

**SUPPORTING STATEMENT FOR
myE-Verify Program
OMB Control No.: 1615-0117
COLLECTION INSTRUMENT(S): G-1499**

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 E-Verify program allows employers to electronically confirm the employment authorization of newly hired employees by matching information provided by employees on the Form I-9, Employment Eligibility Verification, against existing information contained in the Verification Information System, a database that matches the information provided against the information contained by both the Social Security Administration (SSA) and the Department of Homeland Security (DHS). The authority for the E-Verify program is contained in section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) Public Law 104–208.

The myE-Verify allows employees to proactively engage with E-Verify through a suite of Web-based services. The features of myE-Verify are free and provide individuals with a secure account that facilitates an ongoing relationship between the user and USCIS.

The first myE-Verify feature is myE-Verify Self Check. U.S. Citizenship and Immigration Services (USCIS) developed the myE-Verify Self Check service to allow workers in the United States to enter data into the Verification Information System (VIS) to ensure that the information relating to their eligibility to work is correct and accurate before beginning new employment. This has led to a more reliable and accurate E-Verify system that works better for both employers and employees.

The functionality of myE-Verify is the ability for individuals to create a secure account and access the Self Lock feature after using myE-Verify Self Check. Below are brief descriptions of myE-Verify features:

- myE-Verify Accounts – allows the individual who completes the Self Check process to set up a secure account to access features.
- Self Lock – empowers individuals to actively protect their Social Security number (SSN) from use in employment related identity fraud by allowing the account holder to lock his or her SSN from use by anyone in E-Verify.
- Case Tracker – allows the account holder to get detailed information and guidance about a contested Self Check case.

- Document Expiration Reminders – allows an account holder to enter information about employment eligibility documents and set up expiration reminders.
- Case History – allows an account holder to view a modified VIS report to review details around use of his or her SSN in E-Verify to detect any instances of identity fraud.

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.

myE-Verify Self Check uses a web-based interface that is accessible to all workers in the United States. The information collected is used to confirm the identity of the user and determine whether the user would be employment authorized in the E-Verify system.

The first step in creating a myE-Verify account is to complete the Self Check process. Both employment authorized users and users who receive a notice of a data mismatch with their records, will have the ability to create a myE-Verify account.

A worker in the United States has no requirement to use myE-Verify Self Check which is a free, voluntary service offered by the Government that enables a user to query the E-Verify system used by employers to check to see whether or not the system will produce an “employment authorized” response or a response that indicates a mismatch of information. The worker in the United States who conducts an myE-Verify Self Check will not be required to register or create an account. The myE-Verify Self Check user will be required to agree to “Terms of Use” detailed on the myE-Verify Self Check Web site before he or she will be allowed to begin the myE-Verify Self Check process. The “Terms of Use” will detail the restrictions on myE-Verify Self Check use (i.e., you may only run a Self Check query on your own information, no one can require you to use myE-Verify Self Check, etc.) and detail the privacy and security protections on all data provided.

To check employment authorization using myE-Verify Self Check, a user will first enter minimal biographical information (name, address, date of birth, and optional SSN). To authenticate the user’s identity, the information will be sent to a 3rd party identity authentication service that will then generate a series of questions back to the user. The user will then have to correctly answer the identity authentication questions before continuing the process. The exact questions generated will be unique to each user. The following is a sample of the category of questions:

- Address;
- SSN State of issue;
- SSN last four digits;
- Phone Number;
- Employer;
- Household;

- Personal Property;
- Driver’s License Number; and
- Credit questions relating to: Mortgage/ Home Equity Loan, Auto Loan, Personal Installment Loan, Student Loan, and Credit Accounts.

If the identity authentication process is successful, the users enter their citizenship status information, SSN, and document number(s) from documents showing their employment authorization. Drop-down menus are provided for citizenship status and document selection. The system then transmits the data to SSA to compare the name and social security account number provided by the user against the records created by SSA at the time of enumeration, and maintained by SSA, to confirm (or not confirm) the validity of the information provided by the employee, including whether the individual’s name and the SSN correspond to each other, and whether the social security account number provided is valid/invalid for employment. The results of the SSA records comparison are returned to the user via Self Check. If the user enters immigration information (e.g., Arrival Departure Record (I-94) number, Alien number, USCIS number), then the information is transmitted to DHS to compare the documents numbers provided by the user against DHS records. The results of the DHS records comparison are also returned to the user via Self Check.

