

## **EXHIBIT B**

November 10, 2006

TO: Business License Division

FROM: Clay Phillips, City Manager 

SUBJECT: Ordinance 2006-38 R

I. *Interpretation of 16(E)-1(a) (Prospective Only):*

This Ordinance shall be applied only to leases and rental agreements entered into after the effective date of the Ordinance. The language in Section 16E-1(a) which defines harboring to mean "to let, lease or rent a dwelling unit" to an illegal alien shall mean to create a new tenancy by either entering into a new lease or renewing an existing lease. A dwelling unit owner shall not be deemed to "suffer or permit the occupancy of a dwelling unit" by an illegal alien where such occupancy occurs as a result of a lease or rental agreement entered into prior to the effective date of this ordinance. The renewal of month-to-month leases or other types of tenancy which automatically renew absent notice by either Party will not be considered as entering into a new lease or renewing a lease.

II. *Safe Harbor*

Dwelling unit owners are encouraged to utilize the "safe harbor" of Section 16E-2(i). Under this section, the dwelling unit owner can ask the City to contact the federal government and verify the lawful immigration status of the potential tenant using the Systemic Alien Verification for Entitlements (SAVE) as described in Attachment 1 or other equivalent system of the federal government. There can be no violation of the ordinance where the dwelling unit owner has utilized the provisions of Section 16E-2(i) and confirmed that the potential tenant is lawfully present in the United States. If the dwelling unit owner does not verify prior to leasing, the dwelling unit owner may be at risk under the ordinance.

III. *Investigating Complaints:*

The City shall require all complaints initiated under Section 16E-2(a) to be signed by the complainant. The City shall review the complaint and only if there are reasonable grounds for further inquiry will the City proceed with its investigation. In making this determination the City shall be specifically mindful of the requirement of Section 16E-

2(b) that a complaint which alleges a violation solely or primarily on the basis of national origin, ethnicity, or race shall be deemed invalid.

#### IV. *Verification of Lawful Immigration Status*

In determining that there are reasonable grounds to verify an individual's lawful immigration status, the City shall contact the dwelling unit owner of the dwelling unit to obtain identity data. The data requested will be that required by the federal verification system (e.g., Systematic Alien Verification for Entitlements (SAVE) as described in Attachment 1.) The City shall take no further action on the complaint until a response concerning the immigration status is received from the federal government. If for some reason, the federal government is unable to determine conclusively whether an alien is unlawfully present in the United States, the City shall take no further action and the landlord shall not be deemed to be in violation of the ordinance. At no point shall any City official attempt to make an independent determination of any alien's status, without federal verification. The City shall not apply this Ordinance in any manner that frustrates federal immigration law, particularly with respect to aliens who are in the process of obtaining legal status.

#### V. *Correction of Violation*

Within 10 days after notice by the City that one of its dwelling units is being occupied by a tenant who is not lawfully present in the United States, the dwelling unit owner must take one of the following actions:

- (1) Upon obtaining additional data or information from the tenant relating to the tenant's immigration status, the dwelling unit owner may ask the City to resubmit the tenant's name to the federal verification system using the additional information provided. Upon receipt of this additional data the City shall resubmit the tenant's name through the federal verification system. While this second inquiry is pending the 10 day period set forth in Section 16E-2(d) shall not be deemed to have expired and City shall take no further action until a response concerning the immigration status is received from the federal government.
- (2) The dwelling unit owner notifies the City that the tenancy of the person who was not lawfully present in the United States has been terminated. In such a situation the complaint shall be terminated and no further action taken.
- (3) The dwelling unit owner notifies the City that it has commenced steps under state or federal law to end the tenancy of the person who is not lawfully present in the United States. While the dwelling unit owner is diligently pursuing such remedies the

10-day period set forth in Section 16E-2(d) shall not be deemed to have expired. The dwelling unit owner should be aware that this ordinance does not change state or federal law, nor does it grant the landowner any additional rights or remedies regarding termination of tenancies which do not otherwise exist.

If a situation arises where the dwelling unit owner is not able to correct the violation and the 10 days has expired, pursuant to Section 16E-2(d), the dwelling unit owner loses its business license for the affected dwelling unit only. The fact that the dwelling unit owner has no business license shall not terminate the tenancy in that unit. However, pursuant to Section 16E-2(e), while its business license is suspended, the dwelling unit owner will be prohibited from receiving any payment or rent from the tenant of that unit.

VI. *Submittal to State and Federal Enforcement Agencies*

The City shall only submit information to state or federal enforcement agencies under the ordinance, including submittals under Section 16E-2(g), pursuant to the authority of 8 U.S.C. § 1373, and shall not submit information in any manner which violates Section 1373.

## **EXHIBIT B-1**



**Systematic Alien Verification  
for Entitlements (SAVE) Program  
User Manual**



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*Professionalism Through a Technologically Empowered Workforce.*

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## **1. Introduction**

Section 121 of the Immigration Reform and Control Act of 1986 (IRCA), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), requires verification of citizenship and immigration status of applicants applying for many federal, state, and local public benefits. Each applicant for benefits must declare in writing whether or not they are a citizen or national of the United States, and if not, that they are in a satisfactory immigration status.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires the Immigration and Naturalization Service (INS) to respond to inquiries by federal, state, and local benefit issuing agencies and institutions seeking to verify or determine the citizenship or immigration status of any individuals within the jurisdiction of the agency for any lawful purpose.

If an applicant or recipient for any of the benefits listed in IRCA, as amended, is not a U.S. citizen or national, they must provide the benefit provider with documentation from the INS that contains their Alien Registration Number (A-Number), or verbally provide information from such documentation, that provides reasonable evidence of his or her current immigration status. The INS verifies the immigration status through automated and/or manual methods. The process of verification is known as the Systematic Alien Verification for Entitlements (SAVE) Program.

The INS is currently using the SAVE automated and manual verification processes to provide federal, state, and local benefit issuing agencies and institutions with information which will assist them in determining an individual's eligibility under Title IV of PRWORA.

### **1.1. *Purpose and Scope***

This manual describes the SAVE Program, including its legal basis, automated and manual verification processes, and administrative procedures. Chapter 2 gives general program guidelines and information on administration, and is designed for managers and supervisors at benefit issuing agencies and institutions. Chapter 3 provides a detailed overview of the primary verification process. Chapter 4 provides detailed instructions for performing secondary verification. This manual serves as both a training and reference guide for benefit providers and their managers.

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## **2. SAVE Program**

This chapter of the Systematic Alien Verification for Entitlements (SAVE) Program Manual describes the program and explains its legal basis and measures to safeguard the rights of naturalized citizens and non-citizens.

Any questions or comments regarding this chapter of the manual should be directed to the Immigration and Naturalization Service (INS) SAVE Program at (202) 514-2317.

### **2.1. Background**

The SAVE Program is an intergovernmental information-sharing initiative designed to aid benefit providers in verifying an applicant's immigration status, thereby ensuring that only entitled applicants receive public benefits. The INS SAVE Program provides an information service for benefit issuing agencies and institutions. The INS does not make determinations on any applicant's eligibility for a specific benefit.

The SAVE Program has been in operation since 1987. Significant costs in claims for unentitled non-citizens have been avoided through benefit issuing agencies and institutions' participation in the SAVE Program.

### **2.2. SAVE Legal Basis**

In 1986, Congress passed the Immigration Reform and Control Act of 1986 (IRCA), which required INS to establish a system for verifying the immigration status of non-citizen applicants for, or recipients of, certain types of federally funded benefits, and to make the system available to federal, state, and local benefit issuing agencies and institutions that administer such benefits. The IRCA and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), mandates the following programs and overseeing agencies to participate in the verification of an applicant's immigration status: the Temporary Assistance to Needy Families (TANF) Program, the Medicaid Program, and certain Territorial Assistance Programs (U.S. Department of Health and Human Services); the Unemployment Compensation Program (U.S. Department of Labor); Title IV Educational Assistance Programs (U.S. Department of Education); and certain Housing Assistance Programs (U.S. Department of Housing and Urban Development).

