

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
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**ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 28-20,
Change 4**

TO: STATE WORKFORCE AGENCIES

FROM: BRENT PARTON 
Acting Assistant Secretary

SUBJECT: Support for States to Resolve Outstanding Items from the Expired Coronavirus Aid, Relief, and Economic Security (CARES) Act Unemployment Compensation (UC) Programs, Including Additional Funding to Assist States with Reporting and Detection and Recovery of Overpayments

1. **Purpose.** To provide states with information on existing sources of administrative funding to resolve outstanding items from the expired CARES Act UC programs and to announce up to \$225 million for administrative costs related to reporting and overpayment detection and recovery activities under certain CARES Act UC programs.
2. **Action Requested.** Submissions for the funding opportunities under this UIPL are due by the close of business on **September 23, 2022.** The U.S. Department of Labor's (Department's) Employment and Training Administration (ETA) requests that State Workforce Agency Administrators:
 - Review the funding opportunities described in Section 4.c. of this UIPL to determine if the state will apply for these funds.
 - Coordinate with appropriate state staff to develop an SF-424 for each applicable CARES Act UC program to address reporting, as well as overpayment detection and recovery activities as described in Section 4.c. of this UIPL.
3. **Summary and Background.**
 - a. **Summary** – This UIPL describes existing and additional sources of administrative funding for states as they resolve outstanding items from the expired CARES Act UC programs. Such funding is provided in accordance with the “Agreement Implementing the Relief for Workers Affected by Coronavirus Act” (Agreement) that all states signed with the Secretary of Labor (Secretary) in March 2020 to administer the CARES Act UC programs. States must administer these programs in accordance with the CARES Act, as amended, and guidance and operating instructions provided by the Department. This includes the requirement that states provide required reports and properly allocate costs across UC programs.

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Section 4.b. of this UIPL describes the existing funding structure for continued administrative workload of the CARES Act UC programs as states resolve matters from weeks of unemployment occurring before the state's participation in such programs was terminated or expired (whichever was first).

Under Section 4.c. of this UIPL, the Department is making up to \$225 million in administrative funding available for states to assist with reporting, as well as overpayment detection and recovery activities. This includes \$100 million for the Pandemic Unemployment Assistance (PUA) program, \$100 million for the Federal Pandemic Unemployment Compensation (FPUC) program, and \$25 million for the Pandemic Emergency Unemployment Compensation (PEUC) program. Section 4.c.ii. of this UIPL describes how the funding may be used. Additionally, as described in Section 4.c.iii. of this UIPL, states are permitted to use remaining balances from earlier allotments under the UIPL No. 28-20 series for these described purposes.

- Attachment I to this UIPL provides the amounts of funding available for each state by program, subject to sequestration. The methodology for state funding levels reflects an updated approach to what was utilized under prior funding opportunities announced via the UIPL No. 28-20 series. This revised approach was developed to provide a broader distribution of funding to states based on the state size and a relative measure of the volume of claims for which ongoing integrity efforts may be required in these programs.
 - Attachment II to this UIPL provides information on completing the SF-424.
 - Attachment III to this UIPL describes the investigations and overpayment activity reports for the PUA, FPUC, and PEUC programs.
- b. Background – The CARES Act (Public Law (Pub. L.) 116-136) was enacted on March 27, 2020, and created new temporary UC programs, including PUA, FPUC, and PEUC. See UIPL No. 14-20. The Continued Assistance for Unemployed Workers Act of 2020 (Continued Assistance Act) (Pub. L. 116-260) was enacted on December 27, 2020 and amended and extended the CARES Act UC programs, plus created the Mixed Earners Unemployment Compensation (MEUC) program. See UIPL No. 09-21. The American Rescue Plan Act of 2021 (ARPA) (Pub. L. 117-2) was enacted on March 11, 2021 and further amended and extended the CARES Act UC programs. See UIPL No. 14-21. ARPA also provided a \$2 billion appropriation to the Department for purposes of strengthening the national UI system.¹

¹ With this appropriation under ARPA, the Department has offered additional funding opportunities to states to be used towards all UC programs in the support of: (1) fraud detection and prevention, including identity verification and overpayment recovery activities; and (2) promoting equitable access, including eliminating administrative barriers to benefit applications, reducing state workload backlogs, improving the timeliness of UC payments to eligible individuals, and ensuring equity in fraud prevention, detection, and recovery activities. See UIPL Nos. 22-21 and 23-21, respectively. States are also invited to participate in a consultative assessment towards achieving the goals of strengthening fraud detection and prevention, promoting equitable access, and improving the timeliness of UC payments and to receive funding to support the implementation of resulting recommendations, as described in UIPL No. 02-22.

All states signed an Agreement with the Secretary to administer the PUA, FPUC, and PEUC programs.² Most states also signed an Agreement with the Secretary to administer the MEUC program. The Agreement incorporates amendments to the CARES Act made by the Continued Assistance Act and ARPA. The CARES Act UC programs expired on September 6, 2021, though some states chose to end participation in some or all of these programs earlier. States must process and pay benefits to eligible individuals under the CARES Act UC programs for all weeks of unemployment ending on or before the date of the Agreement termination or program expiration (whichever was first). The state must also comply with all responsibilities with respect to claims filed under these programs for those weeks, including, without limitation, the requirements under the Agreement and in guidance. See UIPL No. 14-21, Change 1.

