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ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 23-20

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Program Integrity for the Unemployment Insurance (UI) Program and the UI Programs Authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 - Federal Pandemic Unemployment Compensation (FPUC), Pandemic Unemployment Assistance (PUA), and Pandemic Emergency Unemployment Compensation (PEUC) Programs

1. **Purpose.** To remind states of program integrity functions required for the regular UI program and to provide states with guidance regarding required program integrity functions for the UI programs authorized by Sections 2102 (PUA), 2104 (FPUC), and 2107 (PEUC) of the CARES Act.
2. **Action Requested.** State Workforce Administrators must, and have an obligation to, provide the information in this Unemployment Insurance Program Letter (UIPL) to appropriate program and other staff in state workforce systems.
3. **Summary and Background.** On March 27, 2020, the President signed the CARES Act, which includes the Relief for Workers Affected by Coronavirus Act set forth in Title II, Subtitle A. The CARES Act creates new unemployment compensation (UC) programs, including FPUC, PUA, and PEUC, that states are administering. At the same time, the unemployment insurance (UI) program is experiencing the highest level of claims in the history of the program.
 - a. Summary – This UIPL provides states with information and guidance on three topics related to program integrity in the regular UI program and the CARES Act programs: 1) conformity and compliance with federal UC laws; 2) program integrity functions for the regular UI program and the CARES Act programs; and 3) technical assistance resources.
 - b. Background – Addressing improper payments and fraud in the UI program is a top priority for the U.S. Department of Labor (Department), as well as the entire UI system. For the last eight years, the Department’s Office of the Inspector General (OIG) has determined that the UI program is out of compliance with the Improper Payment Elimination and Recovery Act of 2010 due to an improper payment rate over 10 percent. While progress has been made to bring down the UI improper payment rate, the program

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continues to be at risk for high levels of improper payments and there is more work to do. In an ongoing effort to address the OIG's concerns, the entire UI system, including federal and state partners in the system, must continue to partner to promote program integrity.

States are in the midst of managing extraordinary workloads due to the effects of the spread of the COVID-19 virus. The UI system is facing historically high levels of claims in the regular UI program while simultaneously implementing the newly-created temporary programs authorized by the CARES Act (FPUC, PUA, and PEUC). During this time, there is a heightened need for states to maintain a steadfast focus on UI functions and activities that ensure program integrity and the prevention and detection of improper payments and fraud across all UI programs. This means that states need to adhere to federal laws and guidance addressing program eligibility requirements and the fundamental established processes that ensure accurate benefit payments. States must continue to operate their programs, both new and existing, in conformity and compliance with federal laws and guidance.

Conversely, as states begin the process of phased reopening, we expect historically high levels of suitable return to work opportunities. As such, states must work to maintain program integrity by ensuring that claimants are not continuing to claim benefits when they have been offered suitable work.

A number of states have requested relief from conformity and compliance activities to support more expedited processing of claims. While the Department understands the rationale behind these requests, UI mandates, such as the weekly certification process and reviewing and processing out of state wages, remain fundamental requirements—both in conformity and compliance—which must be adhered to, as discussed in more detail below in Section 4(a)(i). These functions are also critical to the operations of the UI-related CARES Act programs.

The temporary programs enacted by the CARES Act operate in tandem with the fundamental eligibility requirements of the federal-state UI program. In addition, the CARES Act programs have new eligibility requirements that states must apply in order to ensure that only eligible individuals receive benefits. The UI program has longstanding processes designed to support UI program integrity, many of them carried out by state Benefit Payment Control (BPC) units. These program integrity processes must now also be applied to the CARES Act programs as discussed in more detail below.