The PRWORA created a very complex set of eligibility requirements that cannot be easily summarized. These requirements continue to be regularly amended by Congress. The PRWORA did not affirmatively make any person eligible for any benefit. Rather, it placed a new set of limitations on non-citizen eligibility on top of any pre-existing program requirements (some of which may have limited non-citizen eligibility). With certain exceptions, PRWORA made non-citizens who are not qualified aliens ineligible for federal public benefits, and aliens who are not qualified aliens or lawful non-immigrants or aliens paroled into the United States under Section 212(d)(5) of the INA for less than one year ineligible for state or local public benefits. There are also limitations on the eligibility of qualified aliens for benefits, again with exceptions. The PRWORA, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) and the Balanced Budget Act of 1997 (BBA), defines a “qualified alien” as:

- An alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- An alien who is granted asylum under Section 208 of the INA
- A refugee who is admitted to the United States under Section 207 of the INA
- An alien who is paroled into the United States under Section 212(d)(5) of the INA for a period of at least one year
- An alien whose deportation is being withheld under Section 243(h) of the INA (as in effect prior to April 1, 1997) or whose removal has been withheld under Section 241(b)(3)
- An alien who is granted conditional entry pursuant to Section 203(a)(7) of the INA as in effect prior to April 1, 1980
- An alien who is a Cuban/Haitian Entrant as defined by Section 501(e) of the Refugee Education Assistance Act of 1980
- Certain aliens who have been battered or subjected to extreme cruelty as defined in USC Section 1641 (c)

The PRWORA restrictions do not apply to all federal, state, and locally funded activities or programs; they apply only to non-exempted “federal public benefits” and “state and local public benefits.” Therefore, benefit providers should first determine whether the particular program they administer is providing a “federal public benefit” or a “state and local public benefit” for which Title IV of PRWORA or other applied laws require alien eligibility. For example, emergency medical care and certain forms of disaster relief are exempt, as are other key benefits. If an agency requires further assistance in determining whether a specific benefit it administers is a federal, state, or local public benefit, it should contact the overseeing federal, state, or local Government agency, as that agency would be in the best position to make that determination.

The PRWORA defines “federal public benefit” as:

- Any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States.

– AND –

- Any retirement, welfare, disability, public or assisted housing, post-secondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States.

The PRWORA’s definition of “state and local public benefit” parallels the definition of federal public benefit, except that it substitutes “state or local government” for “the United States.” State or local public benefits do not include federal public benefits; therefore, a benefit cannot meet both definitions. If a benefit qualifies as a “federal public benefit,” it is not a “state or local public benefit” regardless of whether state or local funding is also involved.

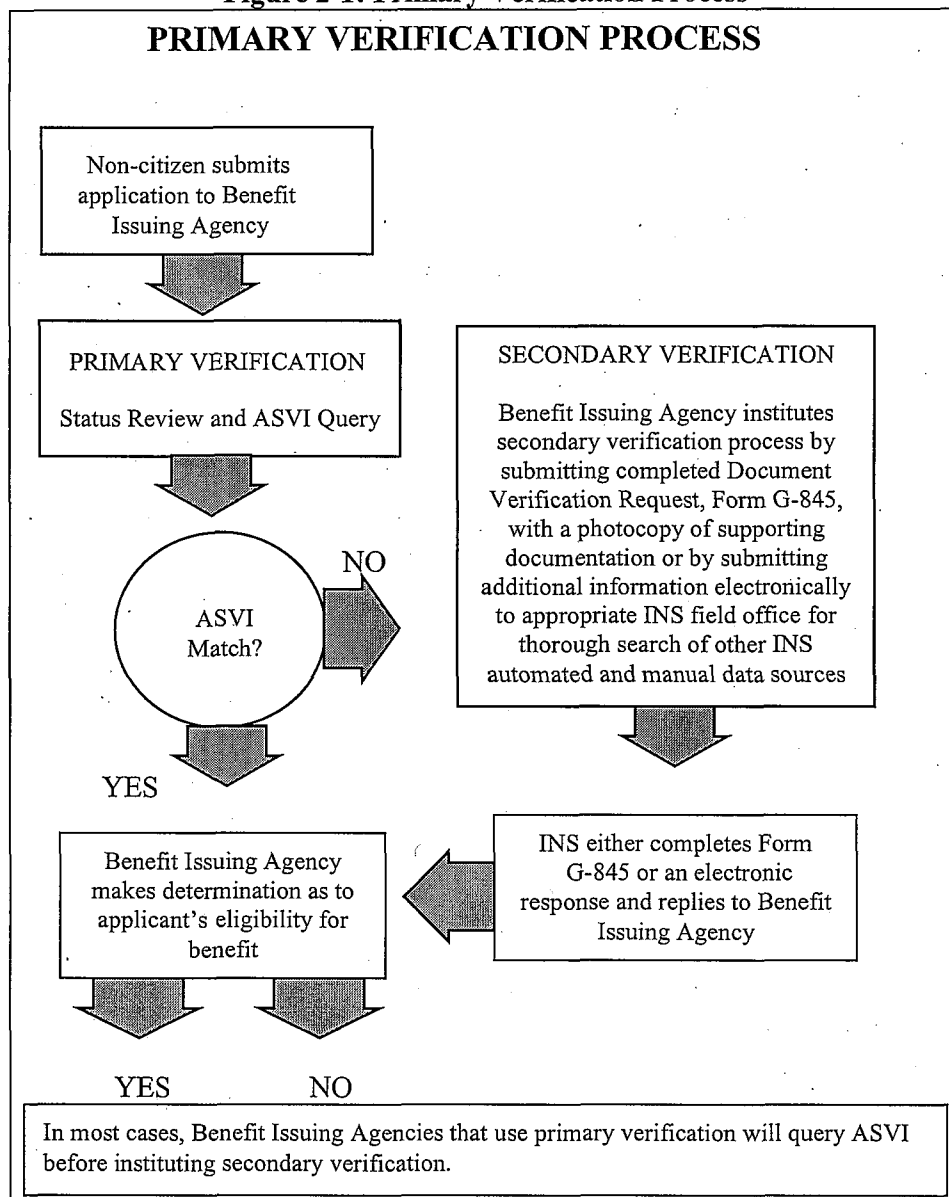
The IIRIRA requires INS to respond to inquiries by federal, state, and local benefit issuing agencies and institutions seeking to verify or determine the citizenship or immigration status of any individual within the jurisdiction of the agency for any lawful purpose. The INS is currently using the SAVE Program’s automated and manual verification processes to provide federal, state, and local benefit issuing agencies and institutions with information which will assist them in determining an individual’s eligibility under Title IV of PRWORA.

### **2.3. *Program Components***

As mandated by IRCA, INS developed an effective, secure, and cost effective method of verification. The SAVE Program relies on the Alien Status Verification Index (ASVI) database, which contains information on more than 60 million non-citizens. When accessed by the user, ASVI responds within 3 to 5 seconds of the query. The ASVI database is housed and maintained under contract with Lockheed Martin Integrated Business Solutions (LMIBS).

The automated process is known as the “primary verification.” The following flow chart, Figure 2-1 shows the Primary Verification Process.