On August 31, 2020, the Department issued UIPL No. 28-20, which provided states with \$100 million in funding to assist with efforts to prevent and detect fraud and identity theft and recover fraud overpayments in the PUA and PEUC programs. On January 15, 2021, the Department issued UIPL No. 28-20, Change 1, to provide states with an additional \$100 million in funding to support identity verification or validation of PUA claimants and to assist with efforts to prevent and detect fraud and identity theft, as well as to recover overpayments in the PUA and PEUC programs. On August 11, 2021, the Department issued UIPL No. 28-20, Change 2, to provide states with a third round of \$100 million in funding to strengthen fraud detection and prevention efforts and the recovery of overpayments in the PUA and PEUC programs. These three funding opportunities are referred to as the “UIPL No. 28-20 series.”

4. **Guidance.**

- a. **Requirements for States Receiving Funding as Described in this UIPL.** By signing the Agreement to administer the PUA, FPUC, MEUC, and PEUC programs, states agreed to administer these programs in accordance with the CARES Act, as amended, and guidance and operating instructions provided by the Department. The funds described under Sections 4.b. and c. of this UIPL are done so under the parameters of this Agreement, which remains in effect with respect to the CARES Act UC programs for weeks of unemployment ending on or before the date of termination or expiration (whichever was first) until all issues relating to these weeks are resolved. Below, we specifically highlight the requirements for states to provide required reports and to properly allocate costs between programs.
 - i. ***Provide required reports.*** States must comply with all responsibilities with respect to claims filed under these programs for weeks of unemployment ending on or before the date of termination or expiration (whichever was first), including, without limitation, the requirements under the Agreement and in guidance. This includes providing reports on program activity, such as

² The Pacific territories and Freely Associated States are included in PUA and FPUC pursuant to Sections 2102(a)(5) and 2102(d) of the CARES Act, as amended.

investigations and overpayment activities as reported in the ETA 902P, ETA 227 (FPUC), and ETA 227 (PEUC). For additional information about the required reports, see Attachment III.

- ii. ***Properly allocate costs between CARES Act UC programs and the regular UC program.*** States must track the administrative funding used for activities under the CARES Act UC programs and apply the administrative funding to the appropriate CARES Act program. As states are performing activities with respect to the FPUC program, there may also be corresponding activities with the regular UC or other UC programs. In this circumstance, states must prorate expenses to ensure only the proportional costs specific to the FPUC program are charged to the FPUC program.

Recognizing the administrative overlap that occurs in recovery of a week of unemployment that involves both regular UC and FPUC, states must prorate the administrative funding based on the application to each respective program. For example, if a state recovers \$800 in total of previously overpaid benefits and applies \$600 of these recovered funds towards FPUC and \$200 towards regular UC, the state can prorate the administrative costs. This would mean 75 percent of the administrative cost of the recovery can be charged to FPUC administrative funding and 25 percent of the administrative cost of recovery can be charged through the state's regular UC funding activities.

b. Funding for Continued Administrative Workload of the CARES Act UC Programs.

The Department recognizes that states will continue to engage in administrative workload for the CARES Act UC programs for some time in resolving matters from weeks of unemployment occurring before such programs expired on September 6, 2021, though this engagement will decrease over time. The Department will continue to provide states with administrative funding for such workload, as described below, based on the state's accurate and timely submission of reports for as long as the activities continue. The amount of this administrative funding is subject to the application of sequestration.³

It is critical that states accurately report workload activities for the CARES Act UC programs. States must continue to submit all reports as long as there is activity; states only need to submit ongoing reports with non-zero data.

- i. ***PUA Ongoing Administrative Costs.*** Ongoing administrative costs for the PUA program will be calculated based on the state's initial claims, continued claims, appeals disposed, and nonmonetary redetermination activities as reported in the ETA 902P report. Attachment IV of UIPL No. 16-20, Change 6, provides the most recent instructions for reporting workload activities under the PUA program.

³ The implementation of sequestration for FY 2022 is described in UIPL No. 05-22.

