VERIFICATION DIVISION

U.S. Citizenship and Immigration Services

E-Verify and SAVE Overview

Washington, D.C.   May 19, 2010

Verification Division

Vision

As the trusted source for reliable, credible, and easy-to-use information, we deliver employment and immigration status verification with innovation and unparalleled customer service.

Mission

To enhance the integrity of our nation's legal immigration system by providing information resources and services that:

- enable government agencies to verify benefit-seeking applicants' immigration statuses
- allow employers to verify that their new employees are U.S. work-authorized

Verification Division Programs

E-Verify

Provides electronic employment authorization of newly-hired employees to participating employers. Information is inputted directly from the Form I-9 into the E-Verify system.

Systematic Alien Verification for Entitlements (SAVE) Program

Provides electronic immigration status verification information to federal, state, and local benefit-issuing agencies.

*The Verification Information System (VIS) is the underlying technical system supporting both SAVE and E-Verify

SAVE Program

SAVE

- Allows benefit-granting agencies to determine an applicant's immigration status

- Helps to ensure that only entitled applicants receive federal, state, or local public benefits and licenses

- Services benefit-issuing agencies, institutions, licensing bureaus, and other governmental entities

- The SAVE Program verifies:

  - Non-immigrant status

  - Immigrant status

  - U.S. Citizenship for naturalized and derived citizen status

Goals
- Provide customers with a secure, dependable means of accurately and efficiently verifying immigration status
- Enable participants to easily verify immigration status and subsequently determine benefit eligibility

*NOTE: The SAVE Program does **not** make determinations on any applicant's eligibility for a specific benefit or license.*

Legislation Governing the use of SAVE

- **Immigration Reform and Control Act (IRCA) of 1986**—Required that a system to verify immigration status of applicants applying for certain types of federally-funded benefits be created and made available to federal, state, and local benefit-issuing agencies. The law, as amended, mandates that certain federal programs verify an applicant's immigration status.

- **Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996**—Restricts immigration status eligibility for certain programs funded by federal, state, and local government.

- **Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996**—Requires the U.S. Citizenship and Immigration Services (USCIS) [formerly INS] to respond to inquiries by federal, state, and local benefit-issuing agencies seeking to verify citizenship or immigration status of an individual for any lawful purpose.

- **REAL ID Act of 2005**—Establishes certain minimum standards for issuing driver's licenses and state identification cards, and requires states to verify the lawful status of applicants by using the SAVE Program.

SAVE Program Participants

- Examples of Agencies and benefits they administer
  - Social Security Administration (SSA) – Enumeration and Supplemental Security Income
  - Department of Health and Human Services (HHS) – Medicaid and Food Stamps
  - Office of Personnel Management (OPM) - Background Investigations
  - Department of Motor Vehicles (DMVs) - Driver's Licenses/Identification Cards
  - State and Local Agencies – e.g. Professional Occupational Licenses

- As of May 7, 2010, the number of agencies participating in the SAVE Program: 487
  - Department of Motor Vehicles (DMV)—37
  - Federal Agencies—28
  - State Agencies—203
  - Local Agencies—219

How does SAVE work?

- The SAVE Program offers two methods, electronic and paper, for accessing information to verify an applicant's status when requesting public benefits.

- The SAVE Program uses an online system that checks a benefit applicant's immigration status information against millions of Department of Homeland Security database records.

- Agencies that do not have access to an automated system may submit a paper verification request by using Form G-845, Document Verification Request.

SAVE Program Registration Process

The registration process for the program is a three-step process for new agencies

- STEP 1: Apply for SAVE Program
    - Agency requests to register via the online SAVE system (accessed via www.uscis.gov/SAVE)
    - If the agency meets the initial eligibility criteria, SAVE will contact the POC requesting the agency's legal authorization to participate in SAVE
    - A SAVE policy team member, in coordination with the Office of Chief Counsel, reviews the authorities for legal sufficiency. (This step may take several weeks depending on the type of agency and the complexity of the legal authorities provided.)