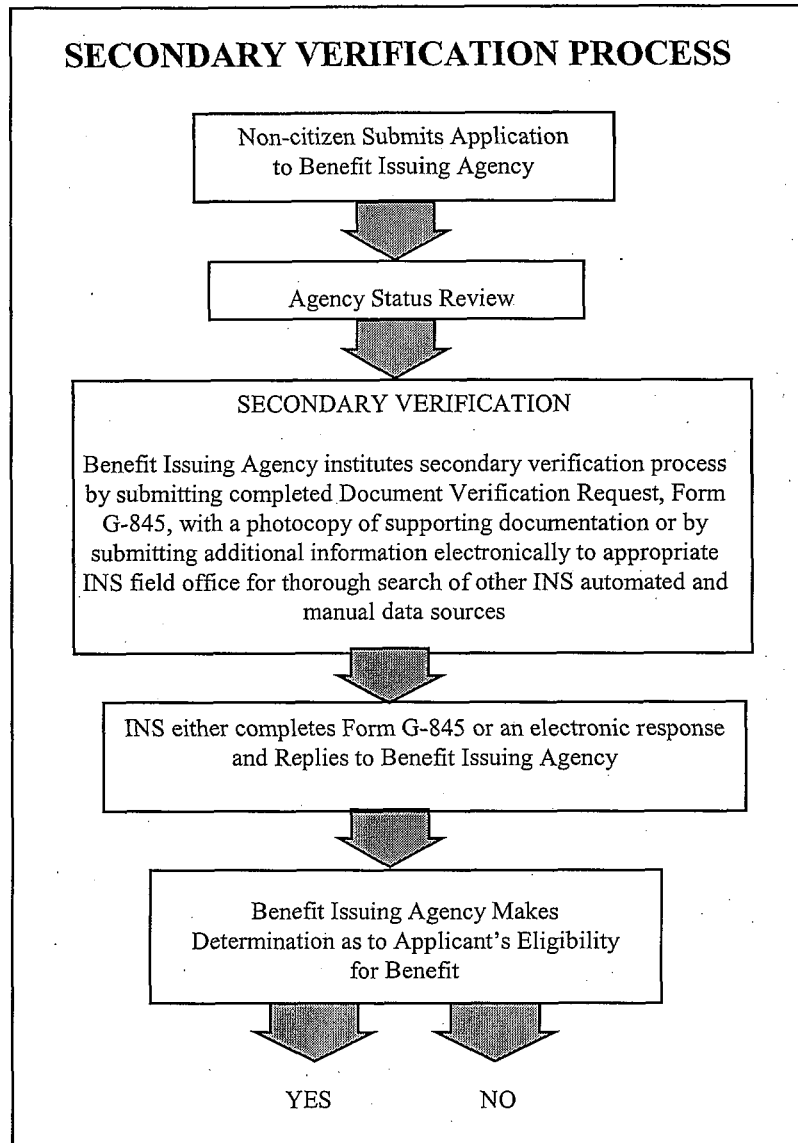
Figure 2-1: Primary Verification Process



In addition, SAVE verification is available through secondary verification if the use of ASVI is not cost-effective. The SAVE Program also requires participating benefit issuing agencies and institutions to use secondary verification when directed by an ASVI system message during primary verification, or when the primary check or initial inspection of a non-citizen's immigration documentation reveals material discrepancies

or when verification of a naturalized citizen is required. See Figure 2-2 for a flow chart on the Secondary Verification Process.

**Figure 2-2: Secondary Verification Process**

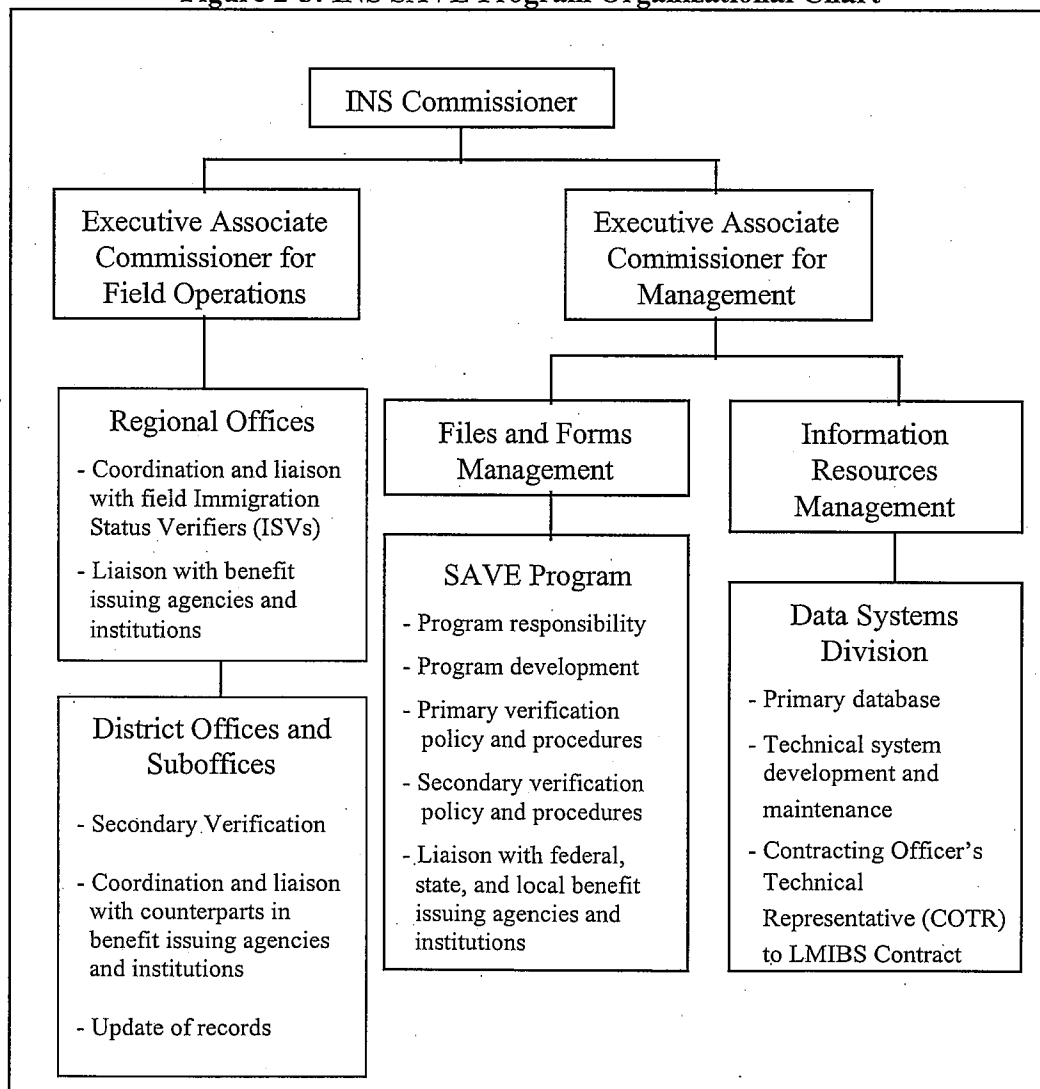


*Agencies that do not access ASVI will proceed directly to the secondary verification process.*

## 2.4. SAVE Program Administration

The SAVE Program is administered at the INS Headquarters Office in Washington, DC, by the Office of Files and Forms Management, SAVE Program. User agencies and institutions may contact INS SAVE Program staff at (202) 514-2317. The Data Systems Division of the INS Office of Information Resources Management has responsibility for providing technical support to the SAVE Program. The SAVE Program also provides policy and guidance relating to the secondary verification process to INS field offices. The INS Headquarters Office of Field Operations, Regional and District Offices, and Suboffices have operational responsibility for carrying out policy and guidance provided by the SAVE Program. Figure 2-3 is the INS organization chart as it relates to the SAVE Program.

Figure 2-3: INS SAVE Program Organizational Chart



Although IRCA, as amended by PRWORA, mandates only federal public benefit programs to participate in SAVE, any federal, state, or local benefit issuing agency or institution, or licensing issuing bureau that requires verification of a non-citizen's immigration status may inquire about participation by contacting the INS SAVE Program at (202) 514-2317.

## **2.5. General Verification Procedures**

At the time of application, all individuals applying for public benefits listed in IRCA and PRWORA, are required to declare in writing, under penalty of perjury, whether they are a United States citizen or a United States non-citizen national, or that they are in a satisfactory immigration status. If an applicant claims to have a satisfactory immigration status, they must present immigration documentation that the federal benefit provider is required to verify with INS, or that the state and local benefit provider can opt to verify with INS, via automated access to ASVI or through manual submission of a Document Verification Request, or both.

Detailed instructions for the primary and secondary verification processes are located in Chapters 3 and 4, respectively.

## **2.6. Legal Protection and Safeguards**

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Determination of Benefits</b> | Award or denial of a benefit based on immigration status and the establishment of a fair hearing process are the responsibilities of the benefit issuing agency or institution. The benefit issuing agency or institution will obtain INS verification of immigration status, and determine whether or not the non-citizen is eligible for a benefit according to its own regulations.                                                                                                                                                |
| <b>Fair Hearing</b>              | Each benefit issuing agency or institution will maintain its own fair hearing and appeals process for individuals who have been denied benefits. The INS will provide the appropriate immigration technical consultation and witness support necessary to the agency or institution during the fair hearing process on a prearranged and approved basis. The INS should be consulted well before the hearing is scheduled to resolve any problems, such as data discrepancies or misunderstandings that might have led to the denial. |
| <b>Nondiscrimination</b>         | Various Federal civil rights laws and regulations prohibit discrimination by governmental and private entities on the basis of race, color, national origin, gender, religion, age, and disability. Thus in operating or participating in a federally assisted program and implementing the requirements of the INA, as amended by                                                                                                                                                                                                    |

PRWORA, including those described in this user's manual, a benefit issuing agency or institution should not, on the basis of race, color, or national origin, directly or indirectly differentiate among persons in the types of program services, aids, or benefits it provides or the manner in which it provides them. For example, benefit providers should treat all similarly situated individuals in the same manner, and should not single out individuals who look or sound foreign for closer scrutiny or require them to provide additional documentation of citizenship or immigration status.