- ii. ***FPUC Ongoing Administrative Costs.*** Ongoing administrative costs for the FPUC program will be provided based on state submitted costs on line 26 of the UI-3 report. UIPL No. 15-20, Change 2, provides the most recent instructions for reporting workload activities under the FPUC program.
 - iii. ***MEUC Ongoing Administrative Costs.*** Ongoing administrative costs for the MEUC program will be calculated based on the state's initial claims and appeals disposed activities as reported in the ETA 902M report. Section 4.m. of UIPL No. 15-20, Change 3, provides the most recent instructions for reporting workload activities under the MEUC program.
 - iv. ***PEUC Ongoing Administrative Costs.*** Ongoing administrative costs for the PEUC program will be calculated based on the state's initial claims, continued claims, appeals, and nonmonetary determination activities as reported in the ETA 5159 PEUC report. Section G of Attachment I to UIPL No. 17-20 provides the most recent instructions for reporting workload activities under the PEUC program.
- c. **Funding for States to Support Accurate Reporting, as well as the Detection and Recovery of Overpayments, for Certain CARES Act UC Programs.** Recognizing that not all administrative costs of the states is represented in the reports described under Section 4.b. of this UIPL, the Department is providing additional funding to states to support accurate reporting, as well as the detection and recovery of overpayments. The Department expects that states will continue to detect and recover both nonfraudulent and fraudulent overpayments with respect to the covered weeks even after the date of termination or expiration (**whichever was first**). This section discusses the amount of funding available to states, allowable uses of funds, application instructions, and reporting requirements.
 - i. ***Amount Available to States.*** The Department is providing an additional \$225 million in administrative funding to states to assist with reporting, as well as overpayment detection and recovery activities, for specific CARES Act UC programs. This includes \$100 million for the PUA program, \$100 million for the FPUC program, and \$25 million for the PEUC program. Attachment I to this UIPL provides the amounts of funding available for each state and for each of the applicable CARES Act UC programs.
 - A. Applicable CARES Act UC programs. States may use these funds with respect to claims under the PUA, FPUC, and PEUC programs in accordance with the allowable uses described in Section 4.c.ii. of this UIPL.
 - B. Methodology for distribution. The methodology for state funding levels is based on the size of UI covered employment in the state and the number of first payments made by the state in the relevant programs from March 2020 through September 2021. This reflects an updated

approach to what was utilized under prior funding opportunities announced via UIPL Nos. 28-20; 28-20, Change 1; and 28-20, Change 2. This revised approach was developed to provide a broader distribution of funding to states based on the state size and a relative measure of the volume of claims for which ongoing integrity efforts may be required in these programs.

For purposes of this methodology, states are first assigned to three groups using the same period and methodology as was used in the earlier distributions of similar funding. These three groups (Small, Medium, and Large) were based on the 12-month average of UI covered employment for the four quarters in calendar year 2020 reported on the ES 202 (Employment, Wages and Contributions). States are assigned to the size groups as follows:

- Small: covered employment under 1 million employees;
- Medium: covered employment between 1 million and 2 million employees; or
- Large: covered employment greater than 2 million employees.

Next, the reported first payments covering the period from March 2020 through September 2021 are summed by state for the relevant program(s). The FPUC calculation utilizes first payments for regular UC, PEUC, Extended Benefits (EB), and PUA. Due to lingering reporting difficulties and to ensure a more equitable distribution of funding, first payments are estimated in a few states which reported either zero or very low first payments relative to initial claims in the PEUC and PUA programs.

The ratio of each state's first payments to the U.S. total first payments and the state size grouping are combined to distribute the respective funding amounts across the 53 states and territories. Funding levels for the Pacific Territories and Freely Associated States are set at the same levels as provided under UIPL Nos. 28-20; 28-20, Change 1; and 28-20, Change 2.

C. Application of Sequestration. As noted in Section 4.c. of UIPL No. 05-22, the final amounts provided to states will be subject to sequestration, so the amounts awarded to states will be reduced by the FY 2022 sequestration rate of 5.7 percent.

- ii. ***Allowable Uses of Funds***. As noted previously, the Department expects that states will continue activities to detect and recover overpayments in the CARES Act programs. The Department also recognizes that states' ongoing administrative work, particularly that associated with program integrity and reporting issues, may not generate workload based administrative funding

described in Section 4.b. of this UIPL. Therefore, the Department is providing the above outlined funding in support of these ongoing efforts.

Examples of permissible uses include:

- Administrative expenses incurred for reporting on investigation and overpayment activities as required under the ETA 902P report, ETA 227 (FPUC) report, and ETA 227 (PEUC) report;
- Administrative expenses incurred by the state to gather business requirements, program computer systems, or otherwise implement tools, strategies, or solutions to detect, establish and recover overpayments in accordance with UIPL No. 20-21, as well as processing allowable waivers of recovery of established overpayments in accordance with Section 4.c. of UIPL No. 20-21, Change 1. This includes automated data processing when issuing blanket waivers of recovery as described in Section 4.c.ii.C. of UIPL No. 20-21, Change 1;
- Hiring staff or obtaining contract services for processing overpayments established by merit staff, and recovering those overpayments;⁴ and
- Corrections of program eligibility issues, including, but not limited to: actions related to determining if benefits were improperly paid (*e.g.*, solicitation of eligibility information and adjudication to determine if regular UC eligibility applies), administrative actions to correct claims (*e.g.*, transferring weeks between UC programs, benefit offsets, processing waivers of recovery where appropriate), and development of required programming and/or automation to conduct these activities, as appropriate.
- States may also use the funds made available under Section 5 of this UIPL for the same activities described in Section 5.b. of UIPL No. 28-20, Change 2.

iii. **Allowable Uses for Remaining Balances under Earlier Allotments in the UIPL No. 28-20 Series.** States with remaining balances from grants awarded under UIPL Nos. 28-20; 28-20, Change 1; and 28-20, Change 2, may use such funding for the additional activities described in Section 4.c.ii. of this UIPL.

