



NEW YORK STATE  
 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
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 ALBANY, NEW YORK 12243-0001

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 Governor

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### Administrative Directive

#### Section 1

<b>Transmittal:</b>	13-ADM-07
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office :</b>	Center for Employment and Economic Support, Office of Temporary and Disability Assistance
<b>Date:</b>	November 20, 2013
<b>Subject:</b>	Systematic Alien Verification for Entitlements (SAVE) Program: Replacement of Manual Form G-845(Document Verification Request) with Verification Information System Web-3 Access
<b>Suggested Distribution:</b>	Temporary Assistance Directors Supplemental Nutrition Assistance Program Directors Home Energy Assistance Program Coordinators Welfare Management System (WMS) Coordinators Staff Development Coordinator
<b>Contact Person(s):</b>	SAVE Program: Temporary Assistance Bureau 1-800-343-8859, ext 4-9344 Claiming Questions: Edward Conway 1-800-343-8859, ext. 4-7549 or email Edward.Conway@otda.ny.gov
<b>Attachments:</b>	
<b>Attachment Available On – Line:</b>	<input type="checkbox"/>

#### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
88 ADM-22 92 ADM-10 99 LCM- 23		349.3(b) 351.1 351.2(h) 360-3.2 (f) 387.9	PRWORA P.L. 104-93 IRCA P.L. 99-603 131-K Social Security Act Section 1137 (d)	HEAP manual page 68	

## **Section 2**

### **I. Summary**

This administrative directive (ADM) advises upstate social service districts (SSDs) of the United States Citizenship and Immigration Services' (USCIS) Verification Information System (VIS) Web-3 Access for compliance with the non-citizen verification requirements under the Systematic Alien Verification for Entitlements (SAVE) Program. NYC already uses VIS Web-3 Access. Upstate SSDs must now verify non-citizens immigration documents on-line instead of submitting a manual Form G-845 (Document Verification Request) to the USCIS Buffalo office. SSDs will now only use a system produced pre-populated G-845 PDF when the VIS is unable to verify a non-citizen's immigration document. The use of SAVE continues to be mandatory under federal and state law.

### **II. Purpose**

The purpose of this directive is to advise SSDs of the preparatory steps necessary to use the VIS WEB-3 Access Method for online non-citizen immigration status queries. VIS WEB-3 Access allows SSDs to immediately verify the immigration documents of most non-citizens applying for Family Assistance (FA), Safety Net Assistance (SNA) and the Supplemental Nutrition Assistance Program (SNAP).

### **III. Background**

The SAVE Program is an intergovernmental information sharing initiative designed to aid eligibility workers in confirming a non-citizens applicant's current immigration status by verifying their immigration documents, and thereby ensuring that only a non-citizen applicant with a satisfactory immigration status receives federal, state or local public benefits. Congress mandated SAVE through the Immigration Reform and Control Act of 1986 (IRCA), P. L. 99-603, which required the former Immigration and Naturalization Service (INS) now part of the Department of Homeland Security (DHS), as the United States Citizenship & Immigration Services (USICS) to establish a system for verifying the immigration status of non-citizen applicants and recipients who may be applying for or in receipt of certain types of federally funded benefits and to make the system available to federal, state and local benefit agencies and institutions that administer such benefits. The USCIS is the DHS agency responsible for administering the SAVE Program. The IRCA as amended mandates that the following programs and overseeing agencies participate in the verification of an applicant's immigration status: Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and the Medicaid Program (MA). The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P. L. 104-93) also required that the Attorney General establish regulations and interim guidance for the verification of immigration status of persons applying for "Federal public benefits." This guidance issued by the Justice Department in 1997 mandated the use of SAVE by any entity administering a non-exempt public benefit. Section 840 of PRWORA removed the requirement for SNAP. However, the United States Department of Agriculture (USDA) guidance mandates that "states that have opted to participate in SAVE must use SAVE," to verify the immigration status of applicants and recipients of SNAP.

