



Executive Summary

April 21, 2011

Intergovernmental Affairs Stakeholder Engagement

Background

On January 12, 2011, the Office of Public Engagement hosted a quarterly national stakeholder engagement for state, local, tribal, and territorial government partners. The Office of Public Engagement, along with the Office of Citizenship, Verification Division and Service Center Operations Directorate provided updates on United States Citizenship Immigration and Services (USCIS) programs and initiatives that impact state and local government stakeholders.

Principal Themes

USCIS Initiative to Combat the Unauthorized Practice of Immigration Law (UPIL)

The unauthorized practice of immigration law adversely impacts members of the immigrant community and undermines the integrity of our immigration system. The objectives of the UPIL initiative are to:

- Better inform the public on how to find qualified legal advice and representation when seeking immigration benefits from USCIS;
- Increase the number legal representatives that are recognized by the Board of Immigration Appeals (BIA) via the BIA's Recognition & Accreditation Program; and
- Provide information on how to report individuals and businesses that engage in the unauthorized practice of immigration law to federal, state, and local agencies.

From December 2010 through February 2011, USCIS hosted meetings with federal, state, and local government partners and stakeholder engagement sessions in seven pilot cities: New York, Baltimore, Atlanta, Detroit, San Antonio, Fresno and Los Angeles. After the completion of the pilot period, USCIS will seek to expand our efforts to other USCIS districts and will launch a nationwide public education campaign.

New and Revised USCIS Forms and Other Documents

In October 2010, USCIS released a redesigned naturalization certificate. The old certificates remain valid. Therefore, state benefit granting agencies may use the old or new certificates as proof of citizenship. More information about the features of the new certificate is available at www.uscis.gov.

In November 2010, coinciding with the implementation of a new fee rule, USCIS released its first-ever fee waiver form. Applicants can use this standard form to request waivers on USCIS fees.

In December 2010, USCIS released a revised Form N-648, Medical Certification for Disability Exceptions. This form assists individuals with disabilities who are seeking exceptions from the English

and civics requirements for naturalization. The revisions are intended to clarify the requirements and standardize the adjudication process for Form N-648.

New USCIS Mailbox for State and Local Government Stakeholders

USCIS is pleased to announce a new mailbox solely for inquiries from state, local, tribal and territorial government stakeholders: USCIS-IGAOutreach@dhs.gov. Please feel free to email the IGA team at USCIS headquarters or your local community relations officer with any questions or concerns you may have.

T/U/VAWA Updates

In support of the Department of Homeland Security (DHS) Blue Campaign, USCIS will offer in-person and webinar training for state and local governments, law enforcement and community-based organizations on the immigration options available to victims of trafficking, domestic violence and other crimes, and the role of law enforcement in the visa application process.

If your organization or agency is interested in receiving training on the relief options for victims of human trafficking and others crimes, please send a request to T-U-VAWATraining@dhs.gov.

Systematic Alien Verification for Entitlements (SAVE) Program

The Systematic Alien Verification Entitlements (SAVE) Program is an inter-governmental initiative designed to aid benefit-granting agencies in determining an applicant's immigration status, and thereby ensure that only entitled applicants receive federal, state, or local public benefits and licenses. The SAVE online system verifies a benefit applicant's immigration status against multiple databases based on the document presented to the benefit-granting agency during the application process.

As of January 2011, 715 federal, state, and local agencies participate in the SAVE Program. These include 42 departments of motor vehicles, 30 federal agencies, 240 state agencies, and 403 local agencies. SAVE processed over 11.7 million queries in FY2010 and, as of January 2011, had processed over 2.9 million queries in FY2011.

The SAVE Program uses an online system to check a benefit applicant's immigration status information against records contained in the DHS databases. The first step in the process in initial verification, returns results in three to five seconds. If an applicant's status is not verified on initial verification, the agency should institute additional verification, which may be automated (3-5 federal work days) or paper-based (10-20 federal work days). Throughout FY2010, more than 94% of cases that resolved with an immigration status did so without requiring additional verification.

If the SAVE Program cannot confirm a benefit applicant's immigration status after completing of the verification process, the individual may need to make corrections to his or her immigration record. More information is available at www.uscis.gov/save on the "How to Correct your Records" page. Individuals needing to correct their records may also schedule an appointment for an in-person interview at a local USCIS office at the InfoPass Web site, <http://infopass.uscis.gov>, or by calling the National Customer Service Center at (800) 375-5283.

The SAVE Program have several training tools available for customers, including:

- Translated documents for benefit applicants;
- Web-3 FAQs with the answers to customer agencies' frequently asked questions;
- Fact Sheet for SAVE customer agencies processing TPS beneficiaries and;

- New “train the trainer” course providing an in-depth overview of the SAVE Program, information on setting up an agency with the online SAVE system, instructions for running a SAVE query, descriptions of common responses, and privacy responsibilities.

To request a free monthly webinar or customized training, please visit www.uscis.gov/save.