iv. **Program integrity includes fraud detection, prevention, and recovery of overpayments, as well as underpayment prevention and equitable access.** While states are aggressively addressing fraud in the CARES Act UC programs, such efforts should balance the need to identify and prevent fraudulent activity while ensuring that eligible individuals with legitimate

⁴ Refer to UIPL No. 12-01, Change 2, for states' ability to exercise flexibility in staffing models after the emergency flexibilities under Section 9015, ARPA, expired on September 6, 2021.

claims get the benefits they are entitled to when they are due. ETA is committed to supporting states in ensuring equity is a key focus in all fraud prevention efforts and a major factor in all discussions to address this issue comprehensively and compassionately. Efforts to prioritize equity include ensuring there are alternatives to digital mechanisms of identity proofing; that the mechanisms used to prove identity or indicate potential fraud do not contain racial, ethnic, gender, or other bias; and that data is available to understand the impact of fraud mitigation on efforts to eliminate barriers that prevent full and equal access to UC benefits for all eligible individuals. At the most fundamental level, program integrity within the UI program involves both ensuring that entitled workers are neither underpaid nor overpaid and preventing payments to those who are not entitled to benefits. The Department expects that states will continue efforts to serve as ethical stewards across all UC programs. This includes ensuring that all eligible claims are paid and that there are equitable and accessible ways for claimants to transfer eligibility between state and federal programs.

There are certain required activities that states must perform with respect to fraud detection and prevention efforts and the recovery of overpayments for CARES Act UC programs. These include performing cross-matches with the National Directory of New Hires (NDNH) and quarterly wage records, as well as using the Systematic Alien Verification (SAVE) system. Recovery activities include conducting interstate and cross-program benefit offsets and sending covered debts to the Treasury Offset Program (TOP). ETA also strongly encouraged states to adopt an array of solutions and techniques to strengthen efforts to detect and prevent fraud and to recover overpayments. See UIPL Nos. 13-20, Change 1; 23-20; 28-20 and Changes 1 through 3; 16-21; and 22-21.

Overpayment recovery is critical to protect both state and federal UI trust funds and must be given the same priority as overpayment prevention and detection. See UIPL No. 19-21. On May 5, 2021, ETA issued UIPL No. 20-21, to describe the requirements for establishing benefit overpayments for programs authorized by the CARES Act, as amended; to advise states of appropriate circumstances for assessing a monetary fraud penalty and for assessing interest and other collection costs on benefit overpayments created under the CARES Act, as amended; and to provide instructions for circumstances under which a state may waive recovery of overpayments, including limited circumstances for permissible use of “blanket waivers.” On February 7, 2022, ETA issued UIPL No. 20-21, Change 1, providing additional instructions for circumstances under which a state may waive recovery of overpayments under the CARES Act UC programs, including elaborating on the criteria for waiving recovery of overpayments where an individual is without fault on an individual, case-by-case basis and expanding the existing limited scenarios for permissible use of “blanket waivers.” UIPL No. 20-21, Change 1 also described the required collection activities under the

CARES Act UC programs for overpayments which are not eligible for a waiver of recovery, and reminded states that recovery activities for fraudulent overpayments may **never** be waived.

- v. **Application Instructions.** States are required to submit an SF-424 (OMB No. 4040-0004) https://apply07.grants.gov/apply/forms/sample/SF424_4_0-V4.0.pdf for each funding allotment (i.e., one SF-424 for PUA, one SF-424 for FPUC, and another SF-424 for PEUC). Additionally, states wishing to expand the use of funding received under the prior UIPL 28-20 series awards, consistent with Section 4.c.iii. of this UIPL, must also submit revised application documents for each of the prior funding allotments that will be used in accordance with Section 4.c.ii. of this UIPL. Attachment II provides additional information on completing the SF-424.

ETA encourages states to submit this form as soon as possible, but no later than **September 23, 2022**, via www.grants.gov.

- vi. **Reporting Requirements.** States must provide a narrative Quarterly Progress Report (ETA 9178-F) and Quarterly Financial Report (ETA 9130) containing updates on the progress and implementation of each project. ETA will use the ETA 9178-F to track each state's progress on activities and ensure that a state's use of funds is consistent with the permissible activities outlined in this UIPL.

Refer to Attachment III to UIPL No. 28-20 for instructions for completion and the timeline of submission for the ETA 9178-F. In the Summary under Section A, states must provide, to the extent available, an assessment of the issue they are addressing, an explanation of how the proposed use of funds would address the issue, and a plan to measure the outcomes and effectiveness of the strategies, tools, and/or actions associated with the use of these funds. States may need to consider updates and changes to their existing computer systems to capture new data elements needed to demonstrate the effectiveness of these action(s).

5. **Inquiries.** States should direct inquiries to the appropriate ETA Regional Office. Submissions for the funding opportunities under this UIPL are due by the close of business on **September 23, 2022**.

