



Executive Summary

Intergovernmental Affairs (IGA) Quarterly Teleconference November 27, 2012

Background

On Tuesday, November 27, 2012, U.S. Citizenship and Immigration Services (USCIS) hosted an Intergovernmental Affairs quarterly teleconference for state, local, tribal, and territorial government partners. The USCIS Customer Service and Public Engagement Directorate (CSPED), along with the Office of Citizenship, Verification Division, Service Center Operations Directorate (SCOPs), Office of Transformation Coordination (OTC), and Refugee, Asylum and International Operations Directorate (RAIO), provided updates and responded to questions on USCIS programs and initiatives that impact stakeholders. USCIS components were also joined by colleagues from the Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR), to discuss updates to the asylee referral process for state and local benefits, and U.S. Customs and Border Protection to discuss Automation of the Form I-94 (CBP).

The Office of Refugee Resettlement (ORR), and Refugee, Asylum and International Operations Directorate (RAIO) Updates

The Office of Refugee Resettlement (HHS/ORR) announced that the ORR National Asylee Information and Referral Line (1-800-354-0305) listed on the Asylum grant letter issued by USCIS is no longer in service. Office of Refugee Resettlement information for asylees is now available online. For descriptions of programs, benefits and services available to asylees, they or their representatives should visit the ORR website at www.acf.hhs.gov/programs/orr. Using an interactive map on the website, individuals can click on the state where they reside, which will open a list of points of contact for that state, including the Refugee Coordinator. Individuals should call the Refugee Coordinator for assistance on how and where to apply for benefits and services.

In response to the changes made by ORR, USCIS Refugee, Asylum and International Operations Directorate (RAIO) created an insert explaining the change to the referral process in various languages. The insert will be included in all asylum grant letter packets beginning November 13, 2012, and will continue until RAIO is able to implement permanent changes to the grant letter as part of an ongoing IT system build.

Office of Citizenship Updates

In September 2012, USCIS announced the award of approximately \$5 million in grants designed to promote immigrant civic integration and prepare permanent residents for citizenship. Under this program, [31 immigrant-serving organizations](#) from 21 states and the District of Columbia will receive federal funding to support citizenship preparation services for permanent residents through September 2014.

Public schools, local public education agencies, and state and local governments are eligible to apply for federal funding under the Citizenship and Integration Grant Program as long as they have demonstrated experience in providing citizenship and/or naturalization preparation services to permanent residents. Future funding opportunities are dependent upon congressional action. For the most current information, visit www.uscis.gov/grants.

Also, USCIS recently released a document on its website highlighting [USCIS citizenship/civic integration resources for state and local governments](#). The document includes information on how to request training and technical assistance for adult English as a Second Language (ESL) and citizenship programs and information on how to request USCIS citizenship education materials.

Office of Transformation Coordination

The USCIS Electronic Immigration System (USCIS ELIS) was launched on May 22, 2012. USCIS ELIS allows immigration benefit seekers and their legal representatives to create an account and file and manage benefit requests online. Through USCIS ELIS, customers can view their benefit requests, receive electronic notification of decisions, and receive real-time case status updates. These improvements result in more complete, accurate and timely responses to customer requests. When setting up an online account, individuals may select their preferences for communicating with USCIS. The default process is for USCIS to issue notices and decisions via U.S. postal service; however the account settings may be changed to allow individuals to receive notices by email or SMS text messages. For instructions on how to set or change account preferences, please see the [USCIS Frequently Asked Questions](#). Currently, individuals applying for an extension of stay, a change or reinstatement of status for certain benefit types using Form I-539 may file using USCIS ELIS. USCIS is continuing to gradually expand USCIS ELIS to include more features, functions and form types. For more information, please see: www.uscis.gov/uscis-ELIS

Temporary Protected Status (TPS)

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 their personal safety due to ongoing armed conflict, a substantial, temporary disruption of living conditions in the country due to an environmental disaster where the country has requested TPS and cannot adequately handle the return of its nationals, or extraordinary and temporary conditions that prevent the country's nationals from returning safely. Designations of TPS are initially made for periods of 6 to 18 months and may be extended depending on conditions in the country. There are currently eight countries designated for TPS: Somalia, Sudan, South Sudan, Syria, El Salvador,

Nicaragua, Honduras, and Haiti. Information on the TPS program in general, individual eligibility requirements, and on each designated country's current TPS validity period and registration procedures may be found under Temporary Protected Status at www.uscis.gov/TPS.

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 their TPS status. Each time a country is designated (or re-designated) for TPS or TPS is extended, USCIS publishes the initial registration and re-registration procedures in the *Federal Register*, distributes the information to the media and stakeholders, and posts it on its website noted above.