- STEP 2: Review and Sign Agreements
    - SAVE and the agency must sign a Memorandum of Agreement and an Anticipated Collections Addendum
        - Memorandum of Agreement defines the responsibilities for payment and use of the program
        - Anticipated Collections Addendum establishes the agency's financial obligation
    - Agency Returns Signed MOA and Anticipated Collections Document

- STEP 3: SAVE Access Granted
    - SAVE sets up agency in the online system
    - SAVE sends agency a copy of the registration documents and system user ID and password

The Verification Process

Step	Description	System Response	General Response Time
Initial Verification	▪Agency submits query electronically based upon information provided by the applicant. ▪System response provides applicant's immigration status or prompts agency to **"Institute Additional Verification"**.	Electronic	3-5 seconds
2nd step/ Additional Verification	▪Agency provides additional information on the applicant and submits electronically. ▪System response provides applicant's immigration status or prompts agency to **"Resubmit with Docs"**.	Electronic	3-5 federal working days
3rd Step Verification	▪Agency submits electronic request which generates a pre-populated Form G-845, Document Verification Request. ▪Agency prints Form G-845 and mails it with photocopies of the applicant's immigration documents to the designated Status Verification Office.	Electronic	10-20 federal working days

Electronic Verifications

SAVE Electronic Verifications: as of 05/10/2010

	Initial	Additional	Third	Total
FY '09	10,909,054	1,025,862	79,598	12,014,514
FY '10 to date	6,041,453	585,273	75,971	6,929,456

- Over 90% of queries that are resolved as lawful status resolve during the initial verification
- 97% of automated additional verification requests are resolved within 3 business days

Transaction Charges:

- Agencies that access the SAVE Program are charged $0.50 per transaction
- Paper-based Requests on Form G-845 (Document Verification Request) are $2.00

Accomplishments

FY 2009

- Exceeded the SAVE Program revenue goal from customer agency usage by 14.5%

- Increased the SAVE Program growth rate by 25% with enrollment reaching over 300 agencies

- Piloted with AAMVA to process driver's license data

  - Indiana has successfully used AAMVAnet since June 2009

FY 2010

- Developed high-level requirements for registration reengineering and implemented streamlined registration process for Georgia Municipal Association

- Developed interactive customer training and reference materials

- Developed SAVE informational video currently available on website

- Improved SAVE website content with program information, additional registration guidance, training opportunities, and more user-friendly navigation

- Nevada successfully became the second AAMVA pilot state in January 2010

Customer Service and Training Options

Customer Contact Options:

- USCIS Information Services:
  (888) 464-4218

- Technical Assistance:
  (800) 741-5023

- SAVE WEBSITE:
  www.uscis.gov/save

- USCIS WEBSITE:
  www.uscis.gov

- SAVE E-Mail:
  SAVE.help@dhs.gov

Customer Training Options:

- On-line Tutorials

- On-Site Training

- Webinar Training

- User Guides

- Reference Materials

E-Verify Program

E-Verify

- Mandated by Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA)

- Partnership between the Department of Homeland Security (DHS), Social Security Administration (SSA) and Department of State (DOS)

- Provides a means for participating employers to verify the employment eligibility status of newly-hired employees

Goals

- **Reduce** unauthorized employment

- **Minimize** verification-related discrimination

- **Be quick** and non-burdensome to employers

- **Protect** civil liberties and employee privacy

E-Verify: How it Works

- Users submit information provided on the **Form I-9**

- System queries databases of:
  - Social Security Administration
  - Department of Homeland Security
  - Department of State

E-Verify

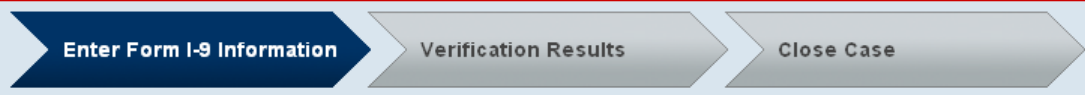## Employment Eligibility Verification

Welcome
Yasser Benadada

User ID
YBEN1050

Last Login
10:26 AM - 04/14/2010

Log Out

Home

My Cases

New Case

View Cases

My Profile

Edit Profile

Change Password

Change Security Questions

My Company

Edit Company Profile

Add New User

View Existing Users

Close Company Account

My Reports

View Reports

My Resources

View Essential Resources

Take Tutorial

View User Manual

Contact Us

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

What citizenship status did the employee choose in Section 1 of Form I-9? ❓
Select one, then click **Continue**.

