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SUPPORTING STATEMENT A
Online Survey of Web Services Employers
OMB Control No.: 1615-NEW
COLLECTION INSTRUMENT: File No. OMB-70

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A. Justification

1. **Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

    The Illegal Immigration Reform and Immigrant Responsibly Act (PL 104-208) provides legislative provisions for E-Verify evaluations. In addition, USCIS is required by the House of Representatives to publish E-Verify accuracy and performance audits (FY2014 OMNIBUS; H.RPT. 113-91, P.103). USCIS/DHS research and evaluation activities are authorized by the Homeland Security Act of 2002 (PL 107-296, Subtitle E, Section 451 (a)(4) (c)(2)(a); (116 Stat.2196)).

    The Department of Homeland Security (DHS) requests clearance from the Office of Management and Budget (OMB) for a Study of E-Verify Program Web Services. The instrument to be cleared is an online survey of Web Services employers of various sizes and types to obtain information about the software being used.

    E-Verify is an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. Over the years, USCIS has implemented many of the recommendations of previous Westat evaluations of the E-Verify Program to reduce identified problems related to compliance and reducing unauthorized employment.

    One of the key modifications of E-Verify has been the implementation of a Web Services interface that allows employers to integrate E-Verify into other electronic systems used by the employer. This innovation reduces employer costs for data entry but also introduces the potential for new problems arising due to variations between the Web Services interface and E-Verify. As such, the Verification Division of USCIS is interested in obtaining a better understanding of the employers developing and using E-Verify Web Services interfaces, as well as the features of the software being developed. Web Services employers are of critical importance because they include many of the largest users of E-Verify; furthermore, the size of this population has been growing over time. Customers using the E-Verify Web Services interface currently account for approximately one-third of cases transmitted to E-Verify. Moreover, if the federal government passes legislation mandating all or most employers to use E-Verify, the percentage of cases transmitted by Web Services employers could significantly increase. Therefore, USCIS feels it is critical to understand the needs of these users, their procedures, and the accuracy of the graphical user interface (GUI) to determine whether they are effectively meeting the E-Verify Program's goal to reduce unauthorized employment without placing an undue burden on employers or contributing to discrimination. Gaining an understanding of the Web Services process should enable USCIS to identify programmatic improvements to better meet the goals of the Illegal Immigration Reform and

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Immigrant Responsibility Act of 1996, the legislation on which the E-Verify evaluations are based.

2. **Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The primary purpose of the data collection efforts submitted for OMB clearance is to assist the Verification Division of USCIS in determining how well the Web Services portion of the E-Verify Program is meeting its goals as an employment verification program.

The Web Services survey to be used for data collection is included as Attachment A. Several of the key questions to be addressed in this survey include, but are not limited to, the following:

- What kinds of services and/or products does each of the different types of Web Services employers/companies offer? Do employers develop their own software or purchase it from a third-party vendor?

- To what extent does the GUI of the Web Services software adhere to the GUI of the official E-Verify software? What are the main differences? To what extent do these differences affect employer compliance and burden?

- What kind of instructions/training do Web Services users receive and how consistent are these with E-Verify policy and procedures?

- How do Web Services employers use the E-Verify GUI—only for the initial submission or for the entire process, including the Tentative Nonconfirmation (TNC) process? In what ways does the use of both the GUI and the E-Verify browser affect employer behavior?

- To what extent does the interface control document (ICA) prepare Web Services employers to accurately upgrade their software?

- What other gaps exist between the end user experiences of Web Services customers and those who access E-Verify directly?

The software review portion of the study is an exploratory collateral case study activity. The protocol for this review is designed to be used internally by Westat project staff (Attachment B). The software review focuses on some of the same research questions that are addressed by the survey, but this case study provides more detailed information on how the web services GUIs differ from those of the E-Verify browser. Data from the software review will not be linked to survey responses.

When a company chooses the Web Services access method to submit cases to E-Verify either for their own company or to other companies for a fee, it receives a Web Services Interface Control Agreement (ICA). While the ICA specifies the business rules of E-Verify for Web-Services employers to develop and test the software interface, it does not specify *how* Web Services employers should interface with E-Verify. Therefore, using a case study approach, Westat will conduct a collateral study activity to review a few (up to 12) Web services software packages. The purpose of this case study is to collect more detailed information about how the Web Services Graphical User Interfaces (GUIs) compare to the E-Verify browser GUIs. Since Web

Services employers or software developers must give Westat permission to access their proprietary software, we anticipate that only a few companies will agree to participate in this case study. Westat will collect these data using a review protocol so the burden on participating companies is restricted to the time it takes to give Westat access through a demo, webinar, or screen shots. (See Section 12, Exhibit A-1.)