SSDs were first introduced to this interim process through 99-LCM-23, which advised SSDs that New York would participate in SAVE effective October 1, 1999 as required by PRWORA. An automated WMS process was originally envisioned for SAVE. In the meantime, SSDs were instructed to use the manual Form G-845 (Document Verification Request).

Challenges at the time prevented the automated WMS SAVE process from being implemented. As a result, upstate SSDs have continued to use the manual form G-845 for non-citizen status verification. The VIS can now be accessed through secure WEB-3 Access. Only agencies registered with SAVE can use the VIS. The Office of Temporary and Disability Assistance (OTDA) has recently executed a

Memorandum of Agreement with the DHS that will enable SSDs to utilize the VIS's WEB-3 Access through a Centraport link under Applications and identified as **Alien Verification - SAVE**.

## **IV. Program Implications**

### TA/SNAP Implications

At the time of application or recertification for Temporary Assistance (TA) and SNAP all individuals are required to certify in writing, under the penalty of perjury, that they are a United States Citizen, Native American, U.S. non-citizen National of the United States or a non-citizen with a satisfactory immigration status. A TA applicant complies with this requirement by attesting to their U.S. citizenship or satisfactory immigration status on the LDSS-2921(Common Application) and the LDSS-3174 (Recertification Form). Non-citizen applicants must also provide a USCIS document as evidence of a satisfactory immigration status for benefit eligibility. The amendments made by Section 121 of the IRCA require a further step to verify the validity of the immigration document presented by the applicant. SAVE provides a re-verification of the non-citizen's documented immigration status against the USCIS VIS files to confirm the accuracy of the non-citizen documented immigration status established during application processing. SAVE is not intended to verify the applicant's statement regarding his/her immigration status in lieu of documentation, nor does it shift the responsibility for establishing satisfactory immigration status from the applicant to the SSD.

### HEAP Implications

Individuals who have a satisfactory immigration status allowing them to receive federal benefits may be eligible for HEAP. Although HEAP is a defined federal public benefit, the verification of non-citizen HEAP applicants immigration status through SAVE is not mandated by law. Therefore, there are no changes to HEAP policy as a result of the SAVE implementation. For more information on documenting immigration status see page 68 of the HEAP manual.

## **V. Required Action**

### **A. Overview of SAVE Verification Requirements**

#### 1. Reasonable Opportunity to Provide Documentation

Applicants/recipients must be given a reasonable opportunity to provide documentary evidence of satisfactory immigration status prior to any action to deny, delay, reduce or terminate benefits. The timeframes for the provision of documentary evidence follow current guidelines for Temporary Assistance and SNA. SSDs must verify the immigration status of applicants/recipients as follows:

- a. at time of application;
- b. when a new person is added to the assistance unit; or
- c. any time there is a change in immigration status

When an immigration document listed under "Common Documentation" on the **LDSS - 4579 Alien Eligibility Desk Guide** is provided, the VIS must be accessed to verify the document submitted.

#### 2. No Delay in Benefits Pending Verification of Non-Citizen Status Through the VIS SAVE

Benefits must not be delayed, denied, reduced, or terminated pending verification of a non-citizen's documentation through SAVE. If all other factors of eligibility have been established and the non-citizen is otherwise eligible, benefits must be granted while awaiting a response from the VIS.

