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Report to the Legislature

Report on Usage and Costs of the Systematic Alien Verification For Entitlements (SAVE) Program

Submitted by the Minnesota Department of Human Services

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LEGISLATIVE DIRECTIVE

The Legislature in Laws of Minnesota, 2000, chapter 488, article 10, section 30, directs the Commissioner of Human Services to "report to the chairs of the house health and human services policy committee and the senate health and family security committee on the usage and costs of the SAVE program over the previous year. The legislation directs that the report include summary, nonidentifying information on the number of inquiries per month that were submitted to the SAVE system, the number of times secondary verifications were pursued as a result of the inquiries submitted to SAVE, and the number of times the county determined, as a result of information provided through the SAVE system, that an applicant to a program listed in section 256.01, subdivision 18, was ineligible for benefits due to the applicant's immigration status." The following report contains the information requested by the Legislature for 2003.

COSTS FOR REPORT PREPARATION

The following is a summary of costs for report preparation, as required by Minnesota Statutes, Section 3.197:

State Staff Salary Costs	\$1398.75
Printing Costs	<u>\$ 40.00</u>
Total Costs	\$1438.75

EXECUTIVE SUMMARY

This report provides the following information on the usage and costs of the U.S. Citizenship and Immigration Services (USCIS) Systematic Alien Verification for Entitlements (SAVE) Program in Minnesota for the time period November 2002 through October 2003:

- The number of primary and secondary queries submitted to SAVE per month.
- The cost of submitting queries to SAVE.
- The number of times a non-citizen was determined ineligible due to immigration status for a program listed in Minnesota Statute Section 256.01 and as part of the eligibility determination process was submitted to SAVE.

The USCIS SAVE Program is an information-sharing initiative to assist in verifying the immigration status of non-citizens. It does not make determinations on an applicant's eligibility for a specific program or benefit. Nor is it an immigration status reporting mechanism. The SAVE program allows authorized staff to validate a non-citizen's immigration documentation and status by accessing and comparing the non-citizen's documentation to USCIS records.

Use of SAVE is the final step in the process of verifying the immigration status of non-citizens applying for certain cash, food, or health care programs, to be used only after all other eligibility criteria are met. These programs include: the Minnesota Family Investment Program (MFIP); Emergency Assistance (EA); Diversionary Assistance (DA); Food Support; Work First; Refugee Cash Assistance; Minnesota Food Assistance; Medical Assistance (MA) (except for Emergency MA); MinnesotaCare for families with children; General Assistance Medical Care (GAMC) (except for Emergency GAMC or when immigration status is not an eligibility factor); and Refugee Medical Assistance.

The Department of Human Services (DHS) implemented the USCIS's SAVE Program statewide effective February 11, 2002. Information on the first year's results can be found in the January 2003 report to the Legislature.

From November 2002 through October 2003, Minnesota's human service workers submitted a total of 7085 primary queries to the SAVE program. Of the 7085 primary queries, 1308 required submittal of a secondary query. Secondary queries are initiated by a user when the primary query response indicates that a secondary query is needed, there are discrepancies between the information displayed in the primary query response and the information provided by the applicant, or when the non-citizen applicant does not have an alien registration number.

The cost for use of the SAVE Program was \$.15 per query or closure until July 1, 2003, when the cost increased to \$.16 per query or closure. States are charged for each submittal of a primary query, secondary query and closure. Closures result from reviewing a query, whether it is from a primary or secondary response, and then closing out the complete query. The total cost of using SAVE for November 2002 through October 2003 was \$2,212.49. Due to a change in contractors for 2004, costs for SAVE transactions will increase to \$.24 to \$.32 for each primary query and \$.16 to \$.48 for each secondary query, depending on which access method is used.

For the period November 2002 through October 2003, there were 10,348 non-citizens determined ineligible for cash, food or health care benefits. Of those 10,348 persons, 122 were determined ineligible due to immigration status, had no other person or case-level test failures for at least one month and as part of the eligibility determination process were submitted through SAVE.

Workers are challenged with when to correctly use SAVE as part of the eligibility determination process. DHS staff did a random review of 40 percent of the 122 non-citizens determined ineligible due solely to immigration status who were submitted to SAVE to determine if use of SAVE was necessary. Of the 50 persons reviewed, workers could have made the determination of ineligibility based on documents provided by the client in 47 of the cases so use of SAVE was not necessary.

