

## Supporting Statement for Paperwork Reduction Act Submissions

### A. Justification

1. To ensure that federal financial assistance is directed to those legally eligible to receive such assistance, 24 CFR Part 5, Subpart E-Restrictions on Assistance to Noncitizens, requires written declaration of U.S. citizenship or U.S. nationality. For U.S. citizens or U.S. nationals, each family member, regardless of age, must submit a signed declaration of U.S. citizenship or U.S. nationality. For noncitizens who are 62 years of age or older and receiving assistance or applying for assistance, they must provide a signed declaration of eligible immigration status and proof of age document. For all other noncitizens, they are required to submit (1) a signed declaration of eligible immigration status; (2) the original of a document designated by U.S. Citizenship and Immigration Services (USCIS) as acceptable evidence of immigration status, and (3) a signed verification consent form.
2. In verifying information provided by the applicant/tenant, public housing agencies (PHAs) must obtain consent from the applicant/tenant using form HUD-9886 to verify eligibility and income information provided through computer matching or by obtaining information directly from the third party source. PHAs are required to verify citizenship or eligible immigration status of individuals and family members, regardless of age, applying for or currently receiving assisted housing in accordance with Section 214. 24 CFR 5.512, requires PHAs to use the USCIS Systematic Alien Verification Entitlements (SAVE) Program as the primary source for the verification of (1) immigration status, (2) nonimmigrant status and (3) naturalized and derived U.S. citizenship of individuals applying for assistance under various housing programs. The data is stored in USCIS' secured online Verification Information System (VIS) database and checks the immigration status of applicants/tenants against Department of Homeland Security (DHS) database records.

Additionally, to determine eligibility and to assist HUD in managing and monitoring HUD-assisted housing programs, applicants and tenants receiving assistance in public housing programs are required to sign the Authorization for the Release of Information/Privacy Act Notice - (Public and Indian Housing form HUD-9886). The form is also available in Arabic, Cambodian, Mandarin, Creole, French, Hmong, Korean, Russian, Spanish, and Vietnamese.

The submission of the written declaration of citizenship, written declaration of eligible immigration status, alien registration documents, and verification consent form to the PHA (form HUD-9886) is necessary so that PHAs can carry out the requirements of Section 214, to ensure that only citizens and legal residents are the recipients of public benefits. The documents, once submitted to the PHAs, will be verified and retained on file as evidence that the restrictions on financial assistance are met.

3. The collection of information required does not permit electronic submission. The regulations at 24 CFR 5.508 require the presentation of actual alien registration documents and a written declaration of citizenship; eligible immigration status, and verification consent forms.

The verification of current immigration status can be done by paper or electronically through the Systematic Alien Verification Entitlement (SAVE) Verification Information System (VIS) database. The DHS SAVE VIS can be accessed through a Web-based application. This technology allows PHAs to confirm the immigration status of an individual without the necessity for substantial paperwork.

4. No similar information concerning citizenship or eligible immigration status is required under other programs that are already available to HUD or PHAs. Although evidence of citizenship or age is required only once to avoid duplication, evidence of an individual's eligible immigration status is to be submitted every year during the annual recertification of tenants. This is required to ensure continued eligibility status for financial assistance.
5. Some small PHAs are affected by the information collection requirements. The information collection requirements are those that are required by the statute. HUD has not imposed additional information collection requirements beyond those defined by the statute. Given the statutory requirements, there are no alternatives for submission of the required information. Again, electronic verification through the SAVE VIS minimizes burden.

Signature of Senior Officer or Designee:

Date:

X  
Office of the Chief Information Officer

6. The statute dictates information collection for the purpose of determining whether applicants applying for or tenants receiving housing subsidy under HUD assistance programs are eligible for such assistance. The collection conducted is the minimum necessary.

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

- requiring respondents to report information to the agency more than quarterly;  
**Not Applicable**
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;  
**Not Applicable**
- requiring respondents to submit more than an original and two copies of any document;  
**Not Applicable**
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

The entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status under the Public Housing or Section 8 programs shall retain for a minimum of 5 years certain documents and photocopies of any original documents submitted.

**Not Applicable**

- in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of the study;  
**Not Applicable**
- requiring the use of statistical data classification that has not been reviewed and approved by OMB;  
**Not Applicable**
- 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  
**Not Applicable**
- 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.  
**Not Applicable**

8 HUD published a Notice of Proposed Information Collection for Public Comments in the *Federal Register*, Volume 86, No. \_\_, Page 23421, on May 3, 2021. The public was given until July 2, 2021, to submit comments on the proposed information collection. HUD received no comments on this proposed collection.

9. No payments are made to the respondents.

10. HUD shall comply with the Privacy Act of 1974 (5 U.S.C., § 552a) requirements in the conduct of the verification procedures, as well as in the safeguarding, maintenance, and disposition of any information used for determining the citizenship or eligible immigration status of individuals and family members applying for or currently receiving housing assistance and not for any other purpose. Section 404 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) requires HUD (with respect to Public and Assisted Housing Programs provided under the U.S. Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq.) and any PHA that enters into a contract for assistance under section 6 or 8 of Title I of the U. S. Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq.) to report to the USCIS, at least 4 times a year those individuals who HUD has verified are in the U.S. unlawfully. Additionally, the secured SAVE VIS database carries its own protective measures by assigning identification and passwords to authorized users.

11. The only information required of a sensitive nature is citizenship/immigration status.

12. Estimated public burden: number of respondents, frequency of responses, annual hour.

Tabulation of Annual Reporting Burden  
Restriction on Assistance to Noncitizens

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
New tenant admissions in Public & Indian Housing and Section 8 Programs**	4,055	213	863, 715.00	0.16	138,194.40	\$30.00	\$4,145,832.00
Annual recertification of tenants' eligible immigration status in Public & Indian Housing and Section 8 Programs**	4,055	7	28,385.00	0.08	2,270.80	\$30.00	\$68,124.00
<b>Totals</b>	<b>4,055</b>		<b>892,100</b>		<b>140,465.20</b>		<b>\$4,213,956.00</b>

Data is from HUD's Public & Indian Housing Information Center (PIC).

\*Data from FY 2010, 2011, and 2012 averages.

\*\*New tenants that are citizens or have permanent eligible immigration status must submit this form only once. Others must submit this form annually during recertification.

13. There are no additional costs to respondents.
  14. Cost to the respondents (PHAs) is estimated at \$30.00 per hour, which includes overhead, staff preparation, time, etc. Burden for these respondents, is \$30.00 x 140,465 for a total of \$4,213,956. The hours associated with the notification, verification, and termination are small. For a citizen, only one declaration is required. Noncitizens with eligible immigration status should have evidence of eligible immigration status.
  15. This is an extension of a currently approved collection.
  16. Information collected will not be published.
  17. HUD will display the OMB control number and expiration date on all HUD-9886 forms.
  18. There are no exceptions to the certification statement.
- B. This collection of information does not employ statistical methods.