**Protection  
Under Federal  
Statutes**

Certain data that is released during the verification process requires INS to comply with sections of the Privacy Act (5 U.S.C. 552a). Consequently, INS will maintain a Record of Disclosure on all alien registration numbers checked through the verification process for legal permanent residents (LPRs) and naturalized citizens. The following data will be maintained regarding each query, and it will be disclosed in accordance with the Privacy Act:

- Alien registration number
- Date and time of disclosure
- Benefit issuing agency or institution requesting immigration status verification
- Non-citizen's immigration status at the time of inquiry

The INS will protect an individual's privacy to the maximum degree possible, in accordance with the Immigration and Nationality Act and any other applicable statutes.

If an immigration document does not contain an alien registration number, INS will conduct computer checks against all available INS data systems during manual verification to determine the holder's immigration status. The INS will make a record of disclosure when all the following conditions hold true:

- It finds that an alien registration number exists for that applicant;
- The document appears bona fide; and
- The non-citizen's immigration status requires disclosure accounting.

The records of disclosure created by checks made against ASVI and other systems of records will be available to any person or agency in accordance with federal statutes.

The verification processes maintain an audit trail which is used for

purposes of identifying inordinate and extraordinary use of Alien Registration Numbers. Examples of such suspicious activities include non-existent Alien Registration Numbers and numbers checked repeatedly from multiple localities within a short period of time. This information may be used by INS and other federal, state, and local law enforcement entities for investigation of possible criminal activity, in accordance with existing federal statutes. The ASVI audit trail will not be used by INS for non-criminal, administrative enforcement of immigration laws. Benefit issuing agencies or institutions that require information from the audit trail should contact the INS SAVE Program at (202) 514-2317.

**Safeguards**

The INS, participating benefit issuing agencies and institutions, and contractors shall protect the individual's rights to the fullest extent of the law.

**Immigration and Naturalization Service.** The SAVE Program has been implemented in a manner that provides for verification of immigration status without regard to sex, color, race, religion, or national origin of the individual involved. The INS stores information in a secure area in order to safeguard its confidentiality. Data usage is restricted to persons whose duties and responsibilities indicate a need for its review.

**Participating Benefit Issuing Agencies and Institutions.** Participating benefit issuing agencies and institutions shall provide a non-citizen applicant with a reasonable opportunity to furnish evidence of satisfactory immigration status. The benefit issuing agency or institution using SAVE should make the determination for itself whether benefits should be provided on an interim or temporary basis to applicants pending completion of the SAVE processes, applying any legal authority that may be relevant to that benefit. For example, IRCA's statutory provisions regarding Medicaid, unemployment compensation, and other Federal benefit programs required to use SAVE generally prohibit benefit issuing agencies and institutions determining eligibility for these benefits from delaying, denying, reducing, or terminating benefits pending SAVE verification.

**Lockheed Martin Integrated Business Solutions (LMIBS).** The database housed and maintained by LMIBS is a "read only" system. No update capability is available to the benefit providers. However, if data discrepancies in ASVI are discovered during manual verification, INS will update the database as necessary.

**Safeguards**

The LMIBS, under contract with INS, stores the database and provides

(continued)

access to authorized benefit issuing agencies and institutions using proper security safeguards. This system avoids dissemination of applicant information to unauthorized individuals or agencies.

### **3. Primary Verification Procedures**

This chapter of the SAVE Program manual provides instructions for primary verification. It gives guidelines for evaluating non-citizen documentation, interpreting ASVI output, and selecting cases for immediate manual verification when necessary.

Questions, comments, and changes regarding information in this section of the manual should be directed to the INS SAVE Program at (202) 514-2317.

#### **3.1. Background**

SAVE Program participants will generally use the Alien Status Verification Index (ASVI) database, which contains information on more than 60 million non-citizens for initial automated status verification. This automated process is known as primary verification. When accessed by the user, ASVI will respond within 3 to 5 seconds of the query. Current users access the ASVI database, which is housed and maintained by Lockheed Martin Integrated Business Solutions (LMIBS), with any one of six access methods. Those methods of access include: 3270-terminal, Personal Computer, Point-of-Sale, Touch-Tone Telephone, Electronic File Transfer, or Remote Job Entry. The touch-tone telephone, point-of-sale, and electronic file transfer access methods are no longer available to new users of the SAVE Program.

In addition, SAVE verification is available to benefit issuing agencies and institutions through a manual verification process, known as secondary verification, when the use of ASVI is not cost effective. Secondary verification is also required when primary verification reveals material discrepancies or when the user is so directed by an ASVI system message.

#### **3.2. General Verification Procedures**

At the time of application, all individuals applying for the public benefit programs listed in the Immigration Reform and Control Act of 1986 (IRCA), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), must declare in writing, under penalty of perjury, that they are United States citizens or United States non-citizen nationals and, if not, that they are in a satisfactory immigration status. If an applicant is not a citizen or non-citizen national of the United States, they must present immigration documentation that the benefit issuing agency or institution will verify with INS, through the automated system or by submitting a Document Verification Request, Form G-845, to INS.

### **3.3. Required Documentation**

All non-citizens applying for public benefits must present immigration documentation, or in some cases, verbally provide information from such documentation, that the benefit issuing agency or institution determines is reasonable evidence indicating a satisfactory immigration status. The document must be returned to the non-citizen by the reviewing agency.

If an applicant presents an expired document or is unable to present any immigration documentation evidencing their immigration status, refer the applicant to the local INS Office to obtain documentation of their immigration status. In unusual cases involving applicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation, and for whom securing such documentation would constitute an undue hardship, if the applicant can provide other identifying documentation i.e., marriage records, court orders, etc., the benefit issuing agency or institution may submit the Document Verification Request and, if applicable, a copy of any expired INS document presented, to the local INS Office to verify the applicant's immigration status.

Section 264 of the Immigration and Nationality Act (INA), 8 U.S.C. 1304, states non-citizens 18 years of age or older in the United States must have immigration documentation in their possession at all times. Non-citizens without documentation, such as those who claim documents were lost or stolen, should be referred to the local INS office (as shown in the U.S. Government listing of the telephone directory) to request new documentation prior to the initiation of primary or manual verification procedures.

Most non-citizen applicants will present documentation that contains an Alien Registration Number (A-Number). This number references an individual's non-citizen file at INS. The A-Number contains seven, eight, or nine numerical digits preceded by the letter A, e.g., A72 735 835. Each A-Number is unique in that it pertains to only one person; even minors and infants who are not citizens or nationals of the United States are assigned individual A-Numbers.

Immigration documentation includes but is not limited to the examples shown in Appendix A of this manual. Except for the Arrival-Departure Record, Form I-94, such documents should show the A-Number of the bearer. Some documents have expiration dates. These dates should be checked during the benefit issuing agency or institution's visual examination of the documentation. Some forms have been released in several editions and, therefore, valid documentation may not match the example exactly. The examples in Appendix A represent those INS documents that are most commonly presented and are not all inclusive. Appendix B-Glossary, defines terms related to immigration status.

A Form I-94 with the following endorsement will have an A-Number annotated on it and is an acceptable document as long as the expiration date has not passed: *“Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until \_\_\_\_\_.* *Employment Authorized or Temporary Form I-551, Admission for permanent resident or (port) (date) verified.”* A non-citizen’s passport may also contain the endorsement above and will have an A-Number annotated on the passport.

Non-citizens also may present other pertinent documents, such as marriage records or court orders, that indicate the identity or United States residency of the holder. Although these documents may not serve as adequate proof of immigration status, they may prove useful in the secondary verification process, when required.

