

Use SAVE, Spend More

Official Fiscal Impact Statement Vastly Underestimates Cost

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A proposal to use an online federal system to verify the citizenship status of individuals on the state's voter rolls could cost Virginia between \$351,000 and \$3.5 million in the first year and could end up denying U.S. citizens the right to vote.

But a state fiscal impact statement accompanying the bill – SB1077 – says it won't cost anything.

What's more, the program doesn't do what the bill suggests.

What SAVE Is

SB 1077 proposes that the State Board of Elections verify "that voters listed in the Virginia Voter Registration System are United States citizens" using the federal Systematic Alien Verification for Entitlements (SAVE) program, then mail notices to all persons who are flagged as non-citizens.

But the SAVE program can't do that. The SAVE program is merely a search application that verifies immigration documents, not a comprehensive database that provides lists of citizens or noncitizens. While the SAVE program compiles over 100 million records from 19 different databases about individuals who have interacted with the U.S. immigration system, it does not contain information on U.S.-born citizens or records of unauthorized immigrants. In fact, as the National Conference of State Legislatures points out, the SAVE program "lacks the real-time functionality to provide truly integrated verification."¹

Moreover, a 2003 memo by the Virginia Department of Motor Vehicles expressed concerns that "information maintained

on the system is often backlogged and not up-to-date."²

Assessing the Costs

The fiscal impact statement for SB 1077 states "The State Board of Elections (reports) anticipates [sic] no fiscal impact from this legislation."

But the SAVE program is an electronic, **fee-based** system. It is unreasonable to anticipate that there would be no fiscal impact from this legislation for using it.

SAVE fees include:

- \$25/month base fee
- Plus \$.50 per electronic verification (plus one free retry)
- \$.50 for an additional verification
- If an agency submits paper forms, there is a \$2.00 per record verification fee.³

While certain Virginia state agencies have memorandums of understanding with the United States Citizenship and Immigration Services (USCIS) to utilize the SAVE program for administering federal, state or local benefits or licenses, the State Board of Elections is not among them.

Contrary to the fiscal impact statement, the legislation's proposal to verify "that voters listed in the Virginia Voter



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Using SAVE Actually Costs a Lot

TOTAL	\$350,948	← range: low to high →	\$3,486,641
	\$5,950	SAVE Search Fees	\$3,000,000
	\$1,049	Mailing Notices	\$8,000
	\$107,339	Staffing	\$107,339
	\$236,610	Information Technology	\$371,302

Source: TCI analysis of fiscal impact statements and public documents from Colorado, Virginia, and Wisconsin

Registration System are United States citizens" and then mail notices to all persons who are flagged as non-citizens will carry significant implementation costs.

Search Fees

As the following three possible SAVE usage scenarios demonstrate, costs can range from a low of \$6,000 to a high of \$3 million.

Scenario A: Run all registered voters through the SAVE program

In November 2010, there were 5,046,562 registered voters in Virginia.

Should the State Board of Elections run these records through the SAVE program, they can anticipate a cost of \$3 million.

This scenario is based on the SAVE fee schedule and the experience of Colorado's Division of Motor Vehicles. When the Colorado DMV used the SAVE program, 80 percent of applications cleared

**Under any approach, using
SAVE will cost Virginia money.**

immediately and were only subject to the \$.50 per verification processing fee. The remaining 20 percent did not immediately clear. Using a conservative estimate that such cases would clear with one additional verification, the cost for those verifications would rise to \$1 per case.⁴

Scenario B: Run all naturalized citizens through the SAVE program

There are 259,739 naturalized citizens who are registered to vote in Virginia according to 2010 U.S. Census data.

Should the State Board of Elections run these records through the SAVE Program, they can anticipate a cost of \$155,843 (This scenario uses the same assumptions as Scenario A).

Scenario C: Run select records through the SAVE program

A third scenario could be that the State Board of Elections runs checks only on those registered voters who used non-citizen documentation to obtain a driver's license or state ID card. While this figure for Virginia is unknown, a Wisconsin Government Accountability Board report on using the SAVE program in this way for the purpose of voter verification found that the start-up SAVE search fees would be \$5,950.⁵

The bottom line is that regardless of the scenario, the state will incur fees to utilize the SAVE program.

Mailing Notices

In addition to the cost of using the SAVE program, the state will also incur costs to produce and send the notifications called for in the bill.

In Colorado, the state reported that they spent \$8,000 to send notices to suspected non-citizen voters resulting from their SAVE search, the majority of whom turned out to be lawful voters.⁶ In Wisconsin, the initial cost for mailing notification was estimated to be \$1,049.

Staffing and IT

Far larger than the search fees and notification mailings, however, would be the costs related to staffing and information technology (IT). Staff would first need to develop and then be trained on new policies and procedures in how to utilize the SAVE program in Virginia, conduct the searches, and perform any other required duties. In addition, the state would incur additional IT costs to develop the necessary infrastructure to handle the searches and the resulting data.

In Wisconsin, the estimated start-up costs for staffing and information technology was \$478,641.

The same report states that for both Colorado and Florida (the first state to use the SAVE program to verify citizenship status), the "biggest cost in terms of money and manpower was actually setting up the searches. Gathering driver license or state ID data, finding AVNs [alien verification number], determining the accuracy of the data, training and setting up staff to use SAVE, and determining who and how people on the voter registration list are identified as candidates for a SAVE search."

Closer to home, Virginia's previous experience estimating the fiscal impact of SAVE usage showed real costs. In 2003, Virginia adopted legislation that required that driver's licenses, permits, and ID cards would only be issued to applicants who have "legal presence" in the United

States. The fiscal impact statement for that bill stated that "there are potentially significant costs associated with the implementation and administration of the requirements of this legislation regarding citizenship and immigration status. DMV estimates that the information technology support costs (non-recurring) for implementation would be \$236,610. The estimate is based on the assumption that the INS SAVE system will be used and includes related programming costs."⁷

Endnotes

- 1 "REAL ID Act: State Implementation Recommendations" National Conference of State Legislatures. Accessible at: <http://www.ncsl.org/issues-research/transport/ncsl-summary-recs-to-dhs-on-real-id.aspx>
- 2 "Driver Licensing and Identification Card Issuance (POL-1 DMVJ3D)" Accessible at: <http://www.dmv.state.va.us/webdoc/pdf/pol1.pdf>
- 3 "SAVE Access Methods and Transaction Charges" U.S. Citizenship and Immigration Services. Accessible at: <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/vgnextoid=cd32c2ec0c7c8110VgnVCM1000004718190aRCRD&vgnnextchannel=c32c2ec0c7c8110VgnVCM1000004718190aRCRD>
- 4 "Systematic Alien Verification for Entitlements, Response to FAQs" (March 29, 2007) Accessible at: <http://users.frii.com/cls/SAVE.pdf>
- 5 "Final Report of the SAVE Fact-Finding Team: Recommendations for the Use of the Systematic Alien Verification for Entitlements (SAVE) Program in Wisconsin" State of Wisconsin Government Accountability Board (December 11, 2012). Accessible at: http://gab.wi.gov/sites/default/files/publication/70/save_final_report_12_11_12_pdf_16854.pdf
- 6 Marcus, Peter, "Gessler grilled on secretary of state's practices," The Colorado Statesman, January 18, 2013. Accessible at: <http://www.coloradostatesman.com/content/993954-gessler-grilled-secretary-state%3F's-practices>
- 7 Department of Planning and Budget 2003 Fiscal Impact Statement on HB 1954. Accessible at: <http://lis.virginia.gov/cgi-bin/legp604.exe?031+oth+HB1954FER122+PDF>

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