



Questions and Answers

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Q1: A client has a valid approval notice and I-94 with her correct date of birth listed by USCIS. DPS said that SAVE shows a different date of birth and will not renew her driver's license. Why would USCIS and SAVE have different data? Please explain how someone is to quickly update SAVE with the correct information.

A1: The SAVE Program has access to immigration status information from more than 100 million records contained in the Department of Homeland Security databases, including USCIS databases. *SAVE does not have separate immigration data, but provides customer agencies with the most current immigration status as reflected in relevant immigration records.* If a response issued by SAVE differs from what an applicant believes to be in his/her USCIS record, SAVE instructs an agency to Institute Additional Verification (IAV). If data discrepancies still exist, the agency will receive a DHS response recommending that the benefit applicant make an InfoPass appointment with USCIS to update or correct their record. Additionally, Applicants can also find guidance in eighteen different languages concerning records corrections on the SAVE website, www.uscis.gov/save, under "[For Benefit Applicants - How to Correct Your Records](#)".

Q2: The website says to schedule an InfoPass appointment so that the District Office can update SAVE. USCIS has not been helpful in updating SAVE during these InfoPass appointments. What then should a person do? Keep in mind that time is of the essence so that the person can get a driver's license in order to drive to work.

A2: As previously mentioned, SAVE is not a database. SAVE also does not maintain or correct the immigration records that it accesses to perform verifications. Additionally, if the record in need of updating was issued by Customs and Border Protection (CBP), the individual would need to go to deferred inspection because CBP owns that record. Please visit cbp.com for a list of deferred inspection sites and for information about correcting such records.

Q3: By immigration law, people with timely filed extensions of work visas are permitted to remain working for up to 240 days beyond the expiration date of the current work visa. SAVE does not reflect this continued work authorization and is not in accordance with the law. What steps are being taken to correct this omission in SAVE?

A3: Federal Regulations grant certain aliens authorized for employment with specific employers permission to continue to work for a period not to exceed 240 days beginning on the date the person's immigration status expires if the same employer filed an application to extend such status prior to its expiration. SAVE is preparing guidance for agency customers on this topic, but each agency needs to review relevant laws and regulations to determine whether a 240 day extension should be considered.

Q4: Clients with pending applications to adjust status to permanent resident are not being permitted to renew their driver's licenses because SAVE shows that they are not permitted to be in the U.S., which is clearly wrong. Please correct SAVE to be in compliance with the law.

A4: Under those specific circumstances, SAVE advises driver's licensing agencies to submit the query for additional verification in order to determine whether the application for adjustment of status has been granted or denied. If the application is still pending, the status verification office (SVO) provides a response of "application pending." Whether the benefit or license will be issued to someone with a pending adjustment of status application depends on the laws and policies of the agency. Under any circumstances, to ensure that SAVE gives the most accurate response possible based on the records, driver's licensing agencies have been advised to submit queries for additional verification when there is a concern about the SAVE response or if the applicant requests it. As stated previously, SAVE does not maintain or correct the immigration records that it accesses to perform verifications. In instances where SAVE cannot complete the verification because of an issue with a benefit applicant's records, SAVE requires customer agencies to provide the benefit applicant with information on how to correct their immigration records.

Q5: A permanent resident client with a valid lawful permanent residence card was told that SAVE shows he is not an LPR. Please update SAVE.

A5: SAVE returns immigration status information to the extent that the databases that SAVE accesses have been updated correctly. It is possible that someone can have immigration status and the records that SAVE accesses have not yet been updated due to lag time between status being granted and the time the person visits the benefit-granting agency. If, however, a data discrepancy is apparent, benefit applicants are encouraged to make an InfoPass appointment with their local USCIS office to correct or update their record. Applicants can also find guidance concerning records corrections on the SAVE website, www.uscis.gov/save, under "[For Benefit Applicants - How to Correct Your Records](#)"

Q6: Did SAVE instruct Texas DPS and its sister agencies in other states that the information in SAVE is not always accurate and that they need to be open to accepting documentary proof that a person is legally in the country, especially where that documentary proof is from USCIS?

A6: Each state can designate which documents it will accept for issuance of a driver's license in accordance with relevant laws and policies. SAVE provides guidance and has had numerous discussions with state driver's licensing agencies concerning the documents that can be used to verify immigration status through SAVE. Additionally, to ensure that SAVE gives the most accurate response possible based on the records presented, driver's licensing agencies have been

advised to submit queries for additional verification to ensure that all available records are checked when there is a concern about the SAVE response or if the applicant requests it.

Q7: A helpful addition to the SAVE program would be to have a team of live persons familiar with immigration issues who can handle problem cases and have the authority to fix errors quickly in SAVE – similar to CBP’s duty officers. Can such a team be formed for SAVE?

A7: SAVE has staff dedicated to assisting customer agencies with verification issues. However, SAVE does not maintain or correct the immigration records that it accesses to perform verifications. In instances where SAVE cannot complete the verification because of an issue with a benefit applicant’s records, SAVE requires customer agencies to provide the benefit applicant with information on how to correct his or her immigration records. As stated previously, applicants can also find guidance concerning records corrections on the SAVE website, www.uscis.gov/save.

Q8: How is SAVE beneficial? Can SAVE be dismantled?