6. **References.**

- American Rescue Plan Act of 2021 (ARPA), including Title IX, Subtitle A, Crisis Support for Unemployed Workers (Pub. L. 117-2);
- Consolidated Appropriations Act, 2021, including Division N, Title II, Subtitle A, the Continued Assistance for Unemployed Workers Act of 2020 (Pub. L. 116-260);
- Coronavirus Aid, Relief, and Economic Security (CARES) Act, Title II, Subtitle A – Relief for Workers Affected by Coronavirus Act (Pub. L. 116-136);

- Section 303 of the Social Security Act (42 U.S.C. §503);
- UIPL No. 05-22, *Implementation of Sequestration under the Budget Control Act of 2011 (BCA) for Mandatory Unemployment Insurance Programs for Fiscal Year (FY) 2022*, issued December 20, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=9859;
- UIPL No. 02-22, Change 1, *Extension of Time for States to Express Interest in the Grant Opportunity Announced in Unemployment Insurance Program Letter (UIPL) No. 2-22 to Support States Following a Consultative Assessment for Fraud Detection and Prevention, Promoting Equitable Access, and Ensuring the Timely Payment of Benefits, including Backlog Reduction, for all Unemployment Compensation (UC) Programs*, issued February 16, 2022, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8539;
- UIPL No. 02-22, *Grant Opportunity to Support States Following a Consultative Assessment for Fraud Detection and Prevention, Promoting Equitable Access, and Ensuring the Timely Payment of Benefits, including Backlog Reduction, for all Unemployment Compensation (UC) Programs*, issued November 2, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6683;
- UIPL No. 23-21, *Grant Opportunity for Promoting Equitable Access to Unemployment Compensation (UC) Programs*, issued August 17, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7400;
- UIPL No. 22-21, *Grant Opportunity to Support States with Fraud Detection and Prevention, Including Identity Verification and Overpayment Recovery Activities, in All Unemployment Compensation (UC) Programs*, issued August 11, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4240;
- UIPL No. 20-21, Change 1, *Additional State Instructions for Processing Waivers of Recovery of Overpayments under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as Amended*, issued February 7, 2022, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8527;
- UIPL No. 20-21, *State Instructions for Assessing Fraud Penalties and Processing Overpayment Waivers under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as Amended*, issued May 5, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6830;
- UIPL No. 19-21, *Benefits Held by Banks and Financial Institutions as a Result of Suspicious and/or Potentially Fraudulent Activity and the Proportional Distribution Methodology Required for Recovering/Returning Federally Funded Unemployment Compensation (UC) Program Funds*, issued May 4, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9571;
- UIPL No. 16-21, *Identity Verification for Unemployment Insurance (UI) Claims*, issued April 13, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9141;
- UIPL No. 14-21, Change 1, *State Responsibilities After the Temporary Unemployment Benefit Programs under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as amended, End Due to State Termination of Administration or When the Programs Expire*, issued July 12, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=9502;
- UIPL No. 14-21, *American Rescue Plan Act of 2021 (ARPA) – Key Unemployment Insurance (UI) Provisions*, issued March 15, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5669;

- UIPL No. 09-21, *Continued Assistance for Unemployed Workers Act of 2020 (Continued Assistance Act) – Summary of Key Unemployment Insurance (UI) Provisions*, issued December 30, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3831;
- UIPL No. 28-20, Change 3, *Extension of Time to Submit Request for Funding under Grant Opportunity Announced in Unemployment Insurance Program Letter (UIPL) No. 28-20, Change 2*, issued September 17, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3558;
- UIPL No. 28-20, Change 2, *Additional Funding to Assist with Strengthening Fraud Detection and Prevention Efforts and the Recovery of Overpayments in the Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) Programs, as well as Guidance on Processes for Combatting Identity Fraud*, issued August 11, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7207;
- UIPL No. 28-20, Change 1, *Additional Funding for Identity Verification or Verification of Pandemic Unemployment Assistance (PUA) Claimants and Funding to Assist with Efforts to Prevent and Detect Fraud and Identity Theft as well as Recover Fraud Overpayments in the PUA and Pandemic Emergency Unemployment Compensation (PEUC) Programs*, issued January 15, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9897;
- UIPL No. 28-20, *Addressing Fraud in the Unemployment Insurance (UI) System and Providing States with Funding to Assist with Efforts to Prevent and Detect Fraud and Identity Theft and Recover Fraud Overpayments in the Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) Programs*, issued August 31, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8044;
- UIPL No. 23-20, *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*, issued May 11, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4621;
- UIPL No. 17-20, Change 3, *American Rescue Plan Act of 2021 (ARPA) – Pandemic Emergency Unemployment Compensation (PEUC) Program: Extension, Elimination of Transition Rule, Increase in Total Benefits, and Extension of Coordination Rule*, issued March 26, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9169;
- UIPL No. 17-20, Change 2, *Continued Assistance Act for Unemployed Workers Act of 2020 – Pandemic Emergency Unemployment Compensation (PEUC) Program: Extension, Transition Rule, Increase in Total Benefits, and Coordination Rules*, issued December 31, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=9291;
- UIPL No. 17-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Emergency Unemployment Compensation (PEUC) Program: Questions and Answers, and Revised Reporting Instructions for the PEUC ETA 227*, issued May 13, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8689;
- 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. 16-20, Change 6, *Pandemic Unemployment Assistance (PUA) Program: Updated Operating Instructions and Reporting Changes*, issued September 3, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4801;
 - UIPL No. 16-20, Change 5, *Expanded Eligibility Provisions for the Pandemic Unemployment Assistance (PUA) Program*, issued February 25, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3202;
 - UIPL No. 16-20, Change 4, *Continued Assistance to Unemployed Workers Act of 2020 — Pandemic Unemployment Assistance (PUA) Program: New Operating Instructions and Reporting Changes*, issued January 8, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6973;
 - UIPL No. 16-20, Change 3, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 - Eligibility of Individuals who are Caregivers for Pandemic Unemployment Assistance (PUA) in the Context of School Systems Reopening*, issued August 27, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3849;
 - UIPL No. 16-20, Change 2, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 - Pandemic Unemployment Assistance (PUA) Additional Questions and Answers*, issued July 21, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5479;
 - 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. 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. 15-20, Change 4, *American Rescue Plan Act of 2021 (ARPA) – Extensions to the Federal Pandemic Unemployment Compensation (FPUC) Program and Mixed Earners Unemployment Compensation (MEUC) Program*, issued March 26, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=3728;
 - UIPL No. 15-20, Change 3, *Continued Assistance Act for Unemployed Workers (Continued Assistance) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Reauthorization and Modification and Mixed Earners Unemployment Compensation (MEUC) Program Operating, Reporting, and Financial Instructions*, issued January 5, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6122;
 - UIPL No. 15-20, Change 2, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – New Data Collection Instrument and Revised Reporting Instructions for Federal Pandemic Unemployment Compensation (FPUC)*, issued June 15, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7785;
 - UIPL No. 15-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Reporting Instructions and Questions and Answers*, issued May 9, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3946;

