

September 29, 2025

Luke Murren, Deputy Administrator
Office of Policy Development and Research
Employment and Training Administration
United States Department of Labor
200 Constitution Avenue NW, Room N-5641
Washington, DC 20210

Re: (RIN) 1205-AC11

To Whom It May Concern:

We are writing regarding the Department of Labor's (DOL) vague Notice of Proposed Rulemaking (NPRM) that would require states to provide sensitive data that their unemployment insurance agencies collect. We request that the DOL withdraw the proposed rule until it can answer some important, basic questions about what data it will request from states, how it will use that data and protect the privacy of the people whose data it collects, and be able to demonstrate the need for such data to achieve the goals named in its proposed rule. The proposed rule, as currently written, could harm workers, threaten data security, and waste federal, state, and taxpayer dollars for unnecessary and even duplicative processes.

When people apply for UI, they expect that their personal data will be kept confidential by the state UI agencies. However, since its inception, the Department of Government Efficiency (DOGE) has repeatedly put critical data at risk in several well-documented incidents. The NPRM says nothing about how it will safeguard personal information, nor does it specify which "additional data" it may seek, or how that relates to program integrity.

Moreover, the Trump administration has made no secret about using all the data it possesses to try to find immigrant workers and potentially detain them for deportation. We have grave concerns that UI data will be shared with Immigration and Customs Enforcement which could then engage in racial profiling to track and terrorize people with foreign sounding last names, no matter their citizenship or authorization to work in the United States.

In addition to the risks of collecting unemployment insurance data, the NPRM also alludes to an attempt to collect wage data. That includes the Social Security numbers, wages, and workplaces of everyone who works at a job covered by Unemployment Insurance. For example, the NPRM cites Executive Order (E.O.) 14243 titled "Stopping Waste, Fraud, and Abuse by Eliminating Information Silos" and quotes it: "the Secretary of Labor and the Secretary's designees shall receive, to the maximum extent consistent with law, *unfettered access to all unemployment data and related payment records*. . ." (emphasis added). Unemployment data includes more than claims. In addition to wage data, agencies routinely collect information that could compromise individuals and businesses. For example, the Short Time Compensation program (which allows employers to reduce hours in lieu of layoffs) requires employers to provide sensitive data about their business operations to demonstrate their need for the program. Under this broad proposed rule, states could be required to share this sensitive data with DOL.

The proposed rule may also require states to engage in additional costly and potentially duplicative processes. However, the text of the proposed rule itself is ambiguous on this point. On the one hand, it notes the need for states to upgrade their information technology systems. Yet, on the other hand, the need for technological upgrades makes little sense if, as the proposed rule alleges, states are simply being asked to continue a service they have already provided for three years. But given the lack of clarity of the rule, combined with this mention of a need to upgrade technology, it may be that the rule is proposing an increase in the scope of required data collection.

The lack of clarity regarding what data will be collected hinders states and other stakeholders' ability to respond to the proposed rule. Without further details about how this requested data is different from what states already produce, stakeholders cannot assess how this rule will interact with existing state laws and processes. Stakeholders also cannot determine what the financial impact of the rule will be on states, nor whether the federal government will help attenuate that impact. Stakeholders must be provided with adequate information to answer these questions before DOL can issue a final rule. Otherwise, in addition to the data risks, the rule would not only circumvent the rulemaking process, but it would potentially undermine the ability of state agencies to provide legally required timely payments, particularly at a time of rising UI claims.

Please withdraw this rule until such time as the DOL can answer basic questions about what this rule would do, what it would require of state agencies, as well as what additional resources may be provided, and can establish a clear cost benefit analysis.

Sincerely,

AFL-CIO

Alianza Nacional de Campesinas, Inc.
American Association of University Women (AAUW)
Arkansas Advocates for Children and Families
Asian American Legal Defense and Education Fund
Asian Americans Advancing Justice-AAJC
Autistic Self Advocacy Network
Borderlands Resource Initiative
California Immigrant Policy Center
California Work & Family Coalition
Care in Action
Caring Across Generations
Center for Advancement of Public Policy
Center for Democracy & Technology
Center for Economic and Policy Research
Center for Law and Social Policy (CLASP)
Centro de los Derechos del Migrante, Inc (CDM)
Chicago Women in Trades
Clearinghouse on Women's Issues
Coalition on Human Needs

Color Of Change
Colorado Fiscal Institute
Connecticut Voices for Children
Consumer Federation of America
Demand Progress Education Fund
Disability Rights Education and Defense Fund (DREDF)
Economic Policy Institute
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Family Forward Oregon
Family Values at Work
Feminist Majority Foundation
Freedom for Immigrants
Georgia Budget and Policy Institute
Greater Birmingham Ministries
Greater Boston Legal Services
Gullah Geechee Chamber of Commerce
Hispanic Federation
Immigration Research Initiative
Inland Empire Labor Council, AFL-CIO
Instituto de Educacion Popular del Sur de California (IDEPSCA)
Interfaith Center on Corporate Responsibility
Invest in Louisiana
Jobs with Justice
Justice in Motion
Just Leadership USA
Katz Banks Kumin LLP
Keystone Research Center
La Plaza
Legal Aid Justice Center
Legal Momentum, The Women's Legal Defense and Education Fund
Long Beach Alliance for Clean Energy
Los Angeles Alliance for a New Economy
Maine Equal Justice
MANA, A National Latina Organization
Marketing Partners Inc
Martha Burk, Ph.D., President, Center for Advancement of Public Policy
Marylanders for Food and Farmworker Protection Coalition
Mass COSH
Michigan Immigrant Rights Center
Moms Rising
Movement Advancement Project
National Action Network
National Asian Pacific American Women's Forum
National Association of Social Workers
National Black Worker Center

National Center for Law and Economic Justice
National Employment Law Project
National Employment Lawyers Association
National Hispanic Media Coalition
National Immigration Law Center
National Institute for Workers' Rights
National Organization for Women
National Partnership for Women & Families
National Workrights Institute
NETWORK Lobby for Catholic Social Justice
New Hampshire Legal Assistance
New Haven Legal Assistance Association
New Jersey Citizen Action
New York Legal Assistance Group
Next 100 Coalition
North Alabama Area Labor Council
North Carolina Justice Center
Northwest Workers' Justice Project
Oxfam America
Pennsylvania Farmworker Project
People Power United
Popular Democracy in Action
Public Assets Institute
Public Justice Center
Rideshare Drivers United
Rocky Mountain Equality
San Francisco Labor Council
Secure Growth Initiative
SEIU Local 105
Shriver Center on Poverty Law
South Carolina Small Business Chamber of Commerce
Sugar Law Center for Economic & Social Justice
Sur Legal Collaborative
Tech Equity Action
TechTonic Justice
The Advocates for Human Rights
The Century Foundation
The Leadership Conference on Civil and Human Rights
The Legal Aid Society
The Restaurant Opportunities Center of Pennsylvania (ROC PA)
UDW/AFSCME Local 3930
Unemployment Law Project
UnidosUS
United for Respect
Victor Forberger, Esq.
Warehouse Worker Resource Center

William E. Morris Institute for Justice
Women Employed
Worker Justice Center of New York
Workers Defense Action Fund
Workers' Injury Law & Advocacy Group
Working Partnerships
Worksafe