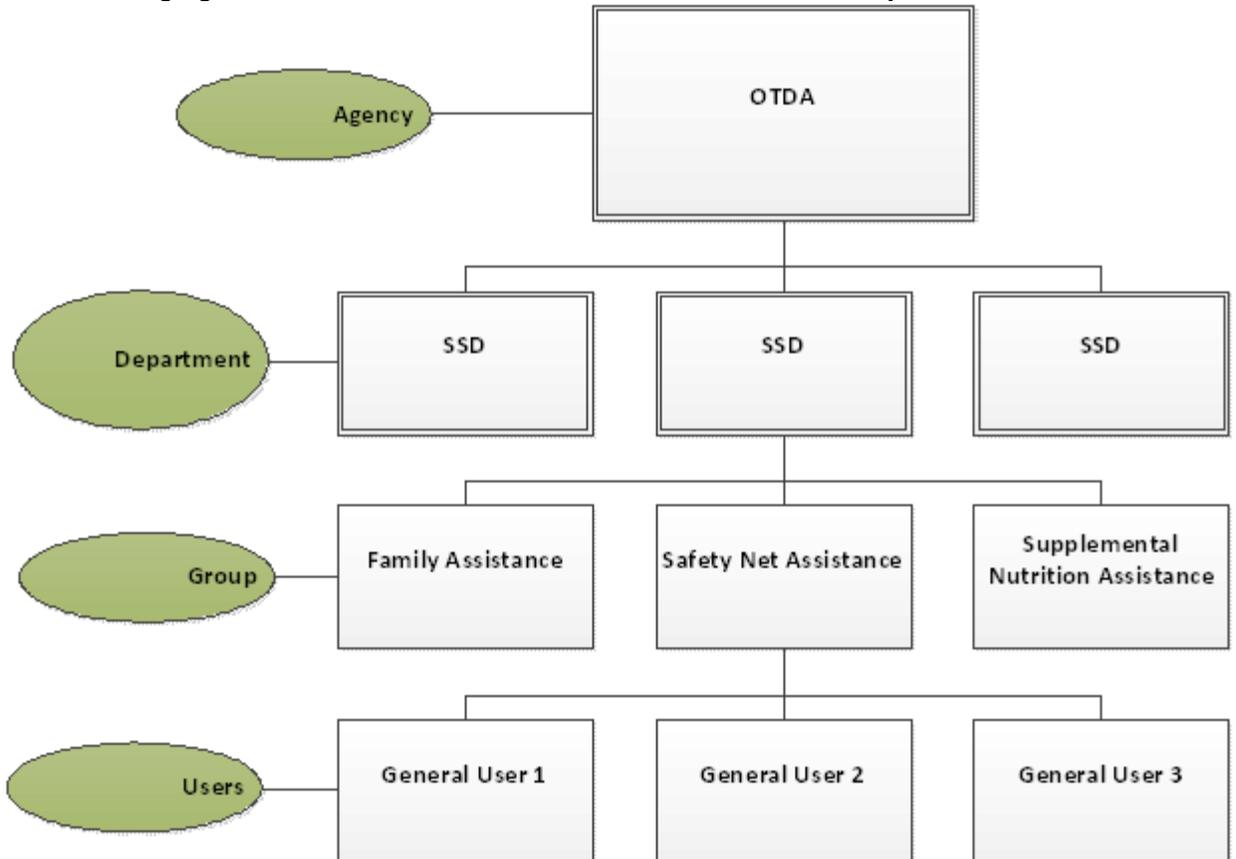
**Note:** Non-citizen applicants must be given a reasonable opportunity to present a USCIS document indicating their immigration status prior to issuing benefits. Non-citizen applicants who fail to provide USCIS documentation of their immigration status must be denied benefits because of failure to establish a satisfactory immigration status. If a non-citizen applicant provides an immigration document that is not listed on the LDSS-4579, SSD staff should contact the Bureaus of Temporary Assistance or Supplemental Nutrition Assistance Program (SNAP) for guidance. Any questions regarding immigration documentation should also be directed to Bureaus of Temporary Assistance or Supplemental Nutrition Assistance Program (SNAP).

## B. VIS Web-3 Hierarchy and User Roles

### 1. Hierarchy

The Web-3 user architecture hierarchy includes Agency, Department, Group, and User. The application also has several user roles, including Super User, Supervisor and three types of General User.

The Agency is at the top level of the SAVE Web-3 Access hierarchy and OTDA is the Agency in New York's Web-3 architecture. The next level is the Department. SSDs are Departments under the OTDA Agency. The last level in the hierarchy is the Group and is occupied by the General Users, which are the actual SSD staff that perform VIS queries. The following figure illustrates the OTDA/SSD SAVE Web-3 hierarchy:



## 2. User Privileges

Super User - Has the ability to manage the entire Agency hierarchy structure including all users within the Agency. The Super User is responsible for setting up the Agency's Departments and Groups. OTDA's Super User will set-up all SSDs as Departments within the VIS Web-3 architecture and will create one Group for each SSD.