- 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. 14-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Questions and Answers*, issued August 12, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3791;
- 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. 13-20, Change 1, *Families First Coronavirus Response Act, Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA) – Reporting Instructions, Modification to Emergency Administrative Grants Application Requirement, and Questions and Answers*, issued May 4, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5374;
- UIPL No. 04-17, Change 1, *Requirement for States to Refer Allegations of Unemployment Compensation (UC) Fraud, Waste, Abuse, Mismanagement, or Misconduct to the Department of Labor's (Department) Office of Inspector General's (DOL-OIG) and to Disclose Information Related to the Coronavirus Aid, Relief, and Economic Security (CARES) Act to DOL-OIG for Purposes of UC Fraud Investigation and Audits*, issued August 3, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5817;
- UIPL No. 02-16, Change 1, *State Responsibilities for Ensuring Access to Unemployment Insurance Benefits, Services, and Information*, issued May 11, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5491;
- UIPL No. 02-16, *State Responsibilities for Ensuring Access to Unemployment Insurance Benefits*, issued October 01, 2015, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4233;
- UIPL No. 01-16, Change 1, *Federal Requirements to Protect Claimant Rights in State Unemployment Compensation Overpayment Prevention and Recovery Procedures - Questions and Answers*, issued January 13, 2017, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7706;
- UIPL No. 01-16, *Federal Requirements to Protect Individual Rights in State Unemployment Compensation Overpayment Prevention and Recovery Procedures*, issued October 1, 2015, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5763;
- UIPL No. 19-11, *National Effort to Reduce Improper Payments in the Unemployment Insurance (UI) Program*, issued June 10, 2011, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3036;
- UIPL No. 12-01, Change 2, *States' Ability to Exercise Flexibility in Staffing Models for the Performance of Certain Unemployment Compensation (UC) Administrative Activities*, issued January 8, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8998;
- UIPL No. 04-01, *Payment of Compensation and Timeliness of Determinations during a Continued Claims Series*, issued October 27, 2000, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1746;

- 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; and
- Employment Security Manual, Section 7511, *The Secretary's Interpretation of Federal Law Requirements*, available at 20 C.F.R. Part 614, Appendix C, *Standard for Fraud and Overpayment Detection*.

7. **Attachment(s).**

- **Attachment I:** State Size Classifications and Funding Allocation to Assist with Reporting, as well as Overpayment Detection and Recovery Activities for Specific CARES Act UC Programs.
- **Attachment II:** Instructions for Completing the SF-424 for Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities for Specific CARES Act UC Programs.
- **Attachment III:** Reference to Investigations and Overpayment Activity Reports for the PUA, PEUC, and FPUC Programs.

Attachment I to UIPL No. 28-20, Change 4

**State Size Classifications and Funding Allocation to Assist with Reporting, as well as
Overpayment Detection and Recovery Activities for Specific CARES Act UC Programs**

