

## Notice of Research and Evaluation Under the State Wage Interchange System (SWIS) Agreement

### **Research and Evaluation Process and Comment Period Instructions**

The U.S. Department of Labor's (DOL) Employment and Training Administration (ETA) is transmitting a Notice of Research and Evaluation for Reemployment Services and Eligibility Assessment and Worker Profiling and Reemployment Services Programs. Pursuant to section IX.E. of the SWIS Agreement, Wage Data obtained from the SWIS may be used for research and evaluation when a notice meeting the requirements of IX.E.2.a. is distributed and all states whose Wage Data would be used in the research and evaluation provide their express written consent of the research and evaluation.

The ETA is facilitating the notice and consent process for this research and evaluation proposal.

#### ***Overview of Process***

1. ETA sends research and evaluation proposal and consent notice to affected states.
2. ETA convenes the SWIS Advisory Group to discuss the proposal and consent notice.
3. The deadline for proposing changes to the consent notice to DOL at [SWIS@dol.gov](mailto:SWIS@dol.gov) is 30 calendar days.
4. ETA reviews and addresses comments received during the public comment period.
5. ETA shares comments and responses with the final consent notice.
6. ETA asks State Unemployment Insurance Agencies, or SUIAs, to review and return the signed consent notice to ETA 30 calendar days after receipt of final consent notice.
7. ETA tracks SUIA signatures on its website at:  
<https://www.dol.gov/agencies/eta/performance/swis/resea-wprs-evaluations>
8. ETA notifies SWIS entities when the collection of signatures is complete, and states may begin to use Wage Data from the SWIS Clearinghouse for RESEA and WPRS evaluations.

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***Requested Action:*** The public comment period begins on July 18, 2024 and concludes on August 19, 2024. Prior to the end of the comment period, please submit your comments or proposed changes to the consent notice to [SWIS@dol.gov](mailto:SWIS@dol.gov).

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**Notice of Research and Evaluation for  
Reemployment Services and Eligibility Assessment and Worker Profiling and  
Reemployment Services Programs**

**I. Introduction and process**

The purpose of this Notice of Research and Evaluation is to comply with the requirements of section IX.E. of the State Wage Interchange System (SWIS) Agreement which governs when Wage Data obtained through the SWIS may be used for the purposes of research and evaluation. Pursuant to section IX.E. of the SWIS Agreement, Wage Data obtained from the SWIS may be used for research and evaluation when a notice meeting the requirements of IX.E.2.a. is distributed and all states whose Wage Data would be used in the research and evaluation provide their express written consent to the research and evaluation.

The Employment and Training Administration (ETA) is facilitating the notice and consent process for this research and evaluation.

**II. Purpose of the research and evaluation and authorized program under the SWIS**

The purpose of the research and evaluation is for states to assess the efficacy of interventions to reduce benefit duration by improving employment outcomes for individuals that receive unemployment compensation under the Reemployment and Eligibility Assessment Services (RESEA) and Worker Profiling and Reemployment Services (WPRS) programs. Section 303 [42 U.S.C. 503] of the Social Security Act (SSA) authorizes the WPRS program and section 306 [42 U.S.C. 506] of the SSA authorizes the RESEA program. States are required to use a percentage of their RESEA grant funds on interventions with a high or moderate causal evidence rating that show a demonstrated capacity to improve employment and earnings outcomes for program participants. Section 306(d)(2) of the SSA permits states to use not more than 10 percent of their RESEA grant funds to conduct evaluations to identify such interventions.

Section IX.E.1.a. of the SWIS Agreement permits research and evaluations for programs enumerated in section IX.B.1 of the SWIS Agreement which includes ETA administered employment and training programs in which the grantee is a state. ETA makes grants to states to administer the RESEA program. The RESEA program integrates WPRS, which identifies claimants that are likely to exhaust their UC benefits, to support the programs' shared goal to improve employment outcomes for individuals receiving UC. Therefore, these programs are programs for which research and evaluation are permitted under section IX.E.1.a. of the SWIS Agreement.

