



# Overview and Guidance

## Intergovernmental Affairs (IGA) Quarterly Teleconference

### March 20, 2013

During the March 20, 2013 Intergovernmental Affairs Quarterly engagement, USCIS received a number of excellent queries during the question and answer session regarding SAVE Program updates. To provide meeting participants with the most comprehensive information possible, please find below topic area overviews and guidance that address questions posed during this engagement.

#### **SAVE Systems and Users**

The SAVE Program is an integrated system that aggregates 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. Because SAVE is not a database and does not own any of the data which populates in the SAVE Verification System, there is no difference between the Field Office records and those of the SAVE system.

SAVE enters into a Memorandum of Agreement (MOA) with each of our registered user agencies which sets forth rules, guidelines, and expectations for use of SAVE. Additionally, SAVE provides regular training and support to our users to ensure compliance with the MOA. SAVE offers a direct line to SAVE customer service to support any questions that may arise regarding the verification process. We recently conducted a training at the New Jersey DMV to support them with the SAVE verification process. There were 39 representatives in attendance from local NJ DMV offices. Further, we are in the process of planning a similar training session for Texas DMV offices.

SAVE's customers are the benefit-granting agencies, not the benefit applicants. If there are challenges with a verification case, the applicant should return to his or her benefit-granting agency to seek follow-up support. Agency staff can call SAVE customer service to address these concerns. If the benefit applicants' challenges stems from a data discrepancy, we encourage benefit applicants to schedule an appointment for records correction with the nearest USCIS

Field Office using USCIS InfoPass. (*See below for instructions on how to schedule an InfoPass appointment*).

### **Training & Support for USCIS Field Offices**

SAVE works continuously with our USCIS Field Office counterparts and user agencies to ensure proper guidance is provided to benefit-granting agencies throughout the verification process. Last year, SAVE partnered with USCIS Field Operations to provide additional training and support including several webinar engagements to Field Office staff. We also opened a direct line of support for Field Offices who have questions regarding SAVE-specific cases. Additionally, we continue to partner with the Field Offices to train and guide their staff on best practices for supporting and responding to benefit-applicants.

If applicants encounter challenges with immigration status verification, they should reach out to their benefit-granting agency and their local Field Office to update or correct their records and relevant information in databases. Applicants may schedule an InfoPass appointment for an in-person interview at the nearest local USCIS Field Office by visiting the InfoPass website, <http://infopass.uscis.gov> or calling the National Customer Service Center at: 1-800-375-5283.

### **Benefit Applicant Support**

SAVE's relationship is with the benefit granting agency, not the applicant. Therefore, only agencies can submit verification requests. While the SAVE Program does not have a direct relationship with benefit applicants, we understand that the verification process can be challenging, and we provide resources, information, and materials to support benefit applicants through the verification process.

Specific guidelines on how to correct the record information are also available on the SAVE website, under "[How to Correct Your Records](#)" and "[Multilingual Resources – How to Correct Your Records](#)" in eighteen different languages. SAVE also recently released a new service, SAVE Case Check, to support the benefit applicant through the verification process. [SAVE Case Check](#) is a web-based service that allows benefit applicants to track the status of their verification cases, if additional verification is needed. This service allows the benefit applicant to monitor their verification case status without the need for repeated visits to their benefit-granting agencies. When Case Check indicates the query is complete, the benefit applicant can return to the SAVE user agency to continue their benefit application or provide more documentation as necessary. We think this web-based service provides transparency on the status of benefit applicants' SAVE verification case, thus improving customer service. We also developed a [SAVE Case Check Brochure](#) to further support benefit applicants who use Case Check.

SAVE also released three new educational resources to provide more information about the verification process to benefit applicants. These materials include an [agency participation poster](#), a [benefit applicant brochure](#), and a [benefit applicant postcard](#). Additionally, the benefit applicant

postcard and brochure are both available in 18 different languages. Further materials can be found on the SAVE Program website at [www.uscis.gov/save](http://www.uscis.gov/save) under “[Publications](#).”

### **VIS 8.0 Release**

On April 21, 2013, SAVE released the latest enhancements to the SAVE verification system. These upgrades enhance verification services by providing additional data points and functions, making it easier for agencies to determine the eligibility of their benefit applicants. Scan and Upload, Photo Tool, and the Electronic Form G-845 system implementation, are readily available for agencies accessing the SAVE Verification System through an internet browser. Additionally, enhanced first-step responses can be made available for eligible agencies.

Scan and Upload enables agencies to electronically attach scanned copies of immigration documents to cases. This new feature will eliminate the mail processing time thereby decreasing the overall verification response time. Cases with a scanned copy of the immigration document will not require submission of a paper Form G-845, reducing administrative time and cost.

Photo Tool allows our user agencies to compare the photo on the document presented by the applicant with the associated photo in the electronic record for the I-551 (LPR Card) and I-766 (EAD). This new feature will also support the verification process and the agency’s ability to detect fraud rapidly by identifying a photo match/mismatch on the document presented.

The Electronic Form G-845 enhancements mirror changes to the paper version, already available at [www.uscis.gov/forms](http://www.uscis.gov/forms). This enhancement allows users to amend the default return mailing address and change the POC and contact information, input additional document data elements such as SEVIS Number, add additional data elements on the file prior to submission, and reprint the Form G-845 as frequently as an agency needs.