If the comparison is successful following completion of the Self Check process, individuals will have the opportunity to create a myE-Verify account. Only allowed individuals who receive an “employment authorized” response may create an account and access the Self Lock feature. Users who received data mismatch responses are also able to create an account and use the Case Tracker feature that allows users who receive a mismatch to follow up with their mismatch. Upon doing so, they have full access to myE-Verify. Full account users are provided with access to the Document Expiration Reminders and Case History features. Below is a break out of features:

- myE-Verify Full Accounts (for employment authorized users)
- Self Lock
- myE-Verify Limited Accounts (for users with mismatch) – this will be a limited account that only allows users to follow up with their mismatch.
- Case Tracker
- Case History
- Document Expiration Reminders

Users choosing to create a myE-Verify account are required to provide personal information to a 3rd party identity authentication service provider that manages user accounts. Necessary information is collected and stored to ensure account security requirements are met. This information is kept and stored by the 3rd party identity authentication service provider. In addition to the Self Check identity assurance questions, the 3rd party identity authentication service provider generates a second series of questions to provide further identity assurance. The user then must correctly answer

the identity authentication questions to continue the myE-Verify account creation process. Questions are based off the same sample categories listed above for the myE-Verify Self Check process.

The following is information needed to create a myE-Verify account:

- Valid E-mail Address; and
- Valid Telephone Number.

For account creation and login purposes, users are required to validate the e-mail address and telephone numbers they provide. To do so, a one-time passcode is sent to each contact method provided by the user. The user will then enter that passcode during the account setup process.

In addition to the information indicated above, users are required to select and answer three security questions. Individuals have the option to choose from a series of prepopulated security questions. The user provides freeform responses to the security questions. These security questions are required for account management in the event that a user forgets his or her account password or otherwise needs to validate ownership of an account.

The Self Lock feature allows the account holder to protect against E-Verify-related identity fraud by locking his or her SSN from use in E-Verify or Self Check. To complete the Self Lock process, users must be logged into their myE-Verify account. Users are then required to enter their SSN, date of birth, and answer pre-selected security questions before the SSN can be locked. The SSN and date of birth are passed along to the VIS to complete the SSN lock. Security questions will be stored in VIS in the event the user's identity must be verified against the SSN and date of birth.

The following information is needed for the Self Lock feature:

- SSN; and
- Date of Birth.

The Case Tracker feature allows the account holder to get detailed information and guidance about a contested Self Check case. To receive information and guidance, the account holder must enter his or her Case Verification Number. The Case Verification Number is found on the mismatch guidance provided by Self Check or the Further Action Notice provided by the E-Verify employer.

The following information is needed for the Case Tracker feature:

- Case Verification Number.

Document Expiration Reminders is a feature that allows an account holder to enter

information about employment authorization documents and set up reminders. The information provided is stored by the 3rd party account management service providers. The provided information is not be checked against government records for accuracy and is not be used for any purpose aside from providing the account holder with document reminders pertaining to the information submitted by the user.

The following information is needed for the Document Expiration Reminders feature:

- Document Type (e.g., Employment Authorization Document, Permanent Resident Card, etc.); and
- Expiration Date.

Case History allows an account holder to view a modified VIS report to see details about the use of their information in E-Verify and Self Check. For myE-Verify to obtain the necessary VIS report, account holders are required to enter their SSN and date of birth. The SSN and date of birth are passed to VIS which stores employment authorization case information and case history will be provided back to the account holder.

The following information is needed for the Case History feature:

- Social Security Number; and
- Date of Birth.

Terms used in this information collection:

Identity Authentication Check – This includes reading the “Terms of Use,” entering the initial personal information, and responding to questions generated by a 3rd party identity authentication service.

Self Check Query – This includes entering information from employment authorization documents, such as a Permanent Resident Card, to receive an employment authorization response.

Further Action Pursued – This includes visiting a SSA office or calling a DHS status verifier depending on whether the user receives an SSA or DHS record mismatch.

Contact Method – A contact method refers to any method provided by the users in which they can be contacted. Sample contact methods include text message, voice call, e-mail message, etc.

One-Time Passcode – This is a four-digit code that will be sent to a user during account creation, login and account management to validate access to a contact method. The one-time passcode will change each time it is required to validate a contact method or establish identity.

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.**

All information for myE-Verify Self Check will be collected electronically through a Web-based portal at <https://selfcheck.uscis.gov/SelfCheckUI/> to minimize the burden placed on the public in setting up and managing their accounts. This method provides the most efficient means for collecting and processing the required data.

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.**

This collection of information is unique to USCIS and is not conducted elsewhere. Any information that is shared with other agencies, or any information collected by other agencies that is used by USCIS to adjudicate the benefit sought in this collection, has been described in this supporting statement.