Supervisor - Has the ability to manage a Department, and everything under the Department. The SSD Supervisor will create users for its agency and assign user roles. The SSD Supervisor can perform and view initial and additional verifications queries. The SSD Supervisor can view and continue to work cases assigned to general users with the Department.

### General User

There are three levels of General Users based upon the privileges to view responses from the Immigration Status Verifier (ISV).

General User 1 - Can perform and view initial and additional verification queries. A General User 1 can view initial and additional verification responses for all general users in the Department. A General User 1 can also view and continue to work cases assigned to all general users within the Department.

General User 2 - Can perform and view initial and additional verification queries. A General User 2 can view additional verification responses for all general users within the Group. A General User 2 can view and continue to work cases assigned to other general users within the Group.

General User 3 - Can perform and view initial and additional verification queries. A General User 3 cannot view or continue to work cases assigned to other users in their Department or Group.

## 3. Local Supervisor Designation

SSDs must designate a SAVE Web-3 Access Supervisor for its agency. The SSD Web-3 Access Supervisor will have Web-3 Access Administration privileges that include the ability to:

- Modify their user data
- Change their password
- Assign user roles
- Create users
- Modify users
- Delete users
- Reset passwords
- Create groups
- Modify groups
- Delete groups

SSDs must advise the Bureau of Temporary Assistance of their designated SAVE Web-3 Access Supervisor's name, telephone number and email mail address no later than January 21,

2014 by contacting Matthew Dennin at 518-474-9344 or e-mailing him at [Matthew.Dennin@otda.ny.gov](mailto:Matthew.Dennin@otda.ny.gov).

After OTDA receives the name of the SSD SAVE Supervisor, OTDA's Super User will create a temporary password for the SSD designated Supervisor and grant access to the VIS. One Group for each SSD will be created by the Super User.

### **C. VIS Web-3 Access Verification Procedures**

#### **Initial Verification**

Initial verification is based on the type of immigration document the applicant presented. A variety of different types of immigration documents can be used for an initial verification such as an I-551 (Permanent Resident Card) or an I-766 (Employment Authorization Card). Please refer to **the LDSS - 4579 Alien Eligibility Desk Guide** for a list of the common immigration documents. Only one type of document can be used for an initial verification.

If all required information has been entered correctly the results will appear on the Case Details page in the Initial Verification Results section.

When the initial verification confirms the applicant's immigration document no further action is required. SSD staff must print the Case Details page for inclusion in the case record for audit purposes.

#### **Additional Verification**

If the information in the Initial Results section of the Case Detail page did not match the information on the immigration documentation provided by the applicant, the system response in the Initial Verification Results section will state: Institute Additional Verification. From the Case Details page, SSD staff would click the "Request Additional Verification," button and enter the information requested. Staff would then click the "Submit Additional Verification," button to complete the Additional Verification Request.

The system will return the Case Details page with the initial verification parameters, the initial results, additional verification parameters and the status of the Additional Verification. The Additional Verification Results on the Case Details page will return the status of "DHS Verification in Process." The request has been sent to a Management Program Analyst (MPA) for processing. The system returns a response within 3-5 work days. SSDs staff must check for these responses as the VIS does not provide an automated notification.

#### **Third-Step Verification**

If there is a need for a copy of the applicant's immigration documents the system returns a message, Resubmit Doc (Need Copy original) in the Additional Verification Results section of the Case Detail page. Third-step verification is initiated by selecting the "Resubmit Verification," button on the Case Details page.

After a third-step verification request query is submitted, a browser will open with a pre-populated G-845S PDF. SSD staff must print this version of the G-845S and attach it to the applicant's immigration documents and send them to New York's designated File Control Office at:

**United States Citizenship and Immigration Services  
186 Exchange Street, Suite 114  
Buffalo, New York 14204**

Only the pre-populated G-845S can be used for Third-Step Verifications. SSDs will no longer use the manual form G-845S.