Some INS documents do not contain a photograph of the bearer. When such documentation is presented, INS strongly recommends that the benefit provider ask for a document that includes a photograph, such as a driver’s license or an employee badge. A copy of this document need not be provided during the secondary verification process because the purpose of requesting the document is to ensure that the benefit provider can identify the non-citizen satisfactorily.

### **3.4. Immediate Secondary Verification**

Under most circumstances, an automated check of INS records through ASVI is the first step in the verification process. However, the following circumstances require that the benefit provider forego the use of ASVI and perform secondary verification immediately:

- A document appears to be counterfeit or altered. Characteristics of suspect documentation include photograph substitution and ink discoloration.
- A non-citizen presents unfamiliar INS documentation, or a document that indicates immigration status, but does not contain an A-Number.
- A non-citizen presents immigration documentation with an A-Number in the 60,000,000 or 80,000,000 series.
- The non-citizen has no immigration documentation and is hospitalized, medically disabled, or who can otherwise show good cause for their inability to present documentation, and for whom securing such documentation would constitute an undue hardship.
- The non-citizen presents a foreign passport and/or Form I-94 and the “Admission for Permanent Residence” endorsement is more than 1 year old.
- The applicant presents a Certificate of Naturalization or a Certificate of Citizenship, and verification of U.S. citizen status is required.

If a non-citizen applicant presents any of the above immigration documentation to the benefit issuing agency or institution, photocopies should be submitted immediately to INS with a completed Document Verification Request for secondary verification. See Chapter 4 of this manual for instructions on submitting a secondary verification request to INS.

### **3.5. ASVI Access Methods**

Current users access the ASVI database with any one of six access methods. Those methods of access include:

- 3270-type terminal, or personal computer with 3270 emulation board, using a dedicated telecommunications line (interactive access, monitor, and printer)
- Personal computer (PC) or teletype terminal, using a standard telephone (asynchronous) line (interactive access, monitor and printer)
- Point-of-sale (POS) emulation (interactive access, PC, and printer)
- Touch-tone telephone or standard dial telephone with tone generator (interactive access, voice data response)
- Electronic file transfer (EFT) using personal computer with communications software, via a standard telephone or dedicated telecommunications line (batch access, monitor, and printer)
- Remote job entry (RJE) terminal, or personal computer with RJE emulation board, using a standard telephone or dedicated telecommunications line (batch access, monitor and printer)

The touch-tone telephone, point-of-sale, and electronic file transfer access methods are no longer available to new users of the SAVE Program. Contact the INS SAVE Program at (202)514-2317 to obtain step-by-step instructions for accessing ASVI via any of the other methods listed above.

### 3.6. Understanding ASVI Output Data

The data fields contained in the display or voice output response for most ASVI users are illustrated in Figure 3-1.

Benefit providers should compare data on the documentation to the corresponding fields in ASVI. The biographical data and status information in ASVI must correspond to the data on the documentation. If the benefit provider determines that discrepancies exist, he or she should initiate the secondary verification process, as instructed in Chapter 4. Secondary verification must also be initiated when ASVI returns the message “Institute Secondary Verification.”

Figure 3-1: ASVI Output Data Fields

IMMIGRATION AND NATURALIZATION SERVICE ALIEN  
STATUS VERIFICATION INDEX DISPLAY

**PLEASE ENTER THE ALIEN NUMBER**

1 ALIEN NUMBER :  
2 LAST NAME :  
3 FIRST NAME :  
4 DATE OF BIRTH : (MMDDYYYY)  
5 COUNTRY OF BIRTH :  
6 ALTERNATE ID :  
7 SSN :  
8 DATE OF ENTRY : (MMDDYYYY)  
9 INS STATUS :  
10 VERIFICATION NUMBER :  
[Empty rectangular box]

PF1 EXIT PF5 HELP PF9 VERIFICATION INSTRUCTIONS

The following is provided to assist benefit issuing agencies and institutions in understanding the data output fields provided by ASVI:

| Field           | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Alien Number | <p>An A-Number is a seven, eight, or nine-digit number referencing an actual paper file, known as the Alien File, relating to an individual. Each A-Number is unique in that it pertains to a single person; even infant and minor non-citizens are assigned individual A-Numbers.</p> <p>When entering an A-Number into ASVI, nine digits are required. If the A-Number is less than nine digits, add leading zeros. Do not enter the "A" in any case.</p> <p>Examples:    A9 735 832    - enter as 009735832<br/>                 A72 735 835    - enter as 072735835<br/>                 A999 999 999 - enter as 999999999</p>                                                                                                                                                                                                                |
| 2. Last Name    | <p>Hispanic surnames may include as many as four names, e.g., Rivera Gonzales de Cuervo. In some cases, applicants may hyphenate parts of the surname, e.g., Rivera-Gonzales de Cuervo, whereas the database seldom uses the hyphenated format. Some non-citizens may be registered under abbreviated or Anglicized versions of their names. ASVI also may give transposed versions of names, e.g., de Cuervo Rivera Gonzales. Refer to Appendix C for a more detailed explanation of Hispanic Names.</p> <p>In Asian cultures, the surname frequently is written before the given name. The names of non-citizens from such cultures may be recorded in transposed order in INS files.</p> <p>In the case of a recent marriage, the non-citizen may not have yet furnished the new name to INS. Hence, ASVI may not reflect the name change.</p> |
| First Name      | <p>Many Hispanic first names consist of more than one word, for example, Maria de los Angeles. Connecting prepositions and articles such as "de la" may not have been recorded properly in INS records.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Field                           | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. Date of Birth                | Occasionally, the month and day elements of the birth date may be transposed in the ASVI database or on a non-citizen's application for benefit. The INS registers the date of birth by month, day, and year using format MMDDYYYY, e.g., 01041957 is January 4, 1957. Some cultures record dates as day, month, and year using format DDMMYYYY, e.g., 01041957 is April 1, 1957. A non-citizen may continue to provide dates in this fashion.   |
| 4. Country of Birth             | <p>With certain access methods, only the first five letters of the name of the country of birth will be given in the ASVI response. In the case of Austria and Australia, however, only the last five letters of the country of birth would be shown in an abbreviated version of the country name.</p> <p>A non-citizen's country of birth is not necessarily their country of nationality, i.e., the country to which they owe allegiance.</p> |
| 5. Alternate ID                 | If a non-citizen also has an Admission Number (Number issued to a non-citizen on an Arrival-Departure Record, Form I-94), it will be displayed in this field. Querying ASVI by the Admission Number is also available to benefit issuing agencies and institutions if there is a reasonable need and accessing ASVI by this number is found feasible by the INS SAVE Program.                                                                    |
| 6. Social Security Number (SSN) | INS records currently do not contain a Social Security Number for every non-citizen on file. When the SSN is available, ASVI will announce the SSN, for touch-tone telephone access, or will fill the display field with the SSN for other access methods.                                                                                                                                                                                       |
| 7. Date of Entry                | This date represents the non-citizen's most recent entry into the United States or the date his or her status was adjusted to a lawful permanent resident. The INS uses numeric representation in the format MMDDYYYY.                                                                                                                                                                                                                           |
| 8. INS Status                   | INS has over 650 alphanumeric codes that identify a non-citizen's immigration status. ASVI displays or announces one of these codes when a query is performed. The codes are categorized into six groups that correspond to interpretative messages listed in item number 10 below. Benefit issuing agencies and institutions can obtain a description of INS codes of admission by contacting the INS SAVE Program.                             |
| 9. Verification                 | The system will provide a unique verification number with the                                                                                                                                                                                                                                                                                                                                                                                    |

| Field                                                           | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Number</b>                                                   | output from every query. This number will contain information that identifies the query. Users should always record this number in the applicant's file for both quality assurance and ease in processing Freedom of Information Act requests.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>10. ASVI System Message/Employment Eligibility Statement</b> | <p>This message helps the benefit-issuing agency or institution verify that a non-citizen's immigration status is valid or if a secondary verification is required. It also provides employment eligibility information. Most users will receive one of the seven messages listed below:</p> <ul style="list-style-type: none"><li>• Lawful Permanent Resident - Employment Authorized</li><li>• Refugee - Employment Authorized</li><li>• Asylee – Employment Authorized</li><li>• Cuban/Haitian Entrant - Temporary Employment Authorized</li><li>• Section 245A Temporary Resident - Temporary Employment Authorized</li><li>• Section 210 Temporary Resident - Temporary Employment Authorized</li><li>• Application Pending - Temporary Employment Authorized</li><li>• Institute Secondary Verification</li></ul> <p>If one of the first six messages is received, normal user agency procedures for issuing benefits may continue. The seventh message, "Institute Secondary Verification," requires further inquiry into INS records. When this message appears, manual verification procedures, as described in Chapter 4, should be followed.</p> |

### 3.7. General Information

- System Hours** The ASVI database is available for interactive queries between 7:00 a.m. Eastern Standard Time (EST), and 8:00 p.m. Pacific Standard Time (PST), Monday through Friday.
- Technical Assistance** Users should call the Customer Service Help Desk regarding technical problems with the ASVI System such as inability to access the system, exceptionally slow response times, and system failures. The Customer Service Help Desk provides support Monday through Friday, 8:00 a.m. EST to 8:00 p.m. EST via its toll-free telephone number, 1-800-467-0375.
- Program Assistance** The INS SAVE Program will answer questions regarding program policies and enrollment procedures. Personnel are available from 7:30 a.m. EST to 5:00 p.m. EST, Monday through Friday, at (202) 514-2317.