The product review protocol describes the specific types of information Westat will collect that will be compared to the E-Verify web browser; however, a few examples follow:

- **The home page.** The home page of the E-Verify web browser includes many navigation features and information for users to manage their various E-Verify activities. This also serves as the gateway to E-Verify and the starting point for web services employers to interface with E-Verify. Thus, it is important to examine what the home page of Web Services software looks like and to compare the features and information to the browser.

- **The case finding page.** The E-Verify browser allows users to enter and submit one case at a time and receive the case finding one case at a time. In the software review study, Westat will collect supplemental information about how the software generates the case findings. This comparison will potentially yield useful information such as if the Web Services software has the capability of allowing users to submit multiple cases simultaneously, and if so, how this works for the end user.

- **Help Screens**. Help Screens are embedded into the E-Verify browser at various points in the process to help users understand what actions they are to take to move cases forward. A review of the Web Services software Help Screens will provide valuable insights on the ways in which various types of assistance to users differ from those provided by the E-Verify browser.

Although prior Westat evaluations have included some employers that use the E-Verify Web Services interface, there has not been a comprehensive evaluation of how the needs, operating procedures, and software developed and/or used by these employers differ from employers that access E-Verify directly through their browser (i.e., Direct Access). The results of this study will be used to enhance the technical documentation, customer service, enrollment process, and communication for the E-Verify Web Services community; to modify existing policies and procedures as needed; and to provide Verification with more in-depth knowledge about this important group of E-Verify users.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The survey of employers using Web Services will be web-based. The web-based survey will also incorporate a request from Westat for Web Services employers to participate in the second part of the Web Services study. The second part of the study will be for Westat to review the GUI of various types of Web Services software, providing employers with the guarantee that Westat would sign a nondisclosure agreement. Including this request in the web-based survey will greatly reduce the burden associated with contacting companies and obtaining permission to review the software.

Westat will email all Web Services companies the USCIS letter of invitation to participate in the survey along with a web URL and password to access and complete the survey online. To maximize response rates, companies that do not complete the survey online in the first four weeks will be sent the survey materials and a return envelope via Federal Express to complete and return a paper version of the survey, if they wish to do so.   The survey can be accessed at https://www.EVerifyWebServices.org. Companies that indicate a willingness to participate in the software review portion of the study will be contacted by email and/or telephone to make arrangements for Westat's review of the software.

The evaluation will also compare Web Services and Direct Access employers by using existing data from the E-Verify Transaction Database and from information collected via the online survey of E-Verify Employers.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

There is no similar information currently available that can be used to evaluate (1) how employers using an E-Verify Web Services interface differ from employers that access E-Verify directly through their browser (i.e., Direct Access), or (2) how the GUIs of various Web Services software platforms (including onscreen instructions and help resources) compare to the GUI of the E-Verify browser. This study will provide Verification with new information about this growing group of users and how they interact with the E-Verify system.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The design of the employer survey is such that it will not have a significant impact on small businesses. The employer survey will take about 30 minutes to complete.

Since Westat is collecting the data for the software review portion of the study, Web services employers and/or software developers that agree to participate in the software review will incur no burden associated with data collection, only with providing Westat access to their software packages. Based on some preliminary conversations with a few software developers who agreed to talk to us about how Westat could gain access to their software, Westat anticipates that a maximum of 10-12 employers would participate in this portion of the study. We estimate that participating employers would average about 25 minutes to provide access, depending on how they choose to do so: (1) sending Westat a link to and instructions for the same demo they offer to any potential customers (i.e., about 15 minutes), (2) demonstrating their software through a webinar, which might take closer to 45 minutes, or (3) providing screen shots of the E-Verify process (i.e., 45 -60 minutes). Regardless of how employers choose to provide access to their software, Westat will complete the product review protocols. It is expected that companies that agree to provide access to the software will provide demo access primarily via a link and basic instructions on how to use the software. We expect very few to opt for webinar presentations or screenshots.

6. **Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the information is not collected, any differences between the characteristics, practices, and experiences of Web Services users and those directly accessing E-Verify will not be known. For example, messages and instructions included in the Web Services GUI may not be as clear or accurate as those provided in the browser interface. In particular, instructions related to the TNC notification and referral processes might not be identical to the "official" instructions provided by E-Verify. Lack of understanding of these processes could lead to inaccuracies in the E-Verify transaction data collected or contribute to worker discrimination.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner**

   - **Requiring respondents to report information to the agency more often than quarterly;**

   - **Requiring respondents to prepare a written response to a collection information in fewer than 30 days after receipt of it;**

   - **Requiring respondents to submit more than an original and two copies of any document;**

   - **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

   - **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

   - **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

   - **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

   - **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

   The special circumstances contained in item 7 of the supporting statement (i.e., more than quarterly; responded to in less than 30 days; where records must be retained more than 3 years; where statistical surveys are not designed to produce reliable results; requiring statistical data not approved by OMB; when a pledge of confidentiality is not supported by statute or regulation; which requires the respondent to submit proprietary trade secrets) are not applicable to this information collection.