- ◉ A citizen of the United States
- ○ A noncitizen national of the United States
- ○ A lawful permanent resident
- ○ An alien authorized to work

Continue

U.S. Department of Homeland Security - www.dhs.gov   U.S. Citizenship and Immigration Services - www.uscis.gov   Accessibility   Download Viewers

File   Edit   View   Favorites   Tools   Help

Back | Search   Favorites

Address https://stage.e-verify.uscis.gov/emp/Verify.aspx   Go   Links

E-Verify
Employment Eligibility Verification

Welcome   User ID   Last Login
Yasser Benadada YBEN1050   10:26 AM - 04/14/2010   Log Out

Home

My Cases
New Case

View Cases

My Profile
Edit Profile

Change Password

Change Security Questions

My Company
Edit Company Profile

Add New User

View Existing Users

Close Company Account

My Reports
View Reports

My Resources
View Essential Resources

Take Tutorial

View User Manual

Contact Us

Verify Employee

Enter Form I-9 Information   →   Verification Results   →   Close Case

What documents did the employee present for Section 2 of Form I-9? ❓
Select one, then click **Continue**.

○ List B and C Documents
◉ Unexpired U.S. Passport or U.S. Passport Card

Back   **Continue**

U.S. Department of Homeland Security - www.dhs.gov   U.S. Citizenship and Immigration Services - www.uscis.gov

Accessibility   Download Viewers

Done   Internet

Address   https://stage.e-verify.uscis.gov/emp/Verify.aspx   Go   Links »

E-Verify
Employment Eligibility Verification

Welcome
Yasser Benadada

User ID
YBEN1050

Last Login
01:22 PM - 04/14/2010

Log Out

Home
My Cases
New Case
View Cases
My Profile
Edit Profile
Change Password
Change Security Questions
My Company
Edit Company Profile
Add New User
View Existing Users
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us

Verify Employee

Enter Form I-9 Information → Verification Results → Close Case

Enter employee Form I-9 information, then click **Continue**. * - required

* **Last Name** ?
Jefferson

* **First Name**
Thomas

Middle Initial

Maiden Name

* **Date of Birth**
Apr   20   1962

* **Social Security Number**
000 — 00 — 0007

Citizenship Status
A citizen of the United States

Document Type
Unexpired U.S. Passport or U.S. Passport Card

* **Document Number** ?
C99999999

Document Expiration Date
Month   Day   Year

* **Hire Date** ?
Jan   01   2010

Employer Case ID ?

Back   Continue

U.S. Department of Homeland Security - www.dhs.gov   U.S. Citizenship and Immigration Services - www.uscis.gov   Accessibility   Download Viewers

E-Verify: How it Works *(continued)*

- Initial verification will return one of three results within seconds:

  - **Employment Authorized**

    - The employee is authorized to work

  - **SSA Tentative Nonconfirmation**

    - There is an information mismatch with SSA

  - **DHS Verification in Process**

    - DHS will usually respond within 24 hours with either an Employment Authorized or DHS Tentative Nonconfirmation

File   Edit   View   Favorites   Tools   Help

Back

Address https://stage.e-verify.uscis.gov/emp/CaseProcess.aspx?CaseVerNum=2010104142559HM   Go   Links »

E-Verify
Employment Eligibility Verification

Welcome: Yasser Benadada
User ID: YBEN1050
Last Login: 01:22 PM - 04/14/2010
Log Out

Home

My Cases
New Case
View Cases

My Profile
Edit Profile
Change Password
Change Security Questions

My Company
Edit Company Profile
Add New User
View Existing Users
Close Company Account

My Reports
View Reports

My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us

Verify Employee

Employee Name: Jefferson, Thomas
Case Verification Number: 2010104142559HM
🖨 View/Print Case Details

Enter Form I-9 Information ✓   →   Verification Results ✓   →   Close Case ✓

Case Closed

🖨 View/Print Case Details

✅ **Employment Authorized**

You have closed case 2010104142559HM. Record this case verification number on the employee's Form I-9 or print the case details and keep on file.