It is important to note that the CARES Act requires that the Department's OIG oversee the federal and state implementation of the CARES Act provisions. The CARES Act includes an appropriation of \$26 million to the OIG to carry out audits, investigations, and other oversight activities related to states' adherence to existing UI laws and policies, as well as the provisions of the CARES Act. The OIG has also already identified areas of risk for improper payments and fraud in these programs in its *Pandemic Response*

*Oversight Plan*¹ published April 15, 2020, and *Advisory Report – CARES Act: Initial Areas of Concern Regarding Implementation of Unemployment Insurance Provisions* published on April 21, 2020 (Report Number: 19-20-001-03-315). In addition, the OIG recently initiated an audit of the self-certification process used by States to determine claimant eligibility for PUA, with specific focus on the actions taken by states participating in the PUA program to deter and detect fraud relating to self-certifications. The U.S. Government Accountability Office has also implemented a study of the “Oversight and Monitoring of DOL’s Efforts Related to Coronavirus Legislation.”

Given the size and scope of the UI program, including the new CARES Act programs, we should all expect significant oversight, review, and scrutiny of state program integrity.

4. Guidance.

- a. **Conformity and compliance with Federal UC laws.** The Department requires that states maintain key eligibility determination processes for regular UC claims in order to be in conformity and compliance with federal UC laws. Specifically, states must maintain weekly certification processes to ensure continuing eligibility of UI claimants and must complete required checks for interstate wages. This guidance is not intended to be an exhaustive list of federal requirements; rather, it addresses recent state requests and actions in the two areas addressed below. This section also addresses how these two requirements impact the CARES Act UI programs.

- i. Weekly Certification Process Required for Conformity and Substantial Compliance

The weekly certification process ensures that claimants continue to meet program eligibility requirements, including the requirements to be “able to work” and “available to work.” Although UIPL No. 10-20 describes flexibilities available to states regarding how individuals meet the “able to work” and “available to work” requirements in light of efforts to respond to the spread of COVID-19, states must continue to require weekly certifications by claimants. Suspension of the weekly certification process puts the state out of conformity and substantial compliance with federal UC law. A state’s failure to administer its UI program in conformity and substantial compliance with federal law can result in loss of the state’s certification and loss of its administrative grant to operate the program and/or its employers’ tax credits under the Federal Unemployment Tax Act (FUTA).

Section 303(a)(1), of the Social Security Act (SSA) (42 U.S.C. §503(a)(1)) requires, as a condition for a state to receive administrative grants for its UI program, that state law provide for “such methods of administration . . . as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due.” This means that states must have in place “methods of administration” to ensure that eligible claimants are paid UC promptly when determined eligible and to ensure that

¹ <https://www.oig.dol.gov/?ga=2.66601902.1247221550.1588334509-630625990.1574790726>

claimants who are not eligible are not paid UC. In addition, states must have in place methods of administration to protect against improper payments and fraud.

Claimants' eligibility for UC is determined on a weekly basis, and claimants are required to take certain actions to maintain that eligibility on a weekly basis. Ensuring that claimants have completed these actions, therefore, must be documented and verified by the state on a weekly basis. For example, section 303(a)(12) of the SSA requires that an individual is able to work, available to work, and actively seeking work as a condition of eligibility for regular UC for any week, though the state may temporarily waive the requirement to actively seek work as needed to respond to COVID-19, as explained below. Also, as a condition for employers in a state to receive a tax credit of up to 90 percent of their federal unemployment tax liability, section 3304(a)(15) of FUTA requires the state to reduce the amount of UC payable to an individual in a given week by the amount of any pension or retirement payment that an individual receives from a base period employer that is attributable to such week.

Additionally, the money withdrawn from a state's unemployment trust fund may only be used to pay UC to claimants if they are in fact experiencing "unemployment." See section 303(a)(5), SSA, and section 3304(a)(4), FUTA. Likewise, the FUTA definition of "compensation" includes only "benefits payable to individuals with respect to their unemployment." Section 3306(h), FUTA. One component of the weekly certification process is for claimants to report any income earned while collecting UC. States must use this information to ensure that claimants meet the definition of unemployment, to confirm that each claimant continues to be eligible for UC benefits each week, and to calculate the correct amount of partial unemployment benefits for individuals who are working part-time while collecting benefits.

Appendix A to 20 C.F.R. Part 614 (section 5001 of the Employment Security Manual) requires claimants to file a claim weekly or biweekly in order to claim UC for total or part-total unemployment. Even when states allow for a biweekly reporting, the claimant must answer the series of questions for each individual week. This process helps ensure benefits are paid properly, prevents fraud, and allows states to identify and recoup fraudulently obtained benefits.