### 3.8. ASVI Enrollment Process

After a benefit issuing agency or institution expresses interest and receives approval from INS to participate in the SAVE Program, the procedures below should be followed:

| Step | Action                                                                                                                                                                                                                            |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.   | The benefit issuing agency or institution determines the best access method to meet their needs in light of the size and scope of the estimated non-citizen population. The INS SAVE Program can provide assistance in this area. |
| 2.   | A Memorandum of Understanding (MOU) is formalized with INS. An example of suggested language for a MOU is available from the INS SAVE Program.                                                                                    |

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.   | <p>The benefit issuing agency or institution prepares a purchase order for teleprocessing services based on estimated usage and access method selected, and mails it to the INS contractor at the following address: Lockheed Martin Integrated Business Solutions, 12506 Lake Underhill Road, MP-266, ATTN: Kim Pearson, Contracts Administrator, Orlando, FL 32825-5002. Each benefit issuing agency or institution should prepare a purchase order form that is used within each respective office. The purchase order should contain the following information:</p> <ul style="list-style-type: none"><li>Length of service</li><li>Obligated dollar amount</li><li>Citation of INS contract number</li><li>Original signature of appropriate representative</li></ul> <p>Each benefit issuing agency or institution <b>must</b> complete a new purchase order form each fiscal year (by October 1) in order to continue accessing the ASVI database.</p> |
| 4.   | <p>The contractor enrolls the benefit issuing agency or institution in the SAVE Program and assigns an account number. Appropriate user identification numbers, authorization codes, and instructions for accessing the ASVI database are provided at this time.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 5.   | <p>The benefit issuing agency or institution accesses the ASVI database.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

### 3.9. ASVI Billing Process

The following are billing procedures:

| Step | Action                                                                                                               |
|------|----------------------------------------------------------------------------------------------------------------------|
| 1.   | <p>The agency or institution accesses ASVI with a unique user identification number.</p>                             |
| 2.   | <p>The contractor collects usage data.</p>                                                                           |
| 3.   | <p>The contractor prepares the billing.</p>                                                                          |
| 4.   | <p>The contractor sends the invoice to the benefit issuing agency or institution's resource accounting division.</p> |

## 4. Secondary Verification Procedures

This chapter of the SAVE Program Manual provides instructions for secondary verification, for both the Alien Status Verification Index (ASVI) and non-ASVI user. It gives guidelines for initiating secondary verification and understanding INS' response to the verification request.

Questions and comments regarding secondary verification should be directed to the INS SAVE Program at (202)-514-2317.

### 4.1. Background

The SAVE Program requires participating agencies and institutions to submit secondary verification requests to the INS under specified circumstances. The INS conducts thorough searches of applicable INS databases and paper files, as necessary, to respond to such secondary verification requests. A combination of both the primary and secondary components of the SAVE Program are used by a large number of SAVE users. However, status verification involving only the secondary process is available to benefit issuing agencies and institutions that have a very small number of non-citizen applicants for benefits.

The purpose of the secondary verification process is two-fold. First, it allows agencies to participate in the SAVE Program when access to the automated system would not be cost effective. Second, it provides a thorough search of all applicable INS automated databases and paper files when questions arise during the visual verification of documentation or the primary verification.

### 4.2. Initiating Secondary Verification

Benefit issuing agencies and institutions with access to ASVI will perform primary verification for most non-citizen applicants prior to initiating secondary verification procedures. However, certain circumstances require that the benefit provider forego the use of ASVI and perform secondary verification immediately. Refer to the "Immediate Secondary Verification" topic in Chapter 3 for circumstances that require immediate secondary verification. Additionally, secondary verification should occur after an automated ASVI check when:

- ASVI returns a response of "Institute Secondary Verification"
- A material discrepancy between an applicant's immigration documentation and the record contained in ASVI exists
- A non-citizen claims they obtained Lawful Permanent (or Conditional) Resident Status because they were a battered alien, a parent of a battered child(ren), or a victim of domestic violence. Refer to the Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to

Attachment 5 (Nov. 17, 1997), for instructions on verifying non-citizens claiming status in this category.

- Sponsorship information from the non-citizen's Affidavit of Support (Form I-864) is required

#### **4.3.    *Obtaining Secondary Verification***

To obtain secondary verification, the benefit provider will forward a completed Document Verification Request with fully readable photocopies of both sides of the non-citizen's immigration documentation to their local INS Office for review. The INS Offices are listed by state and county in Appendix D; their addresses are given in Appendix E.

Benefit issuing agencies and institutions mandated by the Immigration Reform and Control Act of 1986 (IRCA) to participate in the SAVE Program are required to use Form G-845S, Document Verification Request and all other participating benefit issuing agencies and institutions must use Form G-845, Document Verification Request. The Document Verification Request Supplement, Form G-845 Supplement, can be used in conjunction with both forms, but not separately to obtain additional immigration information required to make a determination for benefit eligibility as a result of the PRWORA, as amended. These forms are included in Appendix F and can be copied by benefit issuing agencies and institutions for use in instituting secondary verification.

A separate Document Verification Request should be completed for each applicant and should include copies of the documents for that person only. If a family unit has applied for a benefit, each member will require a separate Document Verification Request.

#### **4.4.    *Attachments***

A photocopy of all applicable printed pages of each piece of immigration documentation presented should be attached to the Document Verification Request. The INS requires that benefit issuing agencies and institutions copy all printed sides of each INS-issued card or form presented. When the non-citizen presents a foreign passport as documentation, INS only requires copies of those pages that identify the issuing country, holder, and immigration status while in the United States (i.e., Form I-94 INS stamp).

If the applicant presents expired immigration documents or is unable to present any immigration documentation evidencing his or her immigration status, the benefit issuing agency or institution should refer the applicant to the local INS office to obtain documentation of status. In unusual cases involving applicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation, and for whom securing such documentation would constitute an undue hardship, if the applicant can provide other identifying documentation i.e., marriage records, court orders, etc., the benefit issuing agency or institution may file the Document Verification Request, and, if applicable, copies of any expired INS documents presented,

with the local INS office to verify immigration status. As with any documentation of immigration status, the benefit issuing agency or institution should confirm that the status information received from INS pertains to the applicant whose identity has been verified.

Although an INS document is all the identification required to complete the secondary verification request, the attachments may include identification bearing a photograph of the applicant. If the non-citizen has presented another pertinent document, such as a marriage record or court order, it may be included as well. Refer to Appendix A for examples of commonly presented INS documentation. Note that other INS forms can serve as valid identification documents.

The name and address of the benefit issuing agency or institution submitting the Document Verification Request should be typed or stamped in the block labeled **"From."** The INS office address the Document Verification Request is being sent to should be typed or stamped in the block labeled **"To."**

#### ***4.5. Completing the Document Verification Request***

The Document Verification Requests (Form G-845S and Form G-845) (see Appendix F) should be completed as fully as possible by the submitting agency. It is essential that the form contain sufficient information to verify the immigration status of the non-citizen. The benefit issuing agency or institution completes Section A.