Responses to third-step verifications will be returned within 10 to 20 federal working days and can be found on the Case Details Page under Third Level Verification Results. SSDs staff must check for these responses as the VIS provides no automated notification.

#### **D. VIS Web-3 Access Training**

A comprehensive training manual and complementary PowerPoint slides on SAVE Web-3 Access is available on TrainingSpace.org for training SSD staff on Web-3 navigation, page layout and step-by-step instructions on how to perform Initial, Additional and Third-Step verifications.

Questions on the SAVE program verification requirements and Web-3 Access should be directed to Bureau of Temporary Assistance at 518-474-9344.

#### **E. Claiming Information**

Congress mandates that all USCIS processes be self-supporting through user fees. SAVE charges a \$.50 transaction fee for every Web-3 Access query. This is a substantial reduction from the \$2.00 transaction fee for the manual Form G-845S that SSDs currently use. Costs billed to OTDA for SSD's SAVE queries will be charged back as a bottom line adjustment on their settlement.

SSDs will claim these fees as Administrative Expenditures using object of expense code 19, All Other Direct Expenditures. These fees will be claimed on the LDSS-923, Schedule of Payments for Administrative Expenses Other than Salaries, as administrative expenditures classifying them as other Direct Expenditures using object of expense code 19. See Chapter 7 of Volume 3 of the Fiscal Reference Manual (FRM) for detailed instructions for completing the LDSS-923.

As these verification requests deal with benefit issuance, they should be reported as F1 function expenses and claimed on the Schedule D-1, Claiming of Intake/Case Maintenance Expenditures LDSS-2347A. See FRM Volume 3 Chapter 8 for instructions on completing Schedule D-1. Based on the F1 functional designation, these non-salary costs are carried forward for allocation to applicable programs and calculation of eligible reimbursement.

For Medical Assistance only cases, the costs may be claimed on the Schedule D-4, Calculation of Medical Assistance Eligibility Determination/Authorization/Payments Cost Shares LDSS-2347-B2. See FRM Volume 3 Chapter 11 for instructions on completing Schedule D-4.

For Supplemental Nutrition Assistance (SNAP) only cases, the costs may be claimed on the Schedule D-7, Distribution of SNAP Expenditures Activities LDSS-2347-E. See FRM Volume 3 Chapter 14 for instructions on completing the Schedule D-7.

#### **F. Telephone Conference**

Two telephone conference calls to discuss the implementation of SAVE Web-3 Access have been scheduled by the Center for Employment and Economic Supports (CEES). These calls are not training on SAVE Web-3 Access. A Web-3 Access training manual and complementary PowerPoint slides are available on TrainingSpace.org.

**The call-in schedule and directions are as follows:**

Date: February 5, 2014

Time: Group One – 10:00am to 11:30am

Time: Group Two – 1:00pm to 2:30pm

Group One: Broome, Cattaraugus, Chautauqua, Clinton, Essex, Franklin, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Monroe, Niagara, Oneida, Onondaga, Orleans, Otsego, Putnam, Rensselaer, Rockland, St Lawrence, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Ulster, and Warren (29 SSDs)

Group Two: Albany, Allegany, Cayuga, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Erie, Fulton, Genesee, Greene, Madison, Montgomery, Nassau, Ontario, Orange, Saratoga, Suffolk, Sullivan, Tompkins, Washington, Wayne, Westchester, Wyoming and Yates (28 SSDs)

Call information will be provided to SSDs TA Directors by e-mail prior to the date of the conference.

**VI. Systems Implications**

None

**VII. Additional Information (Optional)**

SAVE is a review element on the OTDA's annual TANF Review of selected SSDs. A failure to comply with SAVE requirements could result in a finding in New York's TANF program single state audit.

**VIII. Effective Date**

November 1, 2013

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**Issued By**

**Name:** Phyllis Morris

**Title:** Deputy Commissioner

**Division/Office:** Center for Employment and Economic Support, NYS Office of Temporary and Disability Assistance