Eligibility for UC is based on claimants demonstrating that they meet certain eligibility requirements on a weekly basis. By suspending the requirement for claimants to certify eligibility on a weekly or biweekly basis, the state is no longer able to determine whether continuing claimants remain eligible for benefits, and so is no longer able to "insure payment when due." As a result, the state would be out of conformity and substantial compliance with federal UC law. As noted above, a state's failure to administer its UI program in conformity and substantial compliance with federal law can result in loss of the state's certification and loss of its administrative grant to operate the UC program and/or its employers' tax credits under FUTA.

While flexibilities available to states in determining ongoing eligibility factors such as "able to work" and "actively seeking work" were identified in UIPL No. 10-20, as the

spread of COVID-19 virus diminishes and emergency orders are lifted, they may no longer be appropriate and states will need to readjust how they apply and adjudicate these eligibility requirements.

ii. Participation in the Interstate Benefits System Must be Maintained

The process by which states check for interstate wages in order to determine UC eligibility is a requirement under both the federal conformity and substantial compliance standards.

Section 3304(a)(9)(B) of FUTA requires, as a condition for employers in a state to receive up to a 90 percent tax credit against their Federal unemployment tax liability, that the state:

shall participate in any arrangements for the payment of compensation on the basis of combining an individual's wages and employment covered under the State law with his wages and employment covered under the unemployment compensation law of other states which are approved by the Secretary of Labor in consultation with the State unemployment compensation agencies as reasonably calculated to assure the prompt and full payment of compensation in such situations. Any such arrangement shall include provisions for (i) applying the base period of a single State law to a claim involving the combining of an individual's wages and employment covered under two or more state laws, and (ii) avoiding duplicate use of wages and employment by reason of such combining.

States are required to participate in arrangements for combining an individual's wages earned in other states. By suspending the check for out-of-state wages, a state would violate section 3304(a)(9)(B), putting the state out of conformity and substantial compliance with federal UC law. Again, as previously noted, a state's failure to administer its UI program in conformity and substantial compliance with federal law can result in loss of the state's certification and loss of its administrative grant to operate the program and/or its employers' tax credits under FUTA.

Key applications on the Interstate Connection (ICON) Network (the State Identification (SID) Claim and Overpayment (SCO) Inquiry and the Interstate Benefits (IB) 8606) have been enhanced to include the UI-related CARES Act programs' claim types (as well as other regular UI claim types) for easier identification of initial claims filed, as well as type of overpaid claims for recovery. The Department strongly encourages states to access and use these enhancements for program integrity purposes.

iii. Temporary Nature of Changes to Eligibility Requirements

On March 18, 2020, the President signed the Families First Coronavirus Response Act, which includes the Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA) set out at Division D. Section 4102(b) of EUISAA states:

Notwithstanding any other law, if a State modifies its unemployment compensation law and policies with respect to work search, waiting week, good cause, or employer experience rating on an emergency temporary basis as needed to respond to the spread of COVID-19, such modifications shall be disregarded for the purposes of applying section 303 of the [SSA] and section 3304 of [FUTA] to such state law.

This provision allows emergency temporary flexibility as needed to respond to the spread of COVID-19 for the specified UC requirements, and is further discussed in UIPL No. 13-20, issued on March 22, 2020. While implementing these flexibilities, states must be mindful of the temporary duration of the flexibilities.

Unlike the requirement to actively search for work, the EUISAA emergency temporary flexibility provision does not apply to the “able to work” and “available to work” provisions of Section 303(a)(12) of the SSA. UIPL No. 10-20 details existing state flexibilities regarding how individuals meet the “able to work” and “available to work” requirements in light of efforts to mitigate the spread of COVID-19. However, EUISAA’s temporary flexibility does not allow for even temporary departure from the application of these provisions. Thus, a temporary suspension of the weekly certification process, including the “able to work” and “available to work” provisions, for any amount of time runs afoul of the SSA Section 303(b) requirement that states receiving payments “comply substantially” with the relevant provisions of the Act in administering their laws. As already noted, a state’s failure to apply these conditions of UC eligibility puts the state out of conformity and substantial compliance with federal UC law.

iv. Relationship with the CARES Act Programs

Conducting the weekly certification process and checking for wages in other states are requirements necessary to determine whether an individual satisfies the eligibility requirements for PEUC or PUA.