**III. Identification of state whose data will be used, the time period of the study, and the approximate number of queries needed**

The research and evaluation proposed would permit RESEA and WPRS evaluations to use SWIS Wage Data from consenting states for RESEA and WPRS research and evaluations to ensure they are statistically valid and meet the requirement to determine if an intervention has a high or

moderate causal evidence rating. ETA anticipates the initial research and evaluation activities will last approximately five (5) years.

**IV. Identification of who will receive the data and how the data will be used**

The RESEA and WPRS programs are administered by State Unemployment Insurance Agencies (SUIA) and workforce development agencies. Under this research and evaluation, all state unemployment insurance and workforce development agencies that receive RESEA grants will be able to use Wage Data for the research and evaluations.

These agencies and their research and evaluations agents and contractors will be using the information to conduct research and evaluations of interventions used in the RESEA and WPRS program.

**V. An explanation of the controls and security measures to be in place for the data**

The controls and security measures of sections IX, XI, XII, XIII, and XIV of the SWIS Agreement will apply for the RESEA and WPRS research and evaluation.

Performance Accountability and Customer Information Agencies (PACIAs) and SUIAs conducting RESEA and WPRS research and evaluations must provide signed Acknowledgement of Confidentiality Requirements and Restrictions in Annex 2 for all individuals who will have access to SWIS Wage Data.

**VI. Time period for which the data will be held and retention and destruction procedures**

States conducting the research and evaluation will need the data for approximately five years to complete the research and evaluation. After the research and evaluation is completed, states, including their agents and contractors, will dispose of the data. This data destruction will occur no later than 3 years after the date of the research and evaluation's completion.

**VII. Termination of the RESEA and WPRS research and evaluation**

SWIS Wage Data may only be used for the RESEA and WPRS research and evaluation while the SWIS Agreement is in effect.

At any time during the RESEA and WPRS research and evaluation, a SUIA may withdraw its consent by sending a written notice to ETA.

**VIII. Consequences of a potential amendment to permit states to use Wage Data for RESEA and WPRS research and evaluations**

At the SWIS Advisory Group quarterly meeting on June 27, 2024, ETA announced it is exploring a potential amendment to the SWIS Agreement to permit states to use Wage Data obtained from the SWIS for RESEA and WPRS research and evaluations. If the SWIS Agreement is amended to permit this use of Wage Data, specific authorization for a RESEA and

WPRS research and evaluation will not be needed under section IX.E of the SWIS Agreement. ETA will send a notice to all affected parties if the amendment is successful announcing that this Notice of Research and Evaluation is cancelled and superseded by the amendment.

**Consent for Research and Evaluation of the  
Reemployment Services and Eligibility Assessment and  
Worker Profiling and Reemployment Services Programs**

The State Unemployment Insurance Agency (SUIA) identified below hereby voluntarily consents to PACIAs and SUIAs that participate in the SWIS Agreement, and their agents and contractors, using its Wage Data for the Reemployment Services and Eligibility Assessment (RESEA) and Worker Profiling and Reemployment Services (WPRS) research and evaluation as outlined in the notice above.

The SUIA identified below agrees to only share its Wage Data for the RESEA and WPRS research and evaluation.

The SUIA identified below acknowledges that if costs are incurred, it will seek remuneration for those costs in accordance with its policies and procedures for such remuneration.

Section IX.E.1.g. provides that only a PACIA and its agent or contractor may have access to individual level Wage Data obtained for research and evaluation purposes. However, RESEA and WPRS research and evaluations may be carried out by state UI agencies, PACIAs, or contractors of these entities. Therefore, as explained in the above notice, the SUIA identified below consents to SUIA, PACIA, or their agents and contractors use of Wage Data for this RESEA and WPRS research and evaluation.

**By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name (Printed):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**SUIA Agency Name:** \_\_\_\_\_