8. **If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the**

agency in response to these comments. Specifically address comments received on cost and hour burden.

On July 16, 2013 USCIS published a 60-day notice in the Federal Register at 78 FR 42537. USCIS received one comment in connection with the publication of the 60-day notice. On October 1, 2013, USCIS published a 30-day notice in the Federal Register at 78 FR 60303. USCIS has not received any comment to date.

 Below is a summary the comment received in connection with the publication of the 60-day notice and USCIS response.

USCIS thanks Jean Public for their interest in the E-Verify Program and recommendations for improving the program. This data is collected to study and evaluate the E-Verify Program process and to improve system performance. Some of the concerns that Jean Public has raised are outside of the scope of this study. The other recommendations that Jean Public has made will be forwarded to the program managers for further consideration.

Consultants knowledgeable about issues related to immigration, employment, discrimination, and privacy have been employed at various times by the contractors in order to provide advice for this and the earlier evaluations. They are as follows:
- Geoff Palmer, Management and Program Analyst, Verification Division, USCIS
- Lisa Roney, former Director of Research and Evaluation at USCIS
- Carolyn Shettle, former Westat Project Director, E-Verify Evaluations

In developing the study design for the data collection efforts, the U.S. Citizenship and Immigration Services (USCIS) contractor has built into the design and data collection methodology the lessons learned through other web-based data collections, particularly for the national Web Survey of E-Verify Employers conducted for multiple earlier evaluations.

9. **Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

   No incentives or payments will be made to respondents.

10. D**escribe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

   Because some of the information to be collected in this study is proprietary, special care will be taken to protect the privacy of both the individuals and the firms participating in the study. At a minimum, the following safeguards will be taken to ensure respondent privacy:

   - No public use microdata files containing data from this study will be issued.
   - The study contractor will remove all identifying information for individuals and organizations from the summaries before delivering the file to DHS.

   Upon request from participating companies, the study contractor will sign a nondisclosure agreement to assure privacy. The following disclosure statement will be included in a letter from USCIS (Attachment B), signed by Howard W. McMillan, Chief, Verification

Division, USCIS. The letter will be sent as an attachment to an email from Westat (Attachment C) to Web Services employers

Westat will **not** provide DHS or others who are not part of the study team with any identifiable information about companies or individuals that participate in the study..

11. **Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person's for whom the information is requested, and any steps to be taken to obtain their consent.**

The Web Services survey asks employers to describe features of their proprietary software. These questions are necessary because they provide valuable information to Verification on the differences between Web Services software and the E-Verify browser, and the ways in which employers interact with the software as compared to the browser. Understanding any differences, such as differences in data entry fields or instructions, is essential to determining whether the E-Verify Program is effectively meeting its goal to reduce unauthorized employment without placing an undue burden on employers or contributing to discrimination.

To protect the privacy of individuals and establishments, the microdata delivered to DHS for the survey will contain no organizational or individual identifiers, and DHS will not issue any public use files from the evaluation. Quantitative information in reports will be based on aggregate data. Some specific quotations and synopses of open-ended questions in the surveys will be published to illustrate particular types of situations; however, the contractor will review this information carefully to ensure that individual identification of the respondent is not possible. The software review information delivered to DHS will be de-identified narrative summaries only and will not be linked to the survey data from the study.

12. **Provide estimates of the hour burden of the collection of information. The statement should:**

    Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

    If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

    Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of

contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

With respect to the burden imposed on respondents, Exhibit A-1 shows the number of anticipated respondents, the number of administrations for each type of respondent, and the estimated time to complete each administration. Burden, in hours, is totaled for all respondents.

Exhibit A-1. Estimates of respondent burden

Type of Respondent	Form Name / Form Number	No. of companies in frame	Estimated number of participants	No. of Responses per Respon- dent	Average burden per response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Business/ Private Sector	Survey	569	455	1	30 min. (.50)	228	$52.21	$11,904
Business/ Private Sector	Follow up for software review for employers wanting more information before agreeing to participate	569	25	1	20 min. (.33)	8	$52.21	$418
Business/ Private Sector	Access to Web services software	569	12	1	25 (.42)	5	$52.21	$261
Total		**569**	**492**			**241**		**$12,583**

The estimates of annualized cost to the public (respondents) associated with the collection of information are calculated as the total hours of burden (see Exhibit A-1 above) times the appropriate hourly wage category divided by the length of time of the study. In 2011, the wage rate for employers nationally was estimated at $52.21 per hour (http://www.bls.gov/oes/current/oes113121.htm). These estimates are based on the average full-time hourly earnings of managers in human resources departments in the private sector.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into

account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.