Among the other eligibility conditions for PEUC, the claimant must “have no rights to regular UC with respect to a week under such law or any other State unemployment compensation law or to compensation under any other federal law,” and be “able to work, available to work, and actively seeking work.” *See* Sections 2107(a)(2)(B) and (a)(2)(D) of the CARES Act. Confirming that these requirements are met requires weekly certification, including that no change has occurred in the PEUC claimant’s eligibility for regular UC on a weekly basis. In addition, the Implementing and Operating Instructions for the PEUC Program, Attachment I of UIPL No. 17-20, at section D.5.b (page I-10), provide that weekly certifications for PEUC are required: “the state agency must promptly, upon the filing of a claim for payment of PEUC for a week of unemployment, determine whether the individual is entitled to a payment of PEUC for such week”

Among the eligibility criteria for PUA in section 2102(a)(3)(A)(i) of the CARES Act, there is a requirement that an individual is “not eligible for regular compensation or

extended benefits under State or federal law...” Eligibility for regular UC, as explained above, is based on requirements that claimants must meet on a weekly basis. Similarly, section 2102(b) of the CARES Act permits states to pay PUA to covered individuals who are “unemployed, partially unemployed, or unable to work for the weeks of such unemployment with respect to which the individual is not entitled to any other unemployment compensation...” Determining whether an individual is not entitled to any other UC for a week requires states to confirm whether the individual has met the requirements to receive UC for that week. The PUA Implementing and Operating Instructions, set out at Attachment I of UIPL No. 16-20, at section C.13.b (page I-11) require weekly certifications for PUA. It states that “[t]he state agency must promptly, upon the filing of a claim for a payment of PUA for a week of unemployment, determine whether the individual is entitled to a payment of PUA for such week” We note that in determining whether an individual is ineligible for regular unemployment benefits as a condition to receive PUA, states are not required to fully process and adjudicate a claim for each week of PUA benefits. However, states must have a weekly certification process for claimants to self-certify that they meet one of the COVID-19 related reasons and states must check quarterly to confirm an individual is ineligible for regular unemployment benefits.

In addition, it is important to note that the eligibility requirements for PUA are temporary in nature and will expire at the end of 2020, and states must continue to message to claimants that their self-certification of their lack of work as a result of COVID-19 reasons is under penalty of perjury.

The additional \$600 payment offered through the FPUC program under section 2104 of the CARES Act is also contingent on an individual being eligible for one of a list of unemployment benefit programs. Each of these benefit programs requires the individual to be eligible on a weekly basis. Therefore, if a state suspends weekly certifications, it will not be able to properly determine if an individual is eligible for FPUC.

The CARES Act only allows the Secretary to provide the assistance in section 2102 “through agreements with States which . . . have an adequate system for administering such assistance through existing State agencies.” *See* Sec. 2102(f)(1), CARES Act. Failure to determine eligibility of claimants prior to paying benefits suggests that the state’s system is not adequate. Similarly, the “Agreement Implementing the Relief for Workers Affected by Coronavirus Act” executed between the state and the Secretary of Labor provides that the state’s workforce agency “will make payments of benefits in accordance with the provisions of the Act.”

If the Department were to determine that the state does not have an adequate system for administering these programs, it would be obligated to terminate its agreement with the state to administer the PUA program under section 2102 of the CARES Act. The Department would have authority to terminate its agreements pursuant to the terms of the agreements for operating PEUC, PUA, and FPUC, based upon the state’s failure to adequately ensure that individuals receiving benefits are eligible for such benefits.

b. Program integrity functions for the regular UI programs and CARES Act programs.