State	Size Classification	Pandemic Unemployment Assistance (PUA) Funding Allotment	Pandemic Emergency Unemployment Compensation (PEUC) Funding Allotment	Federal Pandemic Unemployment Compensation (FPUC) Funding Allotment
Alaska	SM	\$647,000	\$175,000	\$700,000
Alabama	MED	\$1,138,000	\$366,000	\$1,300,000
Arkansas	MED	\$1,038,000	\$250,000	\$1,100,000
Arizona	LRG	\$4,923,000	\$394,000	\$2,700,000
California	LRG	\$8,392,000	\$2,883,000	\$9,380,000
Colorado	LRG	\$2,313,000	\$572,000	\$2,200,000
Connecticut	MED	\$1,028,000	\$343,000	\$1,300,000
District of Columbia	SM	\$667,000	\$201,000	\$700,000
Delaware	SM	\$632,000	\$162,000	\$700,000
Florida	LRG	\$3,208,000	\$873,000	\$3,500,000
Georgia	LRG	\$1,753,000	\$670,000	\$2,500,000
Hawaii	SM	\$757,000	\$234,000	\$900,000
Iowa	MED	\$923,000	\$273,000	\$1,200,000
Idaho	SM	\$742,000	\$172,000	\$700,000
Illinois	LRG	\$2,058,000	\$844,000	\$3,300,000
Indiana	LRG	\$2,073,000	\$442,000	\$2,100,000
Kansas	MED	\$1,208,000	\$311,000	\$1,200,000
Kentucky	MED	\$1,838,000	\$394,000	\$1,500,000
Louisiana	MED	\$1,638,000	\$378,000	\$1,600,000
Massachusetts	LRG	\$2,918,000	\$833,000	\$3,000,000
Maryland	LRG	\$2,663,000	\$428,000	\$2,100,000
Maine	SM	\$762,000	\$204,000	\$800,000
Michigan	LRG	\$3,873,000	\$758,000	\$3,400,000
Minnesota	LRG	\$1,538,000	\$478,000	\$1,600,000
Missouri	LRG	\$1,648,000	\$437,000	\$1,800,000
Mississippi	MED	\$1,308,000	\$395,000	\$1,300,000
Montana	SM	\$672,000	\$167,000	\$700,000
North Carolina	LRG	\$1,973,000	\$590,000	\$2,400,000
North Dakota	SM	\$647,000	\$172,000	\$700,000
Nebraska	SM	\$667,000	\$169,000	\$700,000
New Hampshire	SM	\$897,000	\$169,000	\$800,000
New Jersey	LRG	\$2,823,000	\$734,000	\$2,800,000
New Mexico	SM	\$847,000	\$269,000	\$900,000
Nevada	MED	\$2,823,000	\$561,000	\$1,600,000
New York	LRG	\$6,363,000	\$1,497,000	\$5,800,000

State	Size Classification	Pandemic Unemployment Assistance (PUA) Funding Allotment	Pandemic Emergency Unemployment Compensation (PEUC) Funding Allotment	Federal Pandemic Unemployment Compensation (FPUC) Funding Allotment
Ohio	LRG	\$3,563,000	\$523,000	\$2,800,000
Oklahoma	MED	\$928,000	\$286,000	\$1,200,000
Oregon	MED	\$1,133,000	\$351,000	\$1,400,000
Pennsylvania	LRG	\$4,913,000	\$777,000	\$3,800,000
Puerto Rico	SM	\$1,627,000	\$187,000	\$1,100,000
Rhode Island	SM	\$967,000	\$196,000	\$900,000
South Carolina	MED	\$1,158,000	\$274,000	\$1,300,000
South Dakota	SM	\$627,000	\$156,000	\$600,000
Tennessee	LRG	\$1,648,000	\$472,000	\$1,900,000
Texas	LRG	\$3,268,000	\$1,220,000	\$4,600,000
Utah	MED	\$923,000	\$238,000	\$1,000,000
Virginia	LRG	\$3,053,000	\$565,000	\$2,900,000
Virgin Islands	SM	\$622,000	\$156,000	\$600,000
Vermont	SM	\$652,000	\$189,000	\$700,000
Washington	LRG	\$1,813,000	\$802,000	\$2,300,000
Wisconsin	LRG	\$1,383,000	\$462,000	\$1,700,000
West Virginia	SM	\$882,000	\$187,000	\$800,000
Wyoming	SM	\$622,000	\$161,000	\$600,000
TOTAL		\$99,180,000	\$25,000,000	\$99,180,000

Pacific Territories	Pandemic Unemployment Assistance (PUA) Funding Allotment		Federal Pandemic Unemployment Compensation (FPUC) Funding Allotment
American Samoa	\$100,000		\$100,000
Commonwealth of the Northern Mariana Islands	\$210,000		\$210,000
Federated States of Micronesia	\$100,000		\$100,000
Guam	\$210,000		\$210,000
Palau	\$100,000		\$100,000
Republic of Marshall Islands	\$100,000		\$100,000
TOTAL	\$820,000		\$820,000

Attachment II to UIPL No. 28-20, Change 4

Instructions for Completing the SF-424 for Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities for Specific CARES Act UC Programs.

Please note that States are required to submit an SF-424 for each funding allotment (*i.e.*, one SF-424 for the Pandemic Unemployment Assistance funding, and a second SF-424 for the Pandemic Emergency Unemployment Compensation funding).

I. Application for Federal Assistance (SF-424)

Use the current version of the form for submission. Expired forms will not be accepted. SF-424, Expiration Date 12/31/2022, Office of Management and Budget (OMB) Control No. 4040-0004 (Grants.gov). https://apply07.grants.gov/apply/forms/sample/SF424_4_0-V4.0.pdf.