A8: The SAVE Program helps federal, state and local benefit-issuing agencies, institutions, and licensing agencies determine the immigration status of benefit applicants so only those entitled to benefits receive them. The service is currently used by over a thousand registered agencies nation-wide, and has processed more than 12 million queries within fiscal year 2012. As such, SAVE is currently the most effective and widely-used program for helping to determine immigration status for granting benefits.

Several federal laws require or permit immigration status verification, including: The Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603; Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104-193; Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA); REAL ID Act of 2005, Public Law No.109-13; and the Patient Protection and Affordable Care Act of 2010 (PPACA), Public Law 111-148. Additionally, a number of state laws require SAVE verification before a public benefit can be issued to a non-citizen. To learn more about the legal authorities governing the use of SAVE, please visit www.uscis.gov/save.

Q9: Electronic I-94: During phone conferences and webinars in 2012 concerning the new Electronic I-94 process, California specifically asked if an A or I number would be present on the document that would be usable in the verification process. According to the statements made by DHS, the A/I number would not be hand written in for the applicant nor would the forms pre-printed number work, as the system would issue the I-number electronically. We were told that the foreign passport number would be used in the verification process. Current information provided for review seems to indicate that the A/I number would be hand written on the document. What is correct? What is verifiable?

A9: When Form I-94 Automation is in place, Customs and Border Protection (CBP) will strike out the I-94 number and hand write the true I-94 number on the Form I-94 for certain aliens including refugees, parolees, and asylee derivatives who often do not have foreign passports. CBP will not issue Forms I-94 to other categories of aliens entering the United States at air and sea ports of entry (POE); land POEs will continue to issue Forms I-94 according to current policies. CBP is making a website available for travelers who enter through a POE which has

undergone the I-94 automation process where travelers will be able to look up and print out their I-94 admission information. Note, however, that this website will not be permanently available and agencies should shift policies and procedures away from relying on the CBP-issued I-94 as the method for verifying immigration status. CBP has published an interim final rule on this procedure at [78 FR 18457](#) (March 27, 2013). The SAVE Program will issue additional guidance via emails and postings to Web3 concerning the verifying immigration status following I-94 automation.

Q10: FNU: California has expressed on many occasions in 2012 that applicants with DHS documents were having name issues since the DHS document reflected FNU (first name unavailable) or NMN (no middle name). During these meetings, we have been told the practice of using FNU and NMN would stop. California has hundreds of applications where the FNU and NMN are still being used even though the foreign passport clearly indicates a first and/or middle name. These applicants are running into problems at the airports, banks, etc. since we show the name field with the FNU and yet they have booked airline tickets, or opened bank accounts with their legal first name as it appears on the passport. Why do we still see this? Will this practice continue?

A10: The SAVE Program provides immigration status information based on the records contained in a variety of immigration databases. If a record does not accurately reflect an applicant's information, the applicant will need to correct that record with the record owner. For more information about records correction, please visit the SAVE website at www.uscis.gov/save.

Q11: Case Numbers: California has previously expressed concern over the case numbers reported through Web Services. We were told the case numbers from Web Services could be utilized to access those records requiring secondary verification from headquarters, thereby saving the state monies. We have provided several copies of cases where the case number reported by Web Services is not accessible by Web 3. We have these in the thousands. Why is there a discrepancy? Shouldn't they be the same?

A11: Case numbers generated in Web Services should be able to be seen in Web 3 by users with the appropriate system permissions. Individuals with the Supervisor User Role should be able to track case numbers between systems. Individuals with the General User Role will not be able to track case numbers between systems. Agencies should be able initiate a query in web services and continue processing additional or third step verifications in Web3. If you have additional examples, please feel free to provide those to your agency case manager.

Q12: Implementation of New Processes: California has repeatedly been told that prior to any program changes all states would be provided ample time to prepare for the implementation related to Web 3 and Web Services. California has asked that we be given additional time in some cases to ensure we are ready due to the complexity of our systems and the sheer volume of applicants. Several times in the past year we have had changes rolled out and we only knew that the changes had been made because of error/problems we found in large numbers. What can be done to improve communication between your department and the Department of Motor Vehicles when implementing new programs?

A12: The SAVE Program makes every effort to provide the necessary communication and support needed for our user agencies to successfully verify their applicants in our verification

system. We develop a communication plan when we intend on updating our systems or beginning a new initiative. This communication plan includes several methods of notification such as sending email blasts to our users, posting an announcement in our system, conducting webinars, and holding IGA stakeholder meetings. The general public is also able to sign up for SAVE Program updates through our USCIS website, through [GovDelivery](#). Whether you are a SAVE user agency, stakeholder, or just someone interested in what is going on with SAVE, it is important to ensure that your contact information with SAVE is current and accurate. The SAVE Program does provide notice of system enhancements via ticker announcements, email blasts, FAQs and webinars and stakeholder calls. If agencies need additional notice or if they have not been receiving such notifications, they should contact their agency case manager to ensure SAVE has the proper POCs and contact information on file.

Although the SAVE Program employs these methods to notify agencies of changes, the SAVE Program understands that web services agencies must have additional time to upgrade their systems to incorporate SAVE enhancements. To help these agencies, SAVE also maintains backward compatibility for at least one year to ensure that older versions of web services remain functional and as agencies update their systems.

It should be noted, however, that even though SAVE does provide notice of system enhancements, there are times when SAVE must take quick action in order to accommodate a change in immigration law or policy. SAVE provides agencies as much notice and guidance as possible under such circumstances.