form that is shown users.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods.

This information collection does not employ statistical methods.