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.**

This collection of information does not have any significant impact on small businesses. As previously stated, myE-Verify is a voluntary service for workers in the United States. This service is intended to benefit workers in the United States by providing individuals with self-service features to proactively engage with the E-Verify Program.

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 this information collection is not conducted, a worker in the United States will not be able to access the self-service features of the myE-Verify to proactively engage with the E-Verify Program.

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 of 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.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

- 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.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On August 18, 2020 USCIS published a 60-day notice in the Federal Register at 85 FR 50831. USCIS did not receive comments after publishing that notice.

On November 12, 2020, USCIS published a 30-day notice in the Federal Register at 85 FR 71935. USCIS did not receive comments.

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

USCIS does not provide any payment for benefit sought.

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

The Privacy Act of 1974 (Public Law 93-589) mandates that personal information solicited from individuals completing Federal records and forms must be kept private to the extent permitted by law. The user is informed that the response is voluntary and that only authorized agency officials will have access to these records. The systems used to support the E-Verify Program, myE-Verify Self Check, and myE-Verify are operated and maintained according to DHS and privacy requirements. As part of the myE-Verify program, users of the service may be asked questions related to available public/private non-governmental information (i.e., which of these addresses have you lived at, which of these is a recent phone number of yours, etc.) that will be randomly generated by a 3rd party independent identity authentication service. These questions have hundreds of iterations and are solely meant to authenticate the identity of the user as required under Government security regulations. The government will at no time have access to the information provided to the 3rd party identity authentication service, the questions it generates, or the answers provided, nor will the government retain or have access to any of this information through 3rd party agreements after the transaction has taken place.

The System of Record Notices associated with this information collection are:

- DHS/USCIS-0011 E-Verify Program, June 18, 2019, 84 FR 28326.
- DHS/ALL-037 E-Authentication Records, August 11, 2014, 79 FR 46857.

The associated Privacy Impact Assessments are:

- DHS/USCIS/PIA-030(h) myE-Verify
- DHS/USCIS/PIA-030(e) E-Verify Program
- DHS/USCIS/PIA-030(d) myE-Verify Program

These documents will be updated, as appropriate, to reflect the new features available through a myE-Verify account.

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 persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection collects SSNs, DOBs, Case Verification Numbers, Document Types and Numbers, and Expiration Dates. No other information of a sensitive nature will be collected for the myE-Verify program.

In order to use myE-Verify, the user must agree to the Terms of Use, which includes the Privacy Act statement informing the user of the system's use of his or her SSN. USCIS's general legal authority to collect SSN under the Immigration and Nationality Act (INA) includes sections: 101 et. seq. (requires background checks be conducted for immigration benefits); 103(a)(1) and (3) (generally charging the Secretary of Homeland Security [Secretary] with the administration and enforcement of all laws relating to the immigration and naturalization of aliens, and authorizing the Secretary to issue regulations, forms, and instructions and to perform such other acts as the Secretary deems necessary to exercise his INA authorities); and, 264(f) (authorization to require any alien to provide the alien's SSN). Moreover, IIRIRA, section 404(d)(1) requires DHS and SSA to ensure the reliability of the information maintained for E-Verify and to ensure the privacy and security of such information. Authority for the E-Verify program, including the collection and use of an individual's SSN to verify employment authorization, is found in Title IV, Subtitle A, of the IIRIRA, Pub. L. 104-208, 110 Stat. 3009, as amended (8 U.S.C. § 1324a note).

Use of the SSN is essential for myE-Verify's Self-Check, Self-Lock, and Case History functionalities. For each of these functions, the user voluntarily provides their SSN in order to access and use their individual records in the VIS. As described in Item 2, once a user enters an SSN to conduct Self Check, the information is passed to the SSA, which validates the information against SSA records to determine whether the information matches the data provided during the enumeration process. The comparison verifies both the identity information provided as well as whether the SSN associated with that information is valid for employment purposes. Without collecting the user's SSN for this information collection, the VIS cannot carry out the identification validation process necessary to produce a unique response related to the individual requesting confirmation of employment authorization.

Similarly, the Self Lock feature ensures that the SSN being locked is the SSN associated with the individual account by verifying the SSN with the account in VIS before permitting the user to initiate the lock. For the use of Self Lock, the SSN is entered into the myE-Verify system by the individual employee to lock their SSN from use in the Self Check or E-Verify systems. As VIS is the system that issues an employment eligibility response, the SSN must be passed from myE-Verify to VIS. The SSN is added to a list of locked SSNs that will stop the employment verification process when an employer or individual attempts to use the SSN in E-Verify or Self Check. The SSN is removed from the list if the myE-Verify account holder removes the lock from their SSN. It is

important to note that no other PII is passed or stored with the SSN for Self Lock purposes.