Section # 8, APPLICANT INFORMATION:

- Legal Name: The legal name must match the name submitted with the System for Award Management (SAM). Please refer to instructions at <https://www.sam.gov/SAM/>.
- Employer/Tax Identification Number (EIN/TIN): Input your correct 9-digit EIN and ensure that it is recorded within SAM.
- Unique Entity Identifier (UEI): Starting on April 4, 2022, the DUNS Number was replaced by a new, non-proprietary identifier requested in and assigned by the System for Award Management (SAM) at SAM.gov. This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. To learn more about SAM's rollout of the UEI, please visit the U.S. General Service Administration (GSA), Unique Entity Identifier Update webpage. Before submitting, states must also ensure its registration with SAM.gov is current. (SAM replaced the Central Contractor Registry.) States can find instructions for registering with SAM at <https://sam.gov/content/entity-registration>. An awardee must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, states must review and update the registration at least every 12 months from the date of initial registration. Failure to register with SAM and maintain an active account will result in a rejection of your submission.
- Address: Input your complete address including Zipcode+4; Example: 20110-0831. For lookup, use link at https://tools.usps.com/go/ZipLookupAction_input.
- Organizational Unit: Input appropriate Department Name and Division Name, if applicable.
- Name and contact information of person to be contacted on matters involving this application: Provide complete and accurate contact information including telephone number and email address for the point of contact.

Section # 9, Type of Applicant 1: Select Applicant Type: Input "State Government".

Section # 10, Name of the Federal Agency: Input “Employment and Training Administration”.

Section # 11, Catalog of Federal Domestic Assistance Number: Input “17.225”; **CFDA Title:** Input “Unemployment Insurance”.

Section # 12, Funding Opportunity Number and Title:

- For Pandemic Unemployment Assistance Funding Allotment: Input “UIPL No. 28-20, Change 4, Pandemic Unemployment Assistance – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”.
- For Pandemic Emergency Unemployment Compensation Funding Allotment: Input “UIPL No. 28-20, Change 4, Pandemic Emergency Unemployment Compensation – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”.
- For Federal Pandemic Unemployment Compensation Funding Allotment: Input “UIPL No. 28-20, Change 4, Federal Pandemic Unemployment Compensation – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”

Section # 13, Competition Identification Number: Leave Blank.

Section # 14, Areas Affected by Project: Input the place of performance for the project implementation; Example “NY” for New York.

Section # 15, Descriptive Title of Applicant’s Project:

- For Pandemic Unemployment Assistance Funding Allotment: Input “UIPL No. 28-20, Change 4, Pandemic Unemployment Assistance – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”.
- For Pandemic Emergency Unemployment Compensation Funding Allotment: Input “UIPL No. 28-20, Change 4, Pandemic Emergency Unemployment Compensation – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”.
- For Federal Pandemic Unemployment Compensation Funding Allotment: Input “UIPL No. 28-20, Change 4, Federal Pandemic Unemployment Compensation – Additional Funding to Assist with Reporting, as well as Overpayment Detection and Recovery Activities”

Section # 16, Congressional Districts of:

- a. Applicant: Input the Congressional District of your home office. For lookup, use link at www.house.gov with Zipcode + 4.
- b. Program/Project: Input the Congressional District where the project work is performed. If it is the same place as your home office, input the congressional district

for your home office. For lookup, use link at www.house.gov with Zipcode+4.

Section # 17, Proposed Project Dates.

- a. Start Date: Input a valid start date for the project (earliest start date will be April 1, 2022).
- b. End Date: Input a valid end date for the project (June 30, 2023).

Section # 18, Estimated Funding (\$):

Input the applicable funding allotment for each of the programs as listed for your state in Attachment I.

Section #s 19 – 20: Complete as per instructions for Form SF-424.

Section # 21, Authorized Representative: Please select the “I AGREE” check box and provide complete information for your authorized signatory including contact information such as telephone number and email address. If your Authorized Representative has changed from your previous application submission for this program, please include a letter from higher-level leadership authorizing the new signatory for the application submission.

Remember to have the SF-424 signed and dated by the Authorized Representative.

Attachment III to UIPL No. 28-20, Change 4

**Reference Sheet for Investigations and Overpayment Activity Reports for
PUA, PEUC, and FPUC Programs**

Report Number	Report Name	Description	Reporting Period	Due Dates	Most Recent Reference
ETA 902P	Pandemic Unemployment Assistance Activities	The ETA 902P report contains monthly data on PUA activities provided by the CARES Act of 2020, as amended.	Monthly	January 30, February 28, March 30, April 30, May 30, June 30, July 30, August 30, September 30, October 30, November 30, and December 30	UIPL No. 16-20, Change 6
ETA 227 (FPUC)	Overpayment Detection and Recovery Activities (FPUC)	The ETA 227 (FPUC) report provides information on FPUC overpayments.	Quarterly	February 1, May 1, August 1, November 1	UIPL No. 15-20, Change 2
ETA 227 (PEUC)	Overpayment Detection and Recovery Activities (PEUC)	The ETA 227 (PEUC) report provides information on PEUC overpayments.	Quarterly	February 1, May 1, August 1, November 1	UIPL No. 17-20, Change 1