The SAVE Program assists in insuring that only eligible non-citizen persons receive benefits. Ineligibility of non-citizens for benefits can often be determined based on verifications provided by the applicant. However, there are instances when a SAVE query will be part of the process of determining ineligibility and it will always be the final step in the eligibility determination process of non-citizens who appear to meet all eligibility requirements.

BACKGROUND

Minnesota Statute 256.01, subd.18, requires state and county human services workers to use the USCIS SAVE Program "to conduct immigration status verifications:

- (1) as required under United States Code, title 8, section 1642;
- (2) for all applicants for food assistance benefits, whether under the federal food stamp program, the MFIP or work first program, or the Minnesota food assistance program;
- (3) for all applicants for general assistance medical care, except assistance for an emergency medical condition, for immunization with respect to an immunizable disease, or for testing and treatment of symptoms of a communicable disease; and
- (4) for all applicants for general assistance, Minnesota supplemental aid, MinnesotaCare, or group residential housing, when the benefits provided by these programs would fall under the definition of "federal public benefit" under United States Code, title 8, section 1642, if federal funds were used to pay for all or part of the benefits".

The DHS implemented use of the SAVE Program statewide effective February 11, 2002.

The DHS Commissioner was required to provide a report to the Legislature on January 15, 2003 on the usage and costs of the SAVE program over the previous year. A report on usage and costs for the second year is due January 15, 2004. These reports must provide the number of primary and secondary queries submitted to SAVE per month. They must also include information on the number of times a worker determined, as a result of information provided through the SAVE system, that an applicant was ineligible for benefits in Minnesota due to immigration status.

The SAVE Program as Part of the Application Process

The USCIS SAVE Program is an information-sharing initiative to assist in verifying the immigration status of non-citizens. As part of the application process for certain cash, food and health care programs, non-citizen applicants are required to provide verification of their immigration status. Data on non-citizen applicants, appearing to be eligible for benefits based on all other eligibility criteria, are submitted to SAVE to validate the immigration documentation they provided. However, persons ineligible based on provided verifications or due to failure to provide verifications are not submitted through SAVE. The SAVE Program does not make eligibility determinations for a specific program or benefit. The SAVE program only validates a non-citizen's immigration documentation and status.

USCIS cannot use information on non-citizens provided by states in the context of using SAVE for the purpose of administrative enforcement of immigration laws.

The SAVE Program provides two methods for accessing USCIS data.

Primary verifications – The SAVE Program uses the Alien Status Verification System (ASVS) database, which contains information on more than 60 million non-citizens. Submitting a query to this database is the primary step in validating the status of a

non-citizen. When accessed by the user, ASVS responds within three to five seconds of the query. In most cases no further action by the worker is necessary.

Secondary verifications – Secondary verification involves transmitting a query to an USCIS facility where verifiers search other USCIS systems to determine the immigration status. Secondary queries are not submitted on all cases. Secondary queries are initiated by a user when the ASVS primary response indicates that a secondary query is needed, there are discrepancies between the information displayed on ASVS and the information provided by the applicant, or when the non-citizen applicant does not have an alien registration number.

SAVE USAGE AND COSTS

Data on SAVE usage and costs for this report are for the period November 2002 through October 2003. As mentioned in the background section, statewide implementation of SAVE was effective February 11, 2002. The January 2003 report provided data for the period March 2002 through October 2002.

Primary and Secondary Queries

The following chart shows the number of primary and secondary SAVE queries submitted per month by Minnesota workers. Over the past twelve months, Minnesota workers submitted a total of 7085 primary queries to the SAVE Program. Of the 7085 primary queries, 1308 required submittal of a secondary query.

Number of Queries per Month

Month	Primary	Secondary
November 2002	613	119
December 2002	613	126
January 2003	705	135
February 2003	618	115
March 2003	642	149
April 2003	525	119
May 2003	450	73
June 2003	720	110
July 2003	670	99
August 2003	503	78
September 2003	465	79
October 2003	561	106
Totals	7085	1308

SAVE Costs

The cost for use of the SAVE Program was \$.15 per query or closure until July 1, 2003, when the cost increased to \$.16 per query or closure. States are charged for each primary query and each

secondary query. In addition, states are charged for what USCIS terms closures. Closures are the result of reviewing a query, whether it is from a primary or secondary response, and then closing out the complete query. The following chart shows the monthly charge for primary queries, secondary queries and closures. The total cost of using SAVE for November 2002 through October 2003 was \$2,212.49. Due to a change in contractors for 2004, costs for SAVE transactions will increase to \$.24 to \$.32 for each primary query and \$.16 to \$.48 for each secondary query, depending on which access method is used.

