

SUPPORTING STATEMENT

Document Verification Request and Supplement

(Form G-845 and Form G-845 Supplement)

OMB No. 1615-0101

A. Justification.

1. Section 121 of the Immigration Reform and Control Act (IRCA), Public Law 99-603, provides authority for U.S. Citizenship and Immigration Services (USCIS) to maintain an automated system for verifying the immigration status of non-citizen applicants of certain types of federally-funded benefits, such as Food Stamps, Temporary Assistance to Needy Families, Unemployment Insurance, Medicaid, Housing Assistance, Education Grants, Loans and Work Study. The IRCA-mandated system must be accessible to federal, state and local benefit-issuing agencies and institutions that administer those federally-funded benefits.

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104-208, requires USCIS to respond to inquiries by federal, state, and local benefit-issuing agencies and institutions seeking to verify or determine the citizenship or immigration status of any individual within the jurisdiction of the agency for any lawful purpose.

2. In the verification process, a participating agency validates an applicant's immigration status by inputting identifying information into the Verification

Information System (VIS), which executes immigration status queries against a range of data sources. If VIS returns an immigration status and the benefit-issuing agency does not find a material discrepancy with the response and the documents provided by the applicant, the verification process is complete. Then, the agency may use that immigration status information to determine whether to issue the benefit.

If VIS does not have a record pertaining to the applicant, or if there is a material discrepancy between the data returned from VIS in the response to an initial verification and the data on the non-citizen's immigration document as noted by the benefit-issuing agency, a Form G-845 must be completed by the agency.

In some cases, agencies that do not access the automated verification system may query USCIS by filing Form G-845. The Form G-845 has a benefit list at Section A.8 for the requesting agency to identify the organization's specific benefit(s). Although the Form G-845 does not require it, if needed certain agencies may also file the Form G-845 Supplement with the Form G-845, along with copies of immigration documents to receive additional information necessary to make their benefit determinations. These forms were developed to facilitate communication between all benefit-granting agencies and USCIS to ensure that basic information required to assess status verification requests is provided. USCIS is making minor revisions to the Form G-845 and is streamlining the Form G-845 Supplement with additional immigration statuses that are commonly requested by

agencies in order to make their benefit determinations. (See attached table of changes for the Form G-845 and Form G-845 Supplement).

DHS privacy has determined that a Privacy Statement is not necessary on Form G-845, Form G-845 Supplement and VIS, because the information is submitted by government agencies and not directly by applicants.

3. Currently, USCIS allows for the electronic verification of the immigration status of non-citizen applicants of certain types of federally-funded benefits through VIS. The url is <https://stage.save.uscis.gov/Web/vislogin.aspx?JS=YES>. However, if a material discrepancy is noted by the benefit-issuing agency, then the Form G-845 can be submitted by mail to the assigned USCIS verification office by state.
4. A review of the USCIS Forms Inventory Report revealed no duplication of efforts. There is no similar information currently available that can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. This information collection allows USCIS to quickly and uniformly respond to benefit-issuing agencies nationwide with a document that can be used as a record

of the transaction. This process assists agencies in identifying applicants without immigration status and potentially those using counterfeit documentation, to avoid granting benefits to those ineligible. Additionally, USCIS is provided an opportunity to update its database when the applicants produce appropriate documents that are not currently reflected in the database.

7. There are no special circumstances applicable to this information collection.

8. USCIS published a 60-day notice in the Federal Register on February 22, 2011, at 76 FR 9805, and received two public comments. One comment was from an individual who indicated approval of the SAVE Program and its use for verifying aliens who applied for public benefits. The other comment was received from the Social Security Administration (SSA) requesting that the Supplement to the Form G-845 be amended. The SSA official requested that item 4 under Section C “Immigration Status of alien as of 8/22/96” be moved to Section B to avoid possible confusion by SSA officials. The SSA official was concerned that including item 4 under Section C., could cause SSA officials to interpret the response to apply to Cuban/Haitian Entrants only. USCIS consulted with SSA officials and it was decided to move the response to Section C, item1, to avoid confusion. Accordingly, Section C, item 4 was moved to item 1, and the other items in Section C were renumbered accordingly. USCIS published a 30-day notice in the Federal Register on May 26, 2011, at 76 FR 30738, and has not received any comments to date.

9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.

10. There is no assurance of confidentiality. The system of record notice associated with this information collection is the Systematic Alien Verification for Entitlements (SAVE) Program, published in the Federal Register on September 21, 2011 at 76 FR 58525. The privacy impact assessment for this information collection is the SAVE Program.

11. There are no questions of a sensitive nature.

12.	Annual Reporting Burden:	G-845	Supplement	VIS Query
a.	Number of Respondents	248,206	11,247	11,839,892
b.	Number of Responses per Respondent	1	1	1
c.	Total Annual Responses	248,206	11,247	11,839,892
d.	Hours per Response	.083	.083	.083
e.	Total Annual Reporting Burden	20,601	934	982,711

Total annual reporting burden hours is 1,004,246. This total figure was derived as follows:

Form G-845. This figure was derived by multiplying the number of respondents (248,206) x (1) frequency of response x (.083) 5 minutes per response.