Enhanced first-step functionality will provide additional data elements on the first step that normally require submission to additional verification or a Form G-845 supplement (paper-based). Enhanced first-step response will include grant dates for permanent residents, asylees, refugees, parolees as well as sponsorship information, as appropriate for agencies that require such information to determine eligibility. Auto Second-Step will submit those cases requiring additional verification automatically to second step. This functionality will only be implemented in consultation with the relevant agency. Access to both of these enhancements is determined by the legal need for that agency to have the information in order to determine an applicant’s eligibility for a benefit. SAVE agency managers will reach out to all of our user agencies to determine that eligibility. If agencies believe they are authorized for this enhancement, they should contact [SAVE.help@uscis.dhs.gov](mailto:SAVE.help@uscis.dhs.gov).

### **I-94 Automation Guidance**

On April 30, 2013, U.S. Customs and Border Protection (CBP) automated the Form I-94 admission process at air and sea Ports of Entry (POE) in order to increase efficiency, reduce operating costs, and streamline the admissions process (see CBP interim final rule, [78 FR 18457](#)). Travelers will not receive a CBP admission stamp on their travel documents upon arrival at air and sea ports. However, travelers can obtain a copy of their I-94 Record of Admission for verification of alien registration, immigration status, and/or employment authorization.

Under the I-94 initiative, CBP will swipe the traveler's foreign passport and an electronic I-94 record will be created, but not known to the traveler. Agencies will be able to verify these individual's immigration status by using the "unexpired foreign passport" document type. Additionally, CBP will issue travelers guidance about how they may retrieve their I-94 numbers from a CBP hosted website, if necessary. The website is located at [www.cbp.gov/I94](http://www.cbp.gov/I94). Note, however, that individuals who arrived at a POE that is not subject to I-94 automation will not be able to retrieve their I-94 numbers from the website; they should have been issued a paper I-94.

Refugees, derivative asylees, and parolees will continue to receive paper Forms I-94. CBP will strike out the pre-printed number and hand write the true I-94 number on the document. If presented with such an I-94, agencies should verify status using the hand written I-94 number.

To accommodate CBP's new policy, SAVE made system changes to continue to verify the immigration statuses of affected individuals. However, SAVE recommends that agencies verify status using the "I-94 (Arrival/Departure Record) in Unexpired Foreign Passport" whenever possible because it allows SAVE to use both documents to verify immigration status. This is particularly important if the applicant has received a USCIS issued Form I-94 following admission into the United States because verifying by foreign passport may not reflect any USCIS issued immigration benefit. To take full advantage of these changes, SAVE recommends:

- When presented with an I-94 and an Unexpired Foreign Passport, select the "**I-94 (Arrival/Departure Record) in Unexpired Foreign Passport**" document type.
- When presented with an Unexpired Foreign Passport without a Form I-94, including those from Visa Waiver countries, select the "**Unexpired Foreign Passport**" document type.
- When presented with only a Form I-94 and no other immigration document, request **the applicant's Unexpired Foreign Passport** and proceed as under the first bullet, above. If the applicant does not have a foreign passport, select the "**I-94 (Arrival/Departure Record)**" document type.

### SEVIS Guidance

Any F, M, or J nonimmigrant in lawful status may apply for a driver's license or identification 9(ID) card, per state or territorial law. The nonimmigrant must present necessary supporting documents required to verify legal presence in the United States. A nonimmigrant should contact their DSO or RO who will provide guidance, assist in familiarizing the nonimmigrant with the licensing requirements of the department of motor vehicles (DMV) for that state or territory, and explain the general process for obtaining a driver's license or ID card. While SEVIS information is entered real-time, please be aware of the following timing requirements before applying for a driver's license or ID card:

- The Student and Exchange Visitor Information System (SEVIS) record must be in *active status* when an F, M, or J nonimmigrant applies for a benefit. A nonimmigrant with a record in any other status will not have success applying for a benefit.
- Waiting at least ten calendar days from the date of entry into the United States before applying for a driver's license or ID card.

More specific information for students/exchange visitors can be found in the [SEVP website](#). The [DMV Fact Sheet](#) and the “[Timing is Everything: Getting Your Driver's License or Social Security Number](#)” can both be found under the Operating Instructions section. Note that, adjudication of benefits is based upon state requirements for eligibility determination.

### **Extensions for Temporary Protected Status, Deferred Enforcement Departure, and H1B Visas**

When appropriate, the US government extends the validity of legal status for Temporary Protected Status (TPS), Deferred Enforced Departure (DED), and H-1B visa holders. These extensions are based on country and situation, and if these beneficiaries fall under this designation, and their EAD is based on their status with the appropriate original expiration date, then their EAD is covered by this automatic extension. SAVE user agencies will be notified of these extensions via USCIS public notices (see [here](#)).

Federal regulations grant H-1B and other classes of nonimmigrants 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 properly and timely filed an application to extend such status prior to its expiration. However, benefit granting agencies must determine whether to apply the additional 240 days to any benefit they grant, in accordance with their own relevant policies and regulations.

Additionally, it is important to note that if an applicant’s verification response returns “Pending,” it does *not* mean that they are out of status.

### **How to Ask Additional Question**

To request additional information about the SAVE Program, please contact [SAVE.help@uscis.dhs.gov](mailto:SAVE.help@uscis.dhs.gov).