

**DEPARTMENT OF LABOR****Employee Benefits Security Administration**

[Exemption Application No. D-12002]

**Withdrawal of Notice of Proposed Exemption Involving the Retirement System of the American National Red Cross Located in Washington, DC****AGENCY:** Employee Benefits Security Administration, Labor.**ACTION:** Notice of withdrawal of proposed exemption.

**SUMMARY:** This document provides withdrawal of a notice of pendency before the Department of Labor (the Department) of a proposed individual exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA) and/or the Internal Revenue Code of 1986 (the Code).

**FOR FURTHER INFORMATION CONTACT:** Anna Vaughan of the Department at (202) 693-8565. (This is not a toll-free number.)

**Withdrawal of Proposed Exemption**

In the **Federal Register** dated November 18, 2021 (86 FR 64688), the Department of Labor (the Department) published a notice of proposed exemption (the Notice) from ERISA and the Code.

The Notice proposed the following transactions: (a) The in-kind contribution (the Contribution) by the American National Red Cross (the Red Cross) of nine condominium units located at 2025 E Street NW, Washington DC to the Retirement System of The American National Red Cross (the Plan); and (b) the assignment of certain rights and obligations from the Red Cross to the Plan in connection with the Contribution.

Subsequent to the publication of the Notice in the **Federal Register**, the Red Cross informed the Department that the Red Cross had decided not to pursue the requested exemption, due to changed circumstances.

Therefore, under the authority of ERISA Section 408(a) and Code Section 4975(c)(2) the Department is hereby withdrawing the Notice from the **Federal Register**.

Signed at Washington, DC.

**George Christopher Cosby,**

*Acting Director, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor.*

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**DEPARTMENT OF LABOR****Employment and Training Administration****Agency Information Collection Activities; Comment Request; Unemployment Insurance Data Validation (DV) Program****ACTION:** Notice.

**SUMMARY:** The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Unemployment Insurance Data Validation (DV) Program." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by March 25, 2022.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Rachel Beistel by telephone at 202-693-2736 (this is not a toll-free number), TTY 1-877-889-5627 (this is not a toll-free number), or by email at [Beistel.Rachel@dol.gov](mailto:Beistel.Rachel@dol.gov).

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance Room S-4519, 200 Constitution Avenue NW, Washington, DC 20210, by email: [Beistel.Rachel@dol.gov](mailto:Beistel.Rachel@dol.gov), or by Fax 202-693-3975.

**FOR FURTHER INFORMATION CONTACT:** Rachel Beistel by telephone at 202-693-2746 (this is not a toll-free number) or by email at [beistel.rachel@dol.gov](mailto:beistel.rachel@dol.gov).

**SUPPLEMENTARY INFORMATION:** DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly

understood, and the impact of collection requirements can be properly assessed.

Section 303(a)(6) of the Social Security Act specifies that the Secretary of Labor will not certify State UI programs to receive administrative grants unless the State's law includes provisions for "making of such reports . . . as the Secretary of Labor may from time to time require, and compliance with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports." DOL considers DV to be one of those "provisions . . . necessary to assure the correctness and verification" of the reports submitted by states.

The Government Performance and Results Act of 1993 (GPRA) requires Federal agencies to develop annual and strategic performance plans that establish performance goals, have concrete indicators of the extent that goals are achieved, and set performance targets. Each year, the agency is to issue a report that "evaluate[s] the performance plan for the current fiscal year relative to the performance achieved toward the performance goals in the fiscal year covered by the report." DOL emphasizes the importance of complete and accurate information for program monitoring and improving program performance ". . . as a framework for agencies to communicate progress in achieving their missions." (OMB Circular A-11, Section 15.5).

The UI DV program employs a refined and automated approach to review 363 elements reported on 15 UI Benefits reports and 1 UI Tax report. DOL uses many of these elements for key performance measures and for workload analysis.

The validation process assesses the accuracy of the counts of transactions. Guided by a detailed handbook, the state UI agency first constructs extract files containing all pertinent individual transactions for the desired report period to be validated. These transactions are grouped into 16 UI Benefits and 5 UI Tax populations. Each transaction record contains the necessary characteristics or dimensions that enable it to be summed into an independent recount of what the state has already reported. DOL provides state agencies with software that edits the extract file (to identify and remove duplicate transactions and improperly built records, for example), then aggregates the transactions to produce an independent reconstruction or "validation count" of the reported figure. The reported count is considered valid by this "quantity" validation test if it is within plus or minus two percent