While states have been provided with some flexibility in the short term to stop sampling under the Benefit Accuracy Measurement (BAM) program, it will be critical for states to resume BAM audits at the earliest possible time. BAM is a mission critical audit function that provides states with valuable information on the quality and accuracy of their regular UI program functions and it supports estimation the UI improper payment rate.

The essential functions performed by Benefit Payment Control (BPC) units or other designated staff must be performed for all UI programs, including PEUC and PUA.

Section 7511, Part V, of the Employment Security Manual (ESM) requires state unemployment compensation (UC) laws to include provisions for such methods of administration as are, within reason, calculated (1) to detect benefits paid through error by the state UC agency or through willful misrepresentation or error by the claimant or others, (2) to deter claimants from obtaining benefits through willful misrepresentation, and (3) to recover benefits overpaid under certain circumstances.

These required functions are accomplished through state agency BPC units or other designated staff responsible for promoting and maintaining the integrity of the UI program through prevention, detection, investigations, establishment, and recovery of overpayments. BPC units or designated staff also prepare cases for prosecution.

The following BPC activities are mandatory for states to implement for the regular UI programs on an ongoing basis. States must implement these functions for the PEUC and PUA programs in the same manner as for the regular UI programs.

- National Directory of New Hires Cross-match (UIPL Nos. 13-19 and 19-11). UIPL 13-19 provides detailed, recommended operating procedures for cross-matching with state and national directories of new hire data;
- Quarterly Wage Records Cross-match (20 CFR § 603.23); and
- Systematic Alien Verification for Entitlement (SAVE) (Section 1137(d) of the Social Security Act (SSA) (42 U.S.C. §1320b-7).

The Department strongly recommends the following additional BPC activities as part of a state's effective BPC operation for the regular UI programs, PUA, and PEUC:

- State Directory of New Hires Cross-match;
- Social Security Administration (SSA) Cross-match;
- Interstate Benefits (IB) Cross-match;
- State Identification Inquiry (SID) and IB8606 enhancements made to the Interstate Connection (ICON) network cross match to prevent concurrent claim filing in multiple states;

- State Information Data Exchange System (SIDES) (Training and Employment Notice No. 12-16);
- Identity Verification;
- Incarceration Cross-match; and
- UI Integrity Center's Integrity Data Hub (IDH) tools including the Suspicious Actor Repository (SAR), Suspicious E-Mail Domains, Multi-State Cross-Match (MSCM), Foreign Internet Protocol (IP) Address Detection, and Fraud Alert application.

States are strongly encouraged to use the various exchange formats available through the SIDES to request and receive information from employers and third party administrators. SIDES ensures that data exchanges are complete and that valid information is received in an established consistent format. When fully implemented by states, SIDES Web Services and SIDES E-Response improve the timeliness and quality of the job separation and earnings verification information necessary to adjudicate monetary and non-monetary determinations, thereby improving improper payment rates.

The IDH is a secure, robust, centralized, multi-state data system that allows participating State UI agencies to submit claims for cross-matching, provides fraud alerts to states, and supports data analytics on multi-state claims. The following IDH functionality is currently available to participating states:

- **SAR** allows states to match UI claims against other states' known suspicious claims data. This tool allows each State to benefit from the investigative work of all States as claims data associated with known or probable UI fraud is submitted and stored in the SAR for cross-matching purposes.
- **Suspicious E-Mail Domains** allows participating states to cross-match their claims against a database of suspicious E-mail domains that have been associated with fraudulent activity (ex. Yopmail). The IDH flags claims with these domains for further investigation by the submitting State.
- **MSCM** allows the IDH to collect and store claims data submitted by states creating a multi-State database of UI claims data. Using this database, the IDH is able to identify where UI claims data is being used across multiple states (ex. flagging a Social Security Number that is being used across four different states). The MSCM capability also provides a lookback capability to identify after-the-fact matches based on new claims or fraud activity data submitted to the IDH.
- **Fraud Alerting Capability** allows states to share information through the secure IDH environment on emergent fraud schemes/activity identified in their states. The capability allows participating states to review information on emergent fraud schemes and to receive updates to improve awareness across the community. The IDH Fraud Alerting capability is being made available to all states independent of the state participating in other IDH functionality.