Last Name Jefferson	**First Name** Thomas	**Middle Initial** --
Maiden Name --	**Date of Birth** April 20, 1962	**Social Security Number** *** ** 0007
Citizenship Status A citizen of the United States		
Document Type Unexpired U.S. Passport or U.S. Passport Card	**Document Number** C99999999	**Document Expiration Date** --
Hire Date January 01, 2010	**Employer Case ID** --	
Submitted By YBEN1050	**Submitted On** April 14, 2010	

E-Verify Home   New Case

Done   Internet

E-Verify: Case Resolution

- If **Employment Authorized**, the employer records the system-generated verification number on the Form I-9.

- If **Tentative Nonconfirmation**, the employee can contest the finding and resolve the discrepancy with the appropriate agency.

- If the employee *chooses not to contest*, it is considered a **Final Nonconfirmation** and the employer may terminate the employee and resolve the case.

E-Verify®
Employment Eligibility Verification

Welcome
Jason Goodman

User ID
JGOO6407

Last Login
09:21 AM - 03/16/2010

Log Out

Home
My Cases
New Case
View Cases
My Profile
Edit Profile
Change Password
Change Security Questions
My Company
Add New User
View Existing Users
Edit Company Profile
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us

Verify Employee

Employee Name
One, Numident

Case Verification Number
2010073154340RL

🖨 View/Print Case Details

Enter Form I-9 Information ✓	**Verification Results**	Close Case

Employment Eligibility:

⚠️ **SSA Tentative Nonconfirmation (TNC)** ❓

Print, Review & Sign TNC Notice	Confirm Employee Decision	Refer Employee	Print, Review & Sign Referral Letter

Print, Review & Sign TNC Notice

Review the SSA TNC with the employee. Follow the steps listed below.

1 Print the SSA Tentative Nonconfirmation Notice

> **Notification to Employee of SSA Tentative Nonconfirmation** ❓
>
> Choose which language to print
>
> [English ▾]   🖨 **Print Notice**

2 Review the SSA TNC privately with the employee.

3 Have the employee indicate whether he or she will contest the SSA TNC on the SSA Tentative Nonconfirmation Notice.

4 Ensure that you and the employee sign and date the SSA Tentative Nonconfirmation Notice. Indicate that the employee has been notified by selecting the check box below.

> ❌ You must confirm that you have notified the employee of the TNC to continue.

> **Confirm Employee Notification**
>
> ☐ I have notified this employee of the TNC.

5 After these steps are complete, click **Continue**.

If you created this case in error or no longer need to continue this verification, click **Close Case**. ❓

To return to this case at a later time, click **Save Case and Exit**. ❓

Close Case	**Save Case and Exit**	**Continue**

E-Verify
Employment Eligibility Verification

Welcome
Jason Goodman

User ID
JGOO6407

Last Login
02:36 PM - 03/15/2010

Log Out

Home
My Cases
New Case
View Cases
My Profile
Edit Profile
Change Password
Change Security Questions
My Company
Add New User
View Existing Users
Edit Company Profile
Close Company Account
My Reports
View Reports
My Resources
View Essential Resources
Take Tutorial
View User Manual
Contact Us

Verify Employee

Employee Name
Test, Mike

Case Verification Number
2010074154157AE

🖶 View/Print Case Details

Enter Form I-9 Information ✔ | **Verification Results** | Close Case

Employment Eligibility:

⚠️ Employee Referred to SSA

Print, Review & Sign TNC Notice ✔ | Confirm Employee Decision ✔ | Refer Employee ✔ | **Print, Review & Sign Referral Letter**

Print, Review & Sign Referral Letter

This employee was referred to SSA on **March 15, 2010**. The employee must visit a SSA field office within 8 federal government workdays. To complete the referral process follow the steps below.