The following chart provides instructions for completing Section A of Form G-845S and Form G-845.

| Field                                       | Instructions                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Alien Registration Number or I-94 Number | Enter the alien registration number as the letter A followed by a series of seven, eight, or nine digits. The admission number found on the Form I-94 consists of eleven digits and is found at the upper left-hand corner of the form. It may assist in the various searches made during secondary verification. |
| 2. Applicant's Name                         | Enter last, first, and middle name of applicant. If documentation indicates more than one variation of the name, enter all versions. Appendix C provides information on Hispanic names.                                                                                                                           |
| 3. Nationality                              | Enter the foreign nation or country to which the applicant owes allegiance. This is normally, but not always, the country of birth.                                                                                                                                                                               |
| 4. Date of Birth                            | Enter the birth date using the MM/DD/YYYY format. If                                                                                                                                                                                                                                                              |

| Field                                                            | Instructions                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                  | the complete date of birth is not known, give available information.                                                                                                                                                                                                                                                  |
| 5. Social Security Number                                        | Enter the non-citizen's nine-digit Social Security number, if known. Copy the number directly from the non-citizen's Social Security card whenever possible.                                                                                                                                                          |
| 6. Verification Number                                           | Enter the verification number assigned when ASVI was queried, if applicable. If ASVI was not queried, enter "none."                                                                                                                                                                                                   |
| 7. Photocopy of Document Attached and Other Information Attached | Indicate that INS documentation is attached by checking the top box. Use the bottom box if other information has been included in support or in lieu of INS documents.                                                                                                                                                |
| 8. Benefit/Your Case Number                                      | If completing the Form G-845S, mark the blocks showing the benefit program(s) for which the non-citizen has applied. If completing the Form G-845, enter the benefit program(s) for which the non-citizen has applied. This block may also be used to show the benefit issuing agency's or institution's case number. |
| 9. Name of Submitting Official                                   | The name of the submitting official from the benefit issuing agency or institution should be entered.                                                                                                                                                                                                                 |
| 10. Title of Submitting Official                                 | The title of the submitting official from the benefit issuing agency or institution should be entered.                                                                                                                                                                                                                |
| 11. Date                                                         | The date the Document Verification Request is being completed by the submitting official from the benefit issuing agency or institution should be entered.                                                                                                                                                            |
| 12. Telephone Number                                             | The telephone number that the Immigration Status Verifier can contact the submitting official from the benefit issuing agency or institution, if necessary, should be entered                                                                                                                                         |

The name and address of the benefit issuing agency or institution submitting the Document Verification Request should be typed or stamped in the box labeled **"From."** The INS office address the Document Verification Request is being sent to should be typed or stamped and the box labeled **"To."**

#### **4.6. Completing the Document Verification Request Supplement**

The Document Verification Request Supplement (G-845 Supplement) (See Appendix F) may only be used in conjunction with the Document Verification Request (Form G-845S

or Form G-845), not separately. It should also be completed as fully as possible by the benefit issuing agency or institution. The following information should be provided on Form G-845 Supplement by the benefit issuing agency or institution

- Non-citizen applicant's last, first, and middle name;
- Social Security Number (if available);
- Alien Registration Number (A-Number) and/or I-94 Number;
- Typed or stamped name and address of submitting agency;
- Current date;
- Submitting agency's telephone number.

Refer to the "Completing the Document Verification Request" topic in this Section for more detailed instructions on providing this information.

The benefit issuing agency or institution should indicate what status information is required from INS by checking off the appropriate numbered block(s) in the "Complete the following items:" section on the top portion of the Form G-845 Supplement. It is very important that the benefit issuing agency or institution complete this section, so that INS can provide all appropriate INS status information required to make a determination regarding the applicant's eligibility for benefits under Title IV of PRWORA, as amended. The following INS information can be obtained by submitting Form G-845 Supplement:

1. Immigration status;
2. Date alien entered the United States;
3. Date status was granted;
4. Date status expires;
5. Citizen status;
6. Special benefit provisions for certain victims of abuse; and
7. Affidavit of Support.

#### ***4.7. Mailing Document Verification Requests***

Photocopies of documentation should be stapled to the Document Verification Request with a single staple in the upper left-hand corner. The form and documents can be folded and placed in a window envelope, with the block labeled "To" showing in the address area. More than one G-845 can be mailed in a single envelope; however, INS discourages benefit issuing agencies and institutions from collecting forms over an extended period of time in order to mail them in bulk.

All benefit issuing agencies and institutions should mail Form G-845 to their local INS Office. The notation, "ATTN: Immigration Status Verifier," should be included on the envelope to ensure proper handling by the INS mailroom. Immigration Status Verifiers (ISVs) are located in INS Offices throughout the United States, Puerto Rico, Virgin Islands, and Guam. To determine the correct INS Office, review the list of states and counties in Appendix D; their mailing addresses are included in Appendix F.

#### ***4.8. Obtaining Copies of the Document Verification Requests and Supplement***

Benefit issuing agencies and institutions may duplicate the Document Verification Requests and Supplement provided in Appendix F; both forms should be reproduced as two-sided documents. Additional copies of the forms may also be obtained as follows:

1. Request Document Verification Request (Form G-845S and Form G-845) and the Document Verification Supplement (Form G-845 Supplement) from the INS Form Distribution Center serving your region as noted below:

|                                |                                                             |
|--------------------------------|-------------------------------------------------------------|
| East of the Mississippi River: | Eastern Forms Center<br>P.O. Box 567<br>Williston, VT 05497 |
|--------------------------------|-------------------------------------------------------------|

|                                |                                                                                |
|--------------------------------|--------------------------------------------------------------------------------|
| West of the Mississippi River: | Forms Center West<br>5600 Rickenbacker Road<br>Building 701A<br>Bell, CA 90201 |
|--------------------------------|--------------------------------------------------------------------------------|

2. Download the Document Verification Requests and Supplement from the Internet: [www.usdoj.gov/ins/forms](http://www.usdoj.gov/ins/forms).
3. Call the INS Forms Request Line: 1-800-870-3676. (Due to the high volume of calls to this line, the best time to call is early on weekday mornings.)

#### ***4.9. Document Verification Request and Supplement Responses***

Immigration Status Verifiers (ISVs) will research the non-citizen applicant's records in INS automated databases and paper files, complete the response portion, Section B, of the Document Verification Request, and return both the form and attached photocopies to the requesting agency within ten working days of receipt by the local INS Office for mandated benefit issuing agencies and institutions, and within the timeframe specified in the Memorandum of Understanding (MOU) for all other benefit issuing agencies and institutions.

The secondary verification process includes the following:

- Examination of the photocopies of the immigration documentation
- Search of all applicable INS records systems (both automated and manual)
- Review of the applicant's Alien File (A-File), if required
- Evaluation of findings
- Determination of immigration status
- Return Form G-845 to benefit issuing agency or institution

Automated INS databases and paper files that may be used include:

- Central Index System (CIS) — The most complete online record of non-citizens and naturalized citizens in the United States
- Non-immigrant Information System (NIIS) — An automated database that contains information on non-immigrants, such as visitors and foreign government officials
- Computer-Linked Application Information Management System (CLAIMS) - A national automated database that records and tracks cases for immigration benefits
- Students/Schools System (STSC) — The online file of foreign students in U.S. academic and vocational educational institutions
- Deportable Alien Control System (DACS) - An automated database that records activities associated with aliens who are detained or placed under docket control for deportation or exclusion
- Alien Files — The paper files on non-citizens in the United States
- INS Microfilm Files — Files containing pre-CIS records
- Federal Records Center Index — Resource used to access retired government records

A description of each of these sources is located in Appendix G.