Form G-845 Supplement. This figure was derived by multiplying the number of respondents (11,247) x (1) frequency of response x (.083) 5 minutes per response.

VIS Query. This figure was derived by multiplying the number of respondents (11,839,892) x (1) frequency of response x (.083) 5 minutes per response.

13. There are no capital or start-up costs associated with this information collection for Form G-845 or Form G-845 Supplement. However, there is a fee of \$0.50 for conducting queries using the VIS and a fee of \$2.00 for submitting a Form G-845. There is no fee for submitting the Form G-845 Supplement. Any cost burdens to respondents as a result of this information collection are identified in Item 14.

14.	<u>Annualized Cost Analysis:</u>	G-845	Supplement	VIS Query
a.	Printing Cost	\$ 15,000	1,000	
b.	Collection and Processing Cost	\$ 481,412	224,940	5,919,946
c.	Total Cost to Program	\$ 496,412	225,940	5,919,946
d.	Fee Charge	\$ 496,412	0	5,919,946
e.	Total Cost to Government	\$ 0	225,940	0

Government Cost

The estimated cost of the program to the Government is \$225,940

Form G-845. This figure is calculated by multiplying the estimated number of respondents 248,206 x \$2.00 suggested fee charge.

VIS Query. This figure is calculated by multiplying the estimated number of respondents 11,839,892 x \$0.50 suggested fee.

Form G-845 Supplement. This figure is calculated by multiplying the estimated number of respondents 11,247 x (.50) 30 minutes (USCIS time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits). In addition, this figure includes the estimated overhead cost for printing, stocking, and distributing the form which is \$1,000.

Public Cost

The estimated annual public fee cost is \$ 6,416,358.

Form G-845. This figure is calculated by multiplying the number of respondents (248,206) x \$2.00 fee charge; plus.

VIS Query. This figure is calculated by multiplying the number of queries 11,839,892 x \$0.50 fee.

Form G-845 Supplement. No Fee.

The estimated annual public burden cost is \$35,558,802

Form G-845. This figure is based on the number of respondents (248,206) x (1) number of responses x (.083) 5 minutes per response x \$29.89 (Average hourly rate) = \$6,157,668.

Form G-845 Supplement. This figure is calculated by multiplying the number of respondents (11,247) x (1) number of responses x (.083) 5 minutes per response x \$29.89 (Average hourly rate) = \$27,902.

VIS Query. This figure is calculated by multiplying the number of queries 11,839,892 x (1) number of responses x (.083) 5 minutes x \$29.89 (Average hourly rate) = \$29,373,232.

15. Burden Hours: There has been an increase of 154,473 annual burden hours associated with this information collection. This increase can be attributed to increased registration of state and local agencies due to new state and local legislation, as well as more applicants applying for federal, state and local benefits during an economic downturn.

Annual Costs: There has been an increase of \$4,613,784 in the annual costs associated with this information collection. This can be attributed to adding a fee for submitting Form G-845, and increasing the fee for conducting VIS queries. Prior to October 1, 2008 SAVE did not charge a fee for processing the G-845. Prior to that date, the SAVE Program costs were covered by application fees for immigration and naturalization benefits collected by USCIS. The fee was introduced following USCIS' decision to transition SAVE away from funding through application fees and toward funding through reimbursement for verification services performed by SAVE. Significantly, the determination to charge a fee was based in part on the findings of a fee study conducted in 2007. The fee study projected the average cost for processing the G-845 to be \$7.33 in FY08 and \$9.10 in FY09.

The decision to charge \$2.00 rested on several considerations. First, under the Intergovernmental Cooperation Act, federal agencies are to recover identifiable costs for services provided to other governmental agencies. Second, charging the full estimated costs of \$7.33 and \$9.10 would have been a substantial and sudden burden on agency customers. Most of them budget for SAVE queries well in advance and would not have been able to shift significant funds until the next

budgetary cycle. Third, the general pricing strategy is to induce agencies to move onto electronic verification, with potential future increases to help with this shift until it equals the true cost to process (although no firm plans are in place at this time).

It should also be noted that the SAVE Program does not charge private individuals or entities a fee for processing the G-845; its customers consist of government agencies. This distinguishes the G-845 fee from USCIS benefit application fees. Stated otherwise, SAVE has interagency Memoranda of Agreement, which contain clauses creating duties to pay for verification services.

16. USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.
17. USCIS will display the expiration date on the electronic Verification Information System.
18. USCIS does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Sunday Aigbe,

Date

Chief,

Regulatory Products Division,

Office of the Executive Secretariat,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.