Finally, the SSN is used in Case Tracker to identify the information in the VIS related to that individual account, to update and provide the most recent case information to the user. As the VIS identifies and accesses these unique accounts through the SSN, there is no another alternative for accessing the required information for these functionalities.

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.**

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Individuals or Households	myE-Verify Self Check - Identity Authentication Check**	250,000	1	250,000	0.083	20,825	\$37.55	\$781,979

Individuals or Households	myE-Verify Self Check - Self Check Query***	75,000	1	75,000	0.083	6,248	\$37.55	\$234,594
Individuals or Households	myE-Verify Self Check - Further Action Pursued****	10,000	1	10,000	1.183	11,830	\$37.55	\$444,217
Individuals or Households	myE-Verify Account Creation*****	25,000*****	1	25,000	0.25	6,250	\$37.55	\$234,688
Total				360,000		45,153		\$1,695,476

* The above Average Hourly Wage Rate is the [May 2019 Bureau of Labor Statistics](#) average wage for All Occupations of \$25.72 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$37.55. The selection of “All Occupations” was chosen because respondents to this collection could be expected from any occupation.

The projected hours per response for this collection of information were derived as follows:

** *Completing the myE-Verify Self Check ID Authentication Check: This response includes reading the “Terms of Use,” entering the initial personal information and responding to questions generated by a 3rd party identity authentication service. (5 minutes)*

*** *Completing the myE-Verify Self Check Query: Not all users will have their identity authenticated and be able to use Self Check, and some will drop out of the process before completing ID authentication. This response includes entering information from employment documents such as a lawful permanent resident alien card and correcting information that may have been entered incorrectly. (5 minutes)*

**** *Further Action Pursued: Users who receive a mismatch from their employment authorization query and choose to pursue the correction of their records with the appropriate agency (SSA or DHS). This response includes visiting an SSA field office or calling a DHS status verifier to update the user’s record. (1 hour 11 minutes)*

***** *Completing myE-Verify Account Creation: This response includes data input for the required account creation fields, validation of contact methods, and successful completion of the second ID Authentication Check. (15 minutes)*

***** *The estimated annual number of respondents to myE-Verify is based on a 3-year*

average covering both the individuals that will receive an employment authorized response for the first release upon OMB approval, and individuals that receive data mismatch responses for fiscal year 2015.

These estimates were obtained by taking the total civilian labor population in the five states that currently have the highest number of E-Verify queries (AZ, CA, FL, MS, TX) and estimating the percentage of workers in those states that might be inclined to use the myE-Verify Self Check Service.

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.**

This collection is 100 percent electronic. There are no capital or startup costs or fee associated with this information collection. The worker in the United States who conducts a myE-Verify Self Check is no required to register or create an account and needs only to enter minimal biographical information (name, address, date of birth, and optional SSN). DHS does not require any documents be submitted via mail or uploaded

electronically to conduct a myE-Verify Self Check.

- 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.**

Government Cost: The estimated cost to the Government for myE-Verify Self Check is **\$609,430**. This figure is calculated using the sum of the following:

- Multiplying the total estimated number of myE-Verify Self Check users completing the identity authentication request (250,000) x \$.70 (estimated average cost per identity authentication query) = \$175,000.
- Multiplying the estimated number of users pursuing further action at SSA 5,400 (54% of 10,000) x \$46 (cost per SSA mismatch that a worker in the United States chooses to resolve) = \$248,400.
- Multiplying the estimated number of users pursuing further action with DHS 4,600 (46% of 10,000) x \$6.80 (cost per DHS tentative non-confirmation resolution) = \$31,280.
- Multiplying the estimated number of myE-Verify users completing the account creation process (25,000) x \$6.19 (estimated annual cost for account maintenance) = \$154,750.

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

Data collection Activity/Instrument (in hours)	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New) [new minus current]	Difference
myE-Verify				45,153	45,153	0
Total(s)				45,153	45,153	0

This is no change to the public time burden for this information collection.

Data collection Activity/Instrument (in dollars)	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New) [new minus current]	Difference
myE-Verify				0	0	0
Total(s)				0	0	0

This is no change to the public cost burden for this information 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.**

This information collection will not be published for statistical purposes.

- 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.**

USCIS will display the expiration date for OMB approval of this information collection.

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

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

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.