#### 4.10. Understanding the INS Response

The Document Verification Request and Supplement are self-reply forms. The ISV will check all appropriate statements on the lower half and back of the Document Verification Request, and, if applicable, on the lower half and back of the Document Verification Request Supplement, to indicate the applicant's immigration status and work eligibility. Statements on the front of the Document Verification Request are interpreted as follows:

| Block                                                                                                              | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <b>This document appears valid and relates to a <u>Lawful Permanent Resident</u> alien of the United States</b> | Checked when the documentation submitted is determined to be a valid Form I-551, or a valid Form I-94, with the notation " <i>Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence.</i> " (The term temporary here refers to documentary evidence. It is not intended to imply that the immigration status itself is temporary.) Immigration law allows this person to live and work in the United States on a permanent basis. |

| Block                                                                                                                           | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. This document appears valid and relates to a <u>Conditional Resident alien</u> of the United States                          | Checked when the documentation submitted is determined to be a valid Form I-94 stamped with the notation Processed for I-551, " <i>Temporary Evidence of Lawful Admission for Permanent Residence</i> ," or a valid Form I-551. Under the law, this person is allowed to live and work in the United States. However, INS will reevaluate his or her status within 2 years. Conditional resident non-citizen status is normally granted to non-citizens that marry U.S. citizens or nationals, or lawful permanent resident non-citizens of the United States. |
| 3. This document appears valid and relates to an alien <u>authorized employment</u> as indicated below:                         | Checked to indicate if the authorization covers full-time or part-time employment and when, if applicable, the period of employment will expire. "Indefinite" will be indicated if there is no specific expiration date for employment eligibility.                                                                                                                                                                                                                                                                                                            |
| 4. This document appears valid and relates to an alien who has an application pending for:                                      | Checked when a non-citizen's application for a new immigration status or change of immigration status is pending. If a change of status is pending, the appropriate block indicating the current status will also be checked. (When an application is pending, it means that a determination has not yet been made by the INS.)                                                                                                                                                                                                                                |
| 5. This document relates to an alien having been granted <u>asylum/refugee status</u> in the United States.                     | Checked when a non-citizen has been granted asylee or refugee status in the United States, because of persecution or a well-founded fear of persecution in his or her country of nationality. These statuses are considered temporary. Documentation presented may include Form I-94, Stamped with " <i>Section 207—Refugee</i> " or " <i>Section 208—Asylee</i> " or a Form I-571, Refugee Travel Document.                                                                                                                                                   |
| 6. This document appears valid and relates to an alien <u>paroled</u> into the United States pursuant to Section 212 of the INA | Checked for a non-citizen who has been allowed to enter the United States under emergency conditions or when his or her entry has been determined to be in the public interest. This status is temporary. Documentation presented may include Form I-94, stamped with " <i>Section 212(d)(5) – Parolee.</i> "                                                                                                                                                                                                                                                  |

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. This document appears valid and relates to an alien who is a <u>Cuban/Haitian entrant</u>                  | Checked for Cubans who entered the United States between April 15, 1980, and October 10, 1980, and Haitian who entered the country before January 1, 1981. This is a temporary status. Documentation presented may include Form I-94, stamped Cuban/Haitian Entrant. This status is covered by Section 501(e) of the Refugee Education Assistance Act of 1980, as amended.                            |
| 8. This document appears valid and relates to an alien who is a <u>conditional entrant</u>                    | This category of non-citizens was originally defined by Section 203(a)(7) of the INA but was abolished by the Refugee Act of 1980. The INS no longer provides benefit issuing agencies and institutions with this response.                                                                                                                                                                           |
| 9. This document appears valid and relates to an alien who is a <u>nonimmigrant</u>                           | Checked to indicate a non-citizen who is temporarily in the United States for a specific purpose. This category includes students, visitors, and foreign government officials. Documentation presented may include Form I-94.                                                                                                                                                                         |
| 10. This document appears valid and relates to an alien <u>not authorized employment in the United States</u> | Checked when a non-citizen's status prohibits employment in the United States.                                                                                                                                                                                                                                                                                                                        |
| 11. Continue to process as legal alien. INS is searching indices for further information                      | Checked if INS will withhold judgment regarding the status or validity of documentation pending further investigation. This statement does not imply that the applicant is an illegal non-citizen or the holder of fraudulent documentation. The non-citizen should be presumed eligible while INS' final notification regarding immigration status is pending.                                       |
| 12. This document is not valid because it appears to be:                                                      | Checked for expired documentation or when the documentation appears to be counterfeit or altered. If necessary, the ISV will use the back of the Form G-845 to elaborate on this entry. When the entries for counterfeit or altered documents are checked, the requesting agency or institution should follow its own guidelines for investigating and prosecuting cases of fraudulent documentation. |

|                                                                                                                                                                                    |                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Comments block on the second page of the Document Verification Request is used to provide the benefit provider with further instruction. It includes the following statements: |                                                                                                                                                                                                                               |
| 13. No determination can be made from the information submitted. Please obtain a copy of the original alien registration documentation and resubmit.                               | Checked when the benefit issuing agency or institution is required to resubmit the Document Verification Request with copies of both sides of the original immigration documentation presented by the non-citizen applicant.  |
| 14. No determination can be made without seeing both sides of the document submitted (please resubmit request)                                                                     | Checked when the benefit issuing agency or institution is required to resubmit the Document Verification Request with copies of all sides of each document presented by the non-citizen applicant.                            |
| 15. Copy of document is not readable (please resubmit request)                                                                                                                     | Checked when the benefit issuing agency or institution is required to resubmit the Document Verification Request with higher quality copies of the original immigration documentation presented by the non-citizen applicant. |

Blocks 16 and 17 were originally designed to assist benefit issuing agencies and institutions in determining when a non-citizen applicant was Permanently Residing [in the United States] Under Color of Law (PRUCOL). The INS would indicate if this class or category of non-citizen applicants were actively being pursued for expulsion at that time. The PRWORA replaced the PRUCOL doctrine, and Immigration Status Verifiers (ISVs) were instructed to no longer provide PRUCOL status determinations to benefit issuing agencies and institutions. However, the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998 amended PRWORA and requires INS to provide PRUCOL information to the Social Security Administration's Supplemental Security Income Program (SSA/SSI). Currently, SSA/SSI is the only program receiving PRUCOL determinations from INS.

Any additional ISV comments will be included at block 18.

The ISV will stamp and initial the front of the Document Verification Request in the block labeled "stamp."

The following is an explanation of the INS information a benefit issuing agency or institution can obtain from the INS on the Document Verification Request Supplement:

1. **Immigration status.** The INS will provide the non-citizen applicant's current immigration status by conducting a thorough search of INS automated databases and paper files.
2. **Date alien entered the United States.** The INS will provide the original date the non-citizen applicant entered the United States. (This date is not always the same as what is provided through ASVI, when a non-citizen adjusts his or her immigration status. In most cases, the date of entry changes in ASVI to reflect the date the non-citizen obtained his or her Lawful Permanent Resident status.)
3. **Date status was granted.** The INS will provide the date the non-citizen obtained his or her current immigration status as noted in paragraph 1 above.
4. **Date status expires.** The INS will provide the date the non-citizen's immigration status expires. If the non-citizen's immigration status is indefinite, INS will provide this information in the response.
5. **Citizen status.** The INS will confirm whether a prior non-citizen naturalized and is a United States citizen.
6. **Special Benefit Provision for Certain Victims of Abuse.** The INS will confirm whether or not a non-citizen obtained his or her Lawful Permanent (or Conditional) Resident status because he or she was a battered alien or a parent of a battered child(ren) or a victim of domestic violence.
7. **Affidavit of Support.** The INS will confirm whether or not the non-citizen was sponsored on Form I-864, Affidavit of Support, and if so, INS will provide sponsorship information.

The ISV will initial and stamp the back of the form in the block labeled "Stamp."

When the Document Verification Request and Supplement are returned, the benefit issuing agency or institution must refer to its own eligibility requirements to determine if the applicant qualifies for a benefit. The benefit provider makes the actual decision on award or denial of a benefit and is responsible for the establishment of a fair hearing process.

#### **4.11. Delayed Replies**

The Document Verification Request has been designed to allow rapid response to the submitting agency from INS. Mandated benefit issuing agencies or institutions should allow ten working days for processing. Other benefit issuing agencies and institutions should wait until the expiration of the timeframe specified in the MOU for all other benefit issuing agencies and institutions before contacting the INS Office to request information about verification. When it becomes necessary to contact the INS Office

regarding the status of a request, the benefit issuing agency or institution should be prepared to furnish the non-citizen's name, A-Number or Admission Number, and the date the original Document Verification Request was mailed to INS.

#### ***4.12. INS Record Keeping***

The INS retains records on the secondary verification process to comply with the Privacy Act.

If any documentation submitted to an ISV indicates criminal misuse of government documents, it may be duplicated and forwarded to the Investigations Branch of INS or to other law enforcement agencies for initiation of an investigation or prosecution action, as may be appropriate. The benefit issuing agency or institution should follow its own guidelines for investigation and prosecuting cases of fraudulent documentation.