1 Print the SSA Referral Letter.

SSA Referral Letter   Choose which language to print

[English ⌄]   🖶 Print Letter

2 Review the SSA Referral Letter privately with the employee.

3 Ensure that you and the employee sign and date the SSA Referral Letter.

4 Give the employee the signed SSA Referral Letter. The employee will need to bring the letter to the SSA field office.

5 After you complete these steps, click **Continue**.

If you created this case in error or no longer need to continue this verification, click **Close Case**. ❓

To return to this case at a later time, click **Save Case and Exit**. ❓

[Close Case]   [Save Case and Exit]   [Continue]

E-Verify: TNC Case Resolution

- **Employee continues to work** while the case is being resolved

- Once the employee resolves the discrepancy in his or her records, they should inform the employer.

- With both a **SSA TNC** and a **DHS TNC**, a response is electronically sent to the employer through the system. The employer should check E-Verify periodically for the response.

- The employer will receive one of four results:

    - **Employment Authorized**

    - **Review and Update Employee Data**

    - **Final Nonconfirmation**

    - **DHS No Show**

- The employer then resolves the case in E-Verify.

E-Verify: Photo Screening Tool

- The E-Verify photo tool enables employers to match the photo on an employee's Employment Authorization Document (EAD) or Permanent Resident Card ("green card") to the photo that USCIS has on file for that employee.

- Assist employers to detect instances of document fraud

- Photo tool was incorporated into E-Verify for all employers in September 2007

Employer Responsibilities

- E-Verify **must ONLY be used to verify NEW hires**, and must be initiated after the employee accepts the position (hire date) and within 3 days of the employee's actual start date unless you are a Federal Contractor with FAR E-Verify Clause
    - Federal Contractors with the FAR E-Verify Clause my choose to verify their entire existing workforce, initiating verification within 180 calendar days.
- E-Verify procedures **must be applied to ALL new hires**, regardless of citizenship status
- Employer must **display the E-Verify Poster** in an area visible to prospective employees to show that it is an **E-Verify Participant (English and Spanish Versions)**
- Employer must display an **Anti-Discrimination Poster** issued by the Office of Special Counsel for Immigration – Related Unfair Employment Practices, Department of Justice (DOJ) in an area visible to prospective employees **(English and Spanish Versions)**