TPS beneficiaries may remain in the United States as long as their country's TPS designation exists. Beneficiaries can obtain an Employment Authorization Document (EAD) and cannot be detained on the basis of their immigration status or removed from the United States while they hold TPS.

When an individual has applied for TPS and his/her application has been accepted for processing, USCIS issues a receipt notice to the applicant (Form I-797) for his or her Form I-821, Application for Temporary Protected Status, and Form I-765, Application for Employment Authorization (EAD). Applicants filing for initial registration will always receive an approval notice for Form I-821 if they are eligible for TPS. Current TPS beneficiaries who are approved for re-registration will receive either an approval notice (also on Form I-797) or their new EAD if they requested one. The EAD serves as evidence of the TPS re-registration approval. *Note:* USCIS also issues EADs coded "C-19" to initial TPS applicants who are *prima facie* eligible for TPS even before the final approval of their TPS status, which will be sent on the Form I-797.

Automatic Extension of TPS EADs

When the Department of Homeland Security (DHS) provides for an automatic extension for certain TPS-related EADs, individuals with those TPS-related EADs issued to a certain date will still have work authorization until the new expiration date provided in the *Federal Register* notice. This is usually for an additional 6 months, which allows USCIS time to process most re-registration applications from a country's nationals and to issue EADs containing the new TPS expiration date before expiration of the EAD auto-extension. To obtain such a TPS-related EAD that contains a new validity date, TPS beneficiaries are urged to file timely for re-registration and their new EADs during the re-registration period announced for their particular country.

For employment purposes, a TPS beneficiary may present an EAD or any other applicable document or combination of documents listed on Form I-9 as proof of identity and employment authorization. TPS-related EADs contain an expiration date on their face, but a TPS beneficiary may continue to use a TPS-related EAD as proof of work authorization after the expiration date, if DHS has temporarily auto-extended the validity date of the EAD through an appropriate notice published in the *Federal Register*. Employers may also accept an expired EAD that has been auto-extended to complete the Form I-9. When the automatic extension of the EAD expires, the employer must re-verify the employee's employment authorization. Please see the [Handbook for Employers, Instructions for Completing Form I-9 \(Employment Eligibility Verification Form\)](#) for additional information.

TPS Haiti

TPS for Haiti has been extended for an additional 18 months through July 22, 2014. EADs noted with category C19 or A12 and an expiration date on their face of January 22, 2013, have a 6-month automatic extension. Therefore, these EADs actually expire on July 22, 2013. The re-registration period to apply under the extension of TPS for Haiti originally closed on November 30, 2012, however on December 27, 2012, USCIS announced that the re-registration period has been extended to January 29, 2013.

Late re-registration

For a re-registration application to be considered “timely filed” it needs to be postmarked by the last day of the open re-registration period. All re-registration applications postmarked after the last day of the open re-registration period will be considered a late re-registration. USCIS accepts late re-registration applications if there is good cause for the late filing. Some examples of good cause are the applicant’s trying to gather money to pay the fees, being sick, or having filed timely but receiving a USCIS fee waiver rejection notice near to the deadline and filing again with appropriate fees.

For more information regarding TPS, please see www.uscis.gov/tps.

E-Verify

E-Verify is an internet-based system that allows U.S. employers to verify the employment eligibility of their newly hired employees.

Web Browser Enhancements

As of September 2012, E-Verify supports additional Web browsers, including Internet Explorer (version 6.0 and above) and the following Web browsers:

- Firefox (version 3.0 and above)
- Chrome (version 7.0 and above)
- Safari (version 4.0 and above)

E-Verify also now supports mobile web browsing.

New Corporate Administrator Tutorial

In September, a new Web-based tutorial replaced the live webinar training required for new Corporate Administrators. The tutorial also serves as a resource for existing Corporate Administrators. Existing Corporate Administrators can access the E-Verify Tutorial for Corporate Administrators by selecting the ‘Take Tutorial’ link under My Resources in the left-hand navigation menu. A new E-Verify User Manual for Corporate Administrators is also available from the ‘View User Manual’ link under My Resources in the left-hand navigation menu.

Quick Audit Report

A new Quick Audit Report allows companies to report their E-Verify activity to Federal, State or local government entities when required. This Excel report displays case data but does not include sensitive employee information such as Social Security numbers, or document numbers.

User Manual Updates – September 2012

The E-Verify user manuals have been updated as of September 2012. The most notable updates include information on rehires, receipts, the TNC notification process and termination.

Updated Employee Website Pages

The “For Employees” section of the E-Verify website has new updates. A company’s potential and current employees can read new information on:

- How E-Verify works
- Employee rights and responsibilities
- The Tentative Nonconfirmation (TNC) Process
- Tips to prevent a TNC
- How to report employer violations and misuse

For more information on E-Verify, visit www.dhs.gov/E-Verify. All general inquiries may be directed to e-verify@dhs.gov or 1-888-464-4218.

