


U.S. Department of Labor Employment and Training Administration Washington, D.C. 20210	CLASSIFICATION
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	September 28, 1988

DIRECTIVE : UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 59-88

TO : ALL STATE EMPLOYMENT SECURITY AGENCIES

FROM : DONALD J. KULICK 
 Administrator
 for Regional Management

SUBJECT : Secretary's Determinations on Waiver of State Participation in the Systematic Alien Verification for Entitlement (SAVE) Program Effective October 1, 1988

1. Purpose. To announce the Secretary's waiver determinations on State participation in the SAVE program effective on October 1, 1988.

2. References. Sections 121(c)(4)(B) and 121(c)(4)(C) of the Immigration Reform and Control Act of 1986 (IRCA, Public Law 99-603); Sections 302(a), 303(f), 1137(d), and 1137(e) of the Social Security Act (SSA); Secretary's Report to Congress dated July 11, 1988, entitled "Report of the Secretary of Labor on the Systematic Alien Verification for Entitlements (SAVE) Program"; General Accounting Office (GAO) Report entitled "Immigration Reform, Verifying the Status of Aliens Applying for Federal Benefits," GAO/HRD-88-7, dated October 1987; and Unemployment Insurance Program Letter (UIPL) Nos. 26-88 (53 Fed. Reg. 14865), and 40-88.

3. Background. UIPL No. 26-88 announced the conditions on which the Secretary would make waiver decisions of State participation in the SAVE program. UIPL No. 40-88 offered States the opportunity to submit SAVE program waiver requests accompanied by supporting data and information.

As of July 14, 1988, the Department of Labor received waiver requests from nine States. Those States are: Alaska, Connecticut, Delaware, Kentucky, Maryland, Massachusetts, Montana, Virginia, and West Virginia.

These waiver requests were analyzed on the basis of UI alien initial claims workload and cost data submitted by the States in the waiver request, the automated access options offered by the Immigration and Naturalization

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Service (INS), the requirements contained in UIPL No. 26-88, and the cost-effectiveness criteria for waiver contained in Sections 121(c)(4)(B) and 121(c)(4)(C), IRCA. In addition, contacts were made with INS to ascertain the volume of secondary verification (mail) requests that can be timely processed (14-day turnaround) by the INS District Offices.

4. Secretary's Waiver Determinations. The following determinations have been made relating to State participation in the SAVE program, effective October 1, 1988.

a. No State, regardless of alien UI claims volume, will be totally waived from participation in SAVE (automatic and/or mail verification). In the attached report to Congress entitled "Report of the Secretary of Labor on the Systematic Alien Verification for Entitlements (SAVE) Program," page 13, the Secretary announced that the provisions of Sections 1137(d)(1)(A), (2), (4), (5), and (e) SSA, would not be waived. The provisions of Section 1137(d)(4), SSA, are identical to the requirements of the secondary verification component of SAVE, so at a minimum, all States shall participate in at least this component of SAVE.

b. For the nine States who have submitted waiver requests as of July 14, 1988:

(1) Alaska, Delaware, Kentucky, Montana, Virginia, and West Virginia are granted a waiver from participation in the primary (automated) component of SAVE.

(2) Connecticut, Maryland, and Massachusetts are not granted a waiver from participation in the primary (automated) component of SAVE.

c. Waivers for other States from participation in the primary (automated) component of SAVE may be considered if sufficient documentation is provided at the time supplemental budget requests are submitted for Fiscal Year 1988 SAVE program start-up costs.

d. All States not receiving a waiver are required to implement the primary (automated) component of SAVE effective October 1, 1988.

5. Action Required. Administrators are requested to:
(a) distribute this information to appropriate staff; and
(b) initiate action to implement SAVE by October 1, 1988, in accordance with the waiver decisions contained in this UIPL.

6. Inquiries. Direct inquiries to the appropriate Regional Office.

7. Attachment. "Report of the Secretary of Labor on the Systematic Alien Verification for Entitlements (SAVE) Program."