E-Verify and DOJ-OSC Posters

E-Verify Growth

<u>Statistics</u>

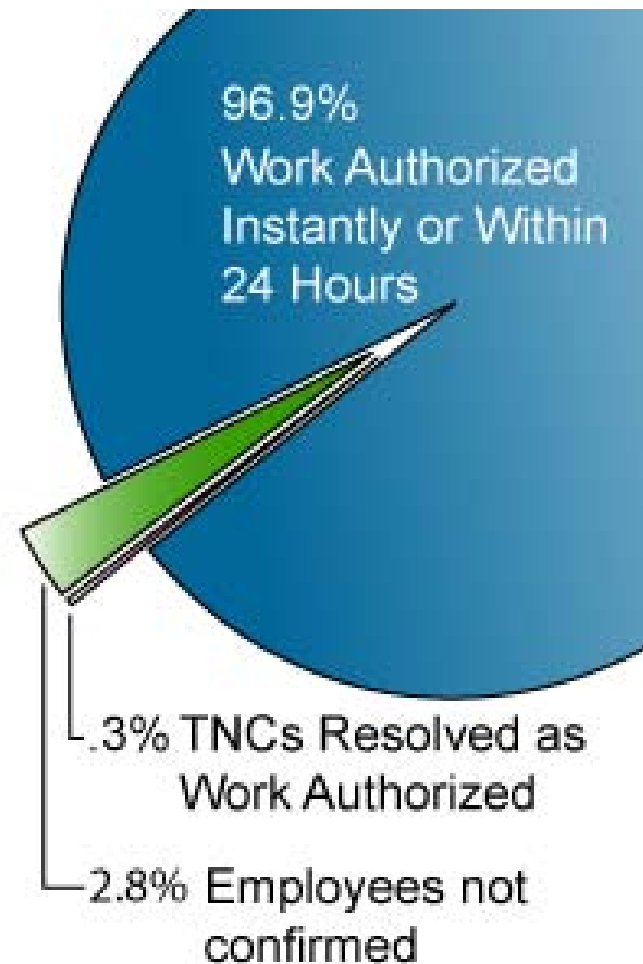- Over 200,000 participating employers

- So far in FY2010, there have been over 8.8 million queries run

- Nearly 3 million queries run in FY 2007; just over 6.6 million in FY 2008; more than 8.7 million in FY09

- Top Industries Using E-Verify
  - Professional, Scientific, and Technical Services
  - Administrative and Support Services
  - Food Services and Drinking Places
  - Specialty Trade Contractors

- Federal Contractors Total Currently Enrolled
  - 28,047 currently enrolled
  - 16,703 *with* FAR clause
  - 11,344 *without* FAR clause

E-Verify: It Works!

- 96.9% of all queries run through the E-Verify program are verified automatically with no further action required by the employer or the employee

- The remaining 3.1% of employees receive TNCs that need to be resolved through SSA
  - Of this 3.1%, 2.8% eventually receive a Final Nonconformation (FNC) and are consequently not verified as authorized to work through the program
  - .3% of these TNCs eventually result in an employment authorization

96.9% Work Authorized Instantly or Within 24 Hours

.3% TNCs Resolved as Work Authorized

2.8% Employees not confirmed

Accomplishments

FY 2009

- Monitoring and Compliance Program: Launched a Compliance Tracking and Management System (CTMS) which sent 1020 non-compliance letters to employers in FY09

- Added U.S. passport data, which has reduced mismatches for naturalized and derivative citizens

- Implemented the Federal Contractor Rule: As of September 8th, 2009, Federal contracts containing the FAR E-Verify Clause must use E-Verify as a condition of its contract

FY 2010

- Launched Employee Rights Initiative

  - Memorandum of Agreement with DOJ Office of Special Counsel which establishes the relationship and process for referrals between agencies regarding discrimination, employer misuse, abuse or fraudulent use of E-Verify.

  - Employee Hotline: a toll-free telephone number dedicated to employee inquiries, issues and complaints.

  - Collaborated with the Office of Civil Rights and Civil Liberties on the creation of informational videos that provide guidance to employers and employees about the E-Verify program.

Accomplishments *(continued)*

FY 2010

- Opened the Buffalo Verification Operations Center (BVOC) in Buffalo, NY which focuses on monitoring and compliance efforts and secondary verifications for the E-Verify and SAVE programs in November 2009

- Extended Photo Tool to all Designated Agents in December 2009

- As part of Monitoring & Compliance efforts and have conducted over 9,000 compliance activities in FY10

- In FY10, M&C provided detection reports that monitors the following compliance behaviors:

  - Multiple Use of SSNs

  - Fails to Use E-Verify

  - Terminates an Employee who Receives a TNC

  - Fails to Perform Verification Within 3 Business Days of Hire

  - Verifies Existing Employees

  - Verifies Hires Prior to 1986 (Federal Contractor Rule)

For More Information…

- USCIS Website
  - http://www.uscis.gov

- E-Verify Website
  - http://www.uscis.gov/e-verify

- Customer Support
  - Monday - Friday 8am - 5pm EST
  - Telephone: 1-888-464-4218
  - Email: e-verify@dhs.gov

- Employee Hotline
  - Monday - Friday 8am - 5pm EST
  - Telephone: 1-888-897-7781

Disclaimer

- Immigration law can be complex and it is impossible to describe every aspect of the process

- This presentation provides basic information to help you become generally familiar with the rules and procedures. For more information, or the law and regulations please see our website: **www.dhs.gov/E-Verify**