Updates on I-94 Automation – Updates from U.S. Customs and Border Protection (CBP)

The implementation of I-94 Automation is pending the publication of an Interim Final Rule (IFR) that expands the definition of an I-94 to include electronic means. The IFR has been approved by the Department of Homeland Security (DHS) and was submitted to the Office of Management and Budget (OMB) on November 7, 2012, for review and approval. OMB has determined that the I-94 IFR is significant in nature and requires a formal review process. OMB has a 90 day period to complete the review process. Once OMB has approved the IFR, CBP will publish the IFR in the *Federal Register* and will deploy I-94 automation on the date specified in the IFR. For more information on I-94, please visit www.cbp.gov.

Systematic Alien Verification for Entitlements (SAVE) Program

The Systematic Alien Verification for Entitlements (SAVE) Program is an intergovernmental initiative for immigration status verification for public benefits. SAVE offers authorized government agencies an effective, efficient, and secure method of verifying their applicant’s immigration status to ensure that eligible applicants receive public benefits. It is important to note that while SAVE verifies an applicant’s immigration status, it is up to the benefit-granting agency to determine whether an applicant is eligible for a benefit according to their own unique rules and regulations.

Currently, SAVE provides immigration status verification services to 1,005 registered agencies nationwide, including agencies in every state, the District of Columbia, and the territories. SAVE processed over 12 million queries in FY 2012. The program is fee-based, assessing per query transaction charges for each verification request.

SAVE is a document-centric program that uses an online system to check a benefit applicant’s immigration status information against millions of records contained in DHS databases. Agencies use the results from SAVE queries as part of their determination of eligibility for public benefits or licenses in accordance with their regulations.

The SAVE Program has a three-step process to verify the lawful status of non-immigrants, immigrants, and naturalized or derived citizens. Initial Verification provides results in three to five seconds. If an applicant’s status is not immediately verified through our systems, then the benefit-granting agency must institute Additional Verification, which is a manual review of the applicant’s records. It may be automated (takes three to five federal work days) or paper-based (takes 10 to 20 federal work days). Throughout FY 2012, nearly 94 percent of cases that resolved with an immigration status did so without requiring additional verification.

To assist the SAVE user agencies through the verification process for their benefit applicants, the SAVE program has identified the following best practices to support accurate and timely results:

- First, as a general rule, agencies should verify immigration status using the applicant's most-recent immigration document that reflects his or her current immigration status.
- Second, if presented with multiple documents with current validity dates and one contains an Alien Number and another contains an I-94 Number, we recommend that agencies select the document containing the Alien Number.
- Third, we also recommend that benefit-granting agencies select the "I-94 in an Unexpired Foreign Passport" document type rather than just the "I-94, Arrival/Departure record", whenever possible. This was a system modification put into place in response to CBP's I-94 automation initiative. Selecting the "I-94 in an Unexpired Foreign Passport" document type enables SAVE to verify immigration status using both the I-94 and the foreign passport number, which will increase the chances of a successful first step electronic verification.

The SAVE Program has made significant improvements this year. Some of the achievements include:

- Developing a unique memorandum of agreement for states seeking to use the SAVE Program for voter registration,
- Reengineering SAVE registration to automate and enhance the process,
- Instituting a new invoicing process while transitioning delinquencies to the Dept. of the Treasury,
- Undergoing an independent verification and validation study to enhance the SAVE Program, and
- Improving our system to incorporate mandates which include Deferred Action for Childhood Arrivals and Temporary Protected Status individuals.

In addition to the accomplishments above, the SAVE Program has been continuously working to improve its services and products to meet the needs of participating agencies and its applicants. Such efforts include launching the SAVE Case Check service, developing new benefit applicant materials, establishing a Field Office hotline, offering on-demand training webinars and launching a self-assessment guide for user agencies.

SAVE has also introduced an update website. This website is easier-to-navigate, has more new information regarding the usage of the SAVE logo and has a new section for Benefit Applicants. Benefit Applicants can now download brochures that explain the SAVE verification process in a variety of languages.

The SAVE Program is aware of the unique challenges of continuing to meet with a growing and diverse customer base. The program is strategically planning to improve its processes and capabilities over the next several years. As the SAVE Program prepares to meet the increasing demand, several major initiatives have been planned for the next year in the areas of customer service and system enhancements (such as: scan and upload photo tool, enhanced first step functionality, auto second step, tailored agency profiles and systems migration planning).

Information on the SAVE Program and SAVE informational webinars can be found at: www.uscis.gov/SAVE .