- **Foreign IP Address Detection:** The IDH integrated with an open-source service that provides a continuously updated list of Foreign (non-US) based IP addresses. The IDH now allows states to cross-match claims against this service to detect claims with non-US based IP addresses. This service is particularly valuable for states who do not currently have access to a Foreign IP detection tool.

Additionally, BPC units or designated staff must complete the same recovery activities that are normally performed for regular UI programs, when managing overpaid claims under the FPUC, PEUC, and PUA programs. Overpayment recovery activities are an essential function of the BPC unit or designated staff. The following overpayment recovery activities are mandatory:

- Benefit Offsets (Title II, Subtitle A of the Middle Class Tax Relief and Job Creation Act of 2012, UIPL No. 05-13);²
- Treasury Offset Program (TOP) (Bipartisan Budget Act of 2013, UIPL Nos. 02-19 and 12-14);
- Cross Program Offset Recovery Agreement (CPORA) (UIPL No. 05-13); and
- Interstate Reciprocal Offset Recovery Arrangement (IPORA) (UIPL No. 05-13).

The Department strongly recommends the following additional overpayment recovery activities, where allowed by law, as part of an effective BPC operation for the regular UI programs, FPUC, PUA, and PEUC:

- State Income Tax Offset Program;
- Wage Garnishments;
- Civil Actions;
- Property Liens;
- Collection Agency Referrals;
- Credit Bureau Referrals; and
- Other recovery methods as determined by state law or policy.

As noted above, key applications on the Interstate Connection (ICON) Network (the State Identification (SID) SCO Inquiry and the Interstate Benefits (IB) 8606) have been enhanced to include the CARES Act programs' claim types (as well as other regular UI claim types) for easier identification of initial claims filed, as well as type of overpaid claims for recovery. The Department strongly encourages states to access and use these enhancements for program integrity purposes.

Additionally, as with regular UC, states must perform other recovery activities such as negotiating repayment plans with claimants, accepting repayments through various methods, and working with and referring cases to the OIG, as part of FPUC, PEUC, and PUA recovery activities.

² Note that benefit offsets from PEUC, PUA, and FPUC payments are limited to no more than 50 percent. *See* UIPL Nos. 15-20, 16-20, and 17-20.

To support states in identifying claimants that have turned down suitable work, states are strongly encouraged to request employers to provide information when workers refuse to return to their jobs for reasons that do not support their continued eligibility for benefits. We also strongly encourage states to remind employers and the public about the claimant and employer fraud resources within each state.

c. Technical assistance resources.

To support program integrity efforts for the full array of UI programs, including the CARES Act programs, states are strongly encouraged to access the technical assistance, tools and resources available through the UI Integrity Center at <https://integrity.naswa.org/> and the UI Community of Practice on the Department's knowledge sharing site, WorkforceGPS at <https://www.workforcegps.org/login?returnUrl=https://ui.workforcegps.org/&siteFor=ui>.

The UI Integrity Center, established by the Department and operated by the National Association of State Workforce Agencies, is designed to assist states in their efforts to more effectively prevent, detect, and recover improper and fraudulent payments, and improve program integrity by developing and promoting innovative program strategies. Working with states and a broad array of partners, the UI Integrity Center:

- Identifies, organizes, shares, and supports promising and innovative integrity practices;
- Builds sustainable, adaptable, and credible tools, services, and analytical resources;
- Provides state-specific consulting, mentoring, and technical assistance; and
- Develops and facilitates relevant, state-centered training.

Among the most valuable assets provided by the UI Integrity Center include the following:

- **IDH:** The tools available through the IDH are described above. The IDH is rapidly expanding its data sets including the addition of an identity verification (IDV) dataset that is available resource for all states.
- **National Integrity Academy (NIA):** The NIA currently offers 120 eLearning lessons and modules for the four Academy certificate programs - UI Operations Integrity Certificate; UI Tax Integrity Certificate, UI Fraud Investigations; and UI Program Leadership that are available
- **Knowledge Exchange:** The Knowledge Exchange has become an increasingly valuable tool as it captures information on state practices and makes recommendations to states. Through the Knowledge Exchange, the Center has been able to document specific practices, create model operational blueprints, and effortlessly share that information with all states. Nearly 2,000 resource documents are currently available on the knowledge exchange, including 93 documented successful integrity practices that support the Model BPC Blueprint.