Query/Closure Costs by Month

Month	Primary	Secondary	Closures	Total
November 2002	\$91.95	\$17.85	\$85.20	\$195.00
December 2002	\$91.95	\$18.90	\$72.45	\$183.30
January 2003	\$105.75	\$20.25	\$86.85	\$212.85
February 2003	\$92.70	\$17.25	\$86.70	\$196.65
March 2003	\$96.30	\$22.35	\$80.40	\$199.05
April 2003	\$78.75	\$17.85	\$69.45	\$166.05
May 2003	\$67.50	\$10.95	\$59.25	\$137.70
June 2003	\$108.00	\$16.50	\$87.15	\$211.65
July 2003	\$107.20	\$15.84	\$95.68	\$218.72
August 2003	\$80.48	\$12.48	\$69.12	\$162.08
September 2003	\$74.40	\$12.64	\$56.64	\$143.68
October 2003	\$89.76	\$16.96	\$79.04	\$185.76
Totals	\$1084.74	\$199.82	\$927.93	\$2,212.49

SAVE Impact on Eligibility Determinations

For the period November 2002 through October 2003, data were extracted from MAXIS, Minnesota's automated eligibility system, and MMIS, Minnesota's medical payment system, on the number of non-citizens determined ineligible for cash, food or health care benefits. The immigration status verification field on MAXIS or MMIS was reviewed for the proper SAVE coding, S1 (SAVE primary) or S2 (SAVE secondary) for non-citizens who were determined ineligible. Workers use this field to record the type of immigration status verification provided. For persons submitted through SAVE, workers have been instructed to use the S1 or S2 codes in this field.

However, problems with worker entry of S1 and S2 codes continue to exist. Therefore, alien numbers, social security numbers, name and date of birth of non-citizens denied on MAXIS or MMIS were compared to a list, prepared by Lockheed Martin, of non-citizen data submitted to SAVE for this same time period.

For the period November 2002 through October 2003, there were 10,348 non-citizens determined ineligible for any reason for cash, food or health care programs. Of those, 122 were determined ineligible due to immigration status, had no other person or case-level test failures

for at least one month and, as part of the eligibility determination process were submitted through SAVE

The following chart shows totals by program for:

- the number of non-citizens determined ineligible for any reason
- the number of non-citizens determined ineligible for any reason who were submitted to SAVE
- the number of non-citizens determined ineligible solely to immigration status in at least one month who were submitted to SAVE.

People often apply for multiple programs. In the chart below, the same person may be counted under multiple program headings. The unduplicated totals factor out persons counted under multiple programs.

Ineligible Non-Citizens				
	Cash	Food	Health Care	Unduplicated Totals
Non-Citizens Determined Ineligible for Benefits for Any Reason	2603	2536	6652	10,348
Non-Citizens Determined Ineligible for Benefits for Any Reason and Submitted to SAVE	56	227	154	361
Non-Citizens Determined Ineligible Due to Immigration Status Only Who Were Submitted to SAVE	30	68	83	122

These numbers reflect Minnesota's policy on when to use SAVE. For the majority of cases, a worker will have sufficient information to determine ineligibility before submitting a person through SAVE. In these cases workers are instructed to deny the person or case as appropriate based on the verifications provided. No further action, including submitting names to SAVE, is necessary.

Workers are challenged with when to correctly use SAVE as part of the eligibility determination process. DHS staff did a random review of 40 percent of the 122 non-citizens determined ineligible due solely to immigration status who were submitted to SAVE to determine if use of SAVE was necessary. Of the 50 persons reviewed, workers could have made the determination of ineligibility based on documents provided by the client in 47 of the cases so use of SAVE was not necessary. The DHS will need to work with human service workers statewide to address this problem.

CONCLUSION

The SAVE Program assists in insuring that only eligible non-citizen persons receive benefits in Minnesota. SAVE is the final step in the eligibility determination process for programs listed in Minnesota Statute Section 256.01 that require a specific legal immigration status. As the numbers illustrate, ineligibility of non-citizens for benefits can often be determined based on verifications provided by the applicant and use of SAVE is not necessary. However, there are instances when a SAVE query will be part of the process of determining ineligibility and it will always be the final step in the eligibility determination process of non-citizens who appear to meet all eligibility requirements.