The SAVE Program also provides case status support, additional training opportunities, and technical support. For additional information, please visit www.uscis.gov/save, e-mail the SAVE Help Box (SAVE.help@dhs.gov), or call (888) 464-4218.

E-Verify Updates

E-Verify is an online system that allows employers to verify the work authorization of their employees after an offer of employment has been made and accepted. There are currently 830,000 worksites using E-Verify. In January 2011, USCIS published a new Handbook for Employers (M-274), which provides instructions on completing Form I-9, Employment Eligibility Verification. The handbook is available on the E-Verify website, www.dhs.gov/e-verify. In October 2010, the E-Verify system was enhanced to include verification of passport data. Currently, E-Verify allows for verification of photographs from permanent resident (green) cards, employment authorization documents, and passports. To request outreach, training and permission to use the E-Verify logo, state and local governments may contact the E-Verify Outreach Branch at e-verifyoutreach@dhs.gov. All general inquiries may be directed to e-verify@dhs.gov or (888) 464-4218.

Office of Citizenship Updates

The FY2011 Citizenship and Integration Grant Program will offer funding for two direct services and one national capacity building program. One direct service grant will provide funding for citizenship instruction only; the other will provide funding for citizenship instruction and naturalization preparation, including legal services. The national capacity building grant will fund national, regional, and statewide organizations that provide technical assistance for organizations developing new programs. The FY11 grant program totals 8 million dollars with 50 awards and closed on April 1, 2011. State and local governments can apply for any of the grants, but must be directly providing services or have the branch office structure required for the national capacity building grants. The USCIS Citizenship Resource Center includes citizenship preparation resources, videos, information for CBOs and applicants and can be found at www.uscis.gov/citizenship.

Temporary Protected Status

The Secretary of Homeland Security may designate a foreign state (or any part of a foreign state) for Temporary Protected Status (TPS) if certain conditions are met that would prevent nationals of that state who are present in the U.S. from returning safely to that foreign state. This includes a threat to personal safety due to ongoing armed conflict, extraordinary and temporary conditions, or a substantial (but temporary) disruption of living conditions in the country due to an environmental disaster. Designations of TPS are initially made for periods of 6 to 18 months and may be extended depending on conditions in the country.

When an individual applies for TPS for the first time, it is called an initial registration. In some cases, a country’s TPS designation is extended. When this occurs, TPS beneficiaries from that country must re-register with USCIS to maintain TPS.

TPS beneficiaries are authorized to work while they hold TPS and may obtain an Employment Authorization Document (EAD) from USCIS for purposes of employment or continued employment. Some state and local public benefits may also be available to TPS beneficiaries, as determined by the particular state or local government.

USCIS issues I-797 receipt notices for Form I-821, Application for Temporary Protected Status, and Form I-765, Application for Employment Authorization, once the TPS application has been accepted for processing. However, USCIS does not always issue an I-797 approval notice when an I-821 or an I-765 application is approved. Applicants filing for initial registration will always receive an approval notice for Form I-821. If approved, applicants filing for re-registration will receive *either* an I-797 approval notice, *or* if they have requested an EAD, the EAD will be delivered as evidence of the TPS re-registration approval. When Form I-765 is approved, the applicant does not receive an approval notice, but will receive his or her EAD.

For Haiti, USCIS is currently sending out an I-797 approval notice for every Form I-821 approval. This is because all individuals filing Form I-821 are seeking initial registration.

Honduras, Nicaragua, El Salvador, Somalia, and Sudan are different from Haiti because they are in extension periods. Please see the chart below for information on when USCIS sends approval notices.

If	Then
The applicant submits Form I-821 for a late initial registration	The applicant will receive an approval notice for Form I-821
The applicant submits Form I-821 for a re-registration and does not apply for an employment authorization document (EAD)	The applicant will receive an approval notice for Form I-821
The applicant submits Form I-821 and does not apply for an EAD	The applicant will not receive an approval notice for Form I-821. Instead, the applicant will receive a mailer that informs the applicant that the I-765 was approved and the EAD is being produced and mailed. The mailer further goes on to state that the EAD is proof that TPS re-registration has been approved by USCIS. Furthermore, the EAD is considered proof of TPS re-registration approval.

In some cases, USCIS automatically extends the validity of EADS for TPS beneficiaries because USCIS is unable to process the re-registration applications and issue new EADs before the original EADs expire. Unless TPS has been denied or withdrawn, TPS beneficiaries will continue to have work authorization during the automatic extension period. For employment purposes, if the EAD has been automatically extended pursuant to a Federal Register notice and if the document appears genuine, the expired but automatically extended EAD is sufficient to prove TPS status.

State and local government agencies can contact SAVE or the Office of Public Engagement (OPE) at USCIS-IGAOutreach@dhs.gov for further assistance or questions. SAVE and OPE will in turn contact the TPS Program when necessary.

For more information and assistance, employers may contact the Department of Justice Office of Special Counsel for Immigration Related Unfair Employment Practice at (800) 255-8155 or the USCIS TPS hotline at (202) 272-1533. Employers enrolled with E-Verify may also contact the E-Verify hotline at (888) 464-4218.