



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

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September 10, 2021

Emiliano Falcon-Morano
Policy Counsel
Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street
Boston, MA 02110

Dear Mr. Falcon-Morano:

I am writing to respond to your public records request sent by email to the Department of Unemployment of Assistance (DUA) on August 26, 2021. Your request seeks 19 categories of records and information pertaining to automated tools, including but not limited to those that use facial recognition, for unemployment insurance identity verification, including but not limited to ID.me.

Significant amounts of time will be required for DUA to search for and compile certain requested records and information, including but not limited to records pertaining to automated identity verification tools DUA has never acquired or used; external and internal communications, especially emails, which numerous DUA employees sent or received on various subjects covered by the request; and statistics that DUA does not regularly track.

Accordingly, DUA estimates that a minimum of 100 hours will be required to search for and compile all requested records and information, and it reserves its right to increase this estimate as the search proceeds. DUA also reserves its right not to provide certain documents and information, which, upon review, are exempt from production under the public records law.

Under the Public Records Law, the first four hours of time to search for and compile requested records and information is free of charge. Accordingly, if you wish to obtain the records and information you have requested, DUA is going to charge you for 96 hours at \$25 per hour (again, reserving its right to charge more if additional time to search for and compile requested records and information is required) for a total of \$2,400. Please mail a check for this amount payable to the Commonwealth of Massachusetts to me at 46 Commonwealth Avenue, Boston, MA 02116.

Paul C. Demakis
September 10, 2021

If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records following the procedure set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/>. You may also file a civil action in accordance with G.L. c. 66, § 10A.

Sincerely,



Paul C. Demakis
Deputy Chief Counsel &
Keeper of the Records

cc: Kade Crockford
Jessica Lewis
Taisha Lazare