In the context of the COVID-19 crisis, the UI Integrity Center has turned its attention to help states focus on integrity activities to prevent and detect improper payments and fraud in the CARES Act programs, in addition to the regular UI program. States are strongly encouraged to engage with the UI Integrity Center and to utilize its important integrity resources.

Finally, states are reminded that key applications on the Interstate Connection (ICON) Network (the State Identification (SID) SCO Inquiry and the Interstate Benefits (IB) 8606) have been enhanced to include the UI-related CARES Act programs' claim types (as well as other regular UI claim types) for easier identification of initial claims filed, as well as type of overpaid claims for recovery. The Department strongly encourages states to access and use these enhancements for program integrity purposes.

5. **Inquiries.** Please direct inquiries to the appropriate ETA Regional Office.

6. **References.**

- Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136), Title II, Subtitle A – Relief for Workers Affected by Coronavirus Act;
- Families First Coronavirus Response Act (Pub. L. 116-127)
- Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020;
- Payment Integrity Information Act of 2019 (Pub. L. 116-117);
- Improper Payments Information Act of 2002 (Pub. L. 107-300);
- Improper Payments Elimination and Recovery Act of 2010, Pub. L. 111-204;
- Sections 3304 and 3306 of the Federal Unemployment Tax Act (FUTA), 26 U.S.C. § 3304;
- Sections 303 and 1137(d) of the Social Security Act (SSA), 42 U.S.C. § 504 & 1320b-7;
- Appendix A, 20 C.F.R. Part 614, Standard for Claim Filing, Claimant Reporting, Job Finding, And Employment Services;
- 20 C.F.R. § 603.23;
- UIPL No. 10-20, *Unemployment Compensation (UC) for Individuals Affected by the Coronavirus Disease 2019 (COVID-19)*, issued March 12, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8893;
- UIPL No. 13-20, *Families First Coronavirus Response Act, Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA)*, issued March 22, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8634;
- UIPL No. 14-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Summary of Key Unemployment Insurance (UI) Provisions and Guidance Regarding Temporary Emergency State Staffing Flexibility*, issued April 2, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3390;
- UIPL No. 15-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued April 4, 2020 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9297;

- UIPL No. 16-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Unemployment Assistance (PUA) Program Operating, Financial, and Reporting Instructions*, issued April 5, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4628;
- UIPL No. 16-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Unemployment Assistance (PUA) Program Reporting Instructions and Questions and Answers*, issued April 27, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5899;
- UIPL No. 17-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Emergency Unemployment Compensation (PEUC) Program Operating, Financial, and Reporting Instructions*, issued April 10, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8452;
- UIPL No. 18-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Emergency Unemployment Relief for State and Local Governmental Entities, Certain Nonprofit Organizations, and Federally-Recognized Indian Tribes*, issued April 27, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5893;
- UIPL No. 13-19, *National Directory of New Hires (NDNH) and State Directory of New Hires (SDNH) Guidance and Best Practices*, issued June 7, 2019, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=5373;
- UIPL No. 02-19, *Recovery of Certain Unemployment Compensation Debts under the Treasury Offset Program*, issued December 12, 2018, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8457;
- Training and Employment Notice 12-16, *Unemployment Insurance (UI) State Information Data Exchange System (SIDES)*, issued September 27, 2016, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8026;
- UIPL No. 12-14, *Required Use of the Treasury Offset Program to Collect Covered Unemployment Compensation Debt*, issued May 20, 2014, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9344;
- UIPL No. 05-13, *Work Search and Overpayment Offset Provisions Added to Permanent Federal Unemployment Compensation Law by Title II, Subtitle A of the Middle Class Tax Relief and Job Creation Act of 2012*, issued January 10, 2013, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3698;
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