There are no capital or start-up costs associated with these collections. Any cost burdens to respondents as a result of this collection are identified in question A.12. There is no fee associated with collecting this information.

14. **Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

The cost to Westat for conducting the Web Services study, for contract HSSCCG-11-F-00505, is estimated to cost the federal government about $568,300. This estimate includes labor costs and operational expenses such as designing the study; determining the size of the universe; meeting with USCIS staff; pretesting the instrument; recruiting participants; printing materials; programming the online survey and management system; coding responses; paying for overhead and support staff; data processing; compiling secondary data; performing software tests; gaining access to and reviewing Web Services software; cleaning and analyzing the Transaction Database using existing data, conducting analysis; and preparing reports. In addition, an estimated cost of $75,000 is for federal salaries and related expenses, making the total annualized project cost $648,300.

15. **Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

This is a one-time new data collection. There are no program changes or adjustments to Items 13 or 14 of the OMB Form 83-I as this is a new collection.

16. **For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The time schedule for the conduct of data collection, tabulation, analysis, and preparation of reports on the Web Services survey is shown in Exhibit A-2.

Exhibit A-2. Project schedule for E-Verify Web Services Survey

Activity	Date to start	Date to complete
Data Collection Activities		
Collect data for Web Services Survey	4/8/14	5/30/14
Conduct product review (assume for 12 companies)	4/21/14	5/30/14
Clean data for Web Services Survey	5/30/14	6/13/14
Analyses and Report Preparation		
Adjust survey data for nonresponse and analyze data	6/13/14	6/27/14
Prepare interim draft of Web Services report for USCIS review	6/16/14	7/25/14
Write first draft of full report for USCIS review	8/1/14	8/15/14
Complete final draft of Web Services report	9/1/14	9/15/14
Formal briefing for USCIS	9/22/14	9/25/14

NOTE: Web services software packages will be reviewed on an ongoing basis as companies indicate in the survey that they are willing to provide access to their software.

Findings from the Web Services survey will be summarized for USCIS review. Examples of the key research topics to be addressed in the survey findings include:

- What types of Web Services software are being used by Web Services employers? For example, does it run E-Verify with a built-in electronic I-9 or does it extract data from another database that may be built in or separate from the software?
- How was the software obtained and for what purpose? For example, did the company purchase the software for its own use or for its clients? Did it develop the software for use by other companies?
- How is the software being used? For example, is it used only for the initial submission or for the entire process, including the TNC process?
- For what reasons do companies use Web Services software and what is their level of satisfaction with the software?
- How satisfied are companies with their experiences in communicating with USCIS/CSC, using the ICA and other documents by USCIS, and updating to new versions of the ICA?

Web Services Survey Analyses

The data will be examined and presented primarily through the use of simple descriptive statistics to summarize quantitative data and examine bivariate relationships. For example, to examine the distribution of cases along a single variable, Westat will run frequencies to report the percentage of employers that integrate the Web Services software into their human resources data system and the percentage that develop their own software or purchase it from vendors. In addition, we will run cross tabulations to examine bivariate relationships

between outcome variables and company characteristics. For example, does the percentage of Web Services employers that use both Web Services software and the official E-Verify browser differ by company characteristics, such as type of Web Services (regular or EEA), company size, and number of TNCs?

We anticipate using NVivo to help perform content analyses of responses to open-ended questions on the online survey.

To the extent feasible, the evaluation will also compare Web Services and Direct Access employers. This comparison will be based on existing data from the E-Verify Transaction Database and from information collected via the online survey of E-Verify Employers supplemented by any information collected from the product review case study.

Analysis of Data from Software Review

As described earlier, the software review portion is designed as an exploratory collateral case study activity. Thus, data from the software review will be described separately from the survey findings. Information from each completed software review protocol will be captured in a detailed narrative that is organized according to the key topics covered in the protocol (Attachment B). Information from each narrative will then be incorporated into an overall summary of findings that describes how the GUIs from software used by various types of web services employers (i.e., software developers, EEA web services employers, and regular web services employers) differ from the GUIs of the E-Verify browser. The overall summary will also be organized according to the key topics covered in the software review protocol.

17. **If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

All surveys conducted under this clearance process will display the OMB clearance number. The web survey will include the OMB expiration date on the login page.

18. **Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

DHS does not request an exception to the certification of this information collection.

B. **Collection of Information Employing Statistical Methods**

See Supplemental Supporting Statement B.