

**SENSITIVE - NOT TO BE SHARED WITH PUBLIC**

Outline

Actions ▾



**Effective Dates:** 07/12/2023 - Present ([View History](#))

## GN 00303.610 Verifying Immigration Documents

### A. Policy for verifying immigration documents

In initial claims or post-entitlement (PE) situations, Social Security Administration (SSA) employees must always carefully visually examine the evidentiary documents **(b) (7)(E)**

Then, for Title II, Title XVI, and Title XVIII claims, SSA employees must determine when to verify Department of Homeland Security (DHS) documentation.

An alien must submit acceptable documentation of their non-citizen status (e.g., as a qualified alien, etc.) for Title II, Title XVI, and Title XVIII claims. This section provides general procedures for verifying this documentation of alien status for claims and instructions for specific categories of aliens, such as refugees and Cuban/Haitian entrants. SSA employees must use the Systematic Alien Verification for Entitlements (SAVE) program to verify immigration documents. For claims purposes, access SAVE via the I-Main (Intranet Main Menu) website (see [MS 02902.001](#) ).

#### 1. Verifying immigration documents for Title II and Title XVIII

For Title II and Title XVIII claims follow instructions in this table.

If the claim is filed...	And...	Then...
December 1, 1996 or later,	The alien worker's Social Security Number (SSN) was first assigned <b>before</b> January 1, 2004,	<p>Follow instructions in <a href="#">GN 00303.610B</a> to verify immigration documents and immigration status.</p> <p>Follow instructions in <a href="#">RS 00204.020</a> to develop lawful presence status as required under the U.S. lawful presence payment provision.</p>
December 1, 1996 or later,	The Social Security Number (SSN) was first assigned <b>on or after</b> January 1, 2004	<p>Take these two steps:</p> <ol style="list-style-type: none"> <li>1. First, follow instructions in <a href="#">RS 00301.102D</a> to verify work authorization as required under Section 211 of the Social Security Protection Act (SSPA);</li> <li>2. Second, if the claimant is entitled to benefits, follow instructions in <a href="#">RS 00204.020C</a> to verify immigration status as required under the U.S lawful presence payment provision.</li> </ol>

## 2. Verifying immigration documents for Title XVI

Refer to [SI 00502.130](#) for documentary evidence requirements to establish qualified alien status. For general alien development rules, follow instructions in [SI 00502.110](#).

**a. When SSA employees must verify a DHS immigration document before adjudication**

Verify an immigration document or alien status **before adjudication** for Title XVI if an alien presents a current (unexpired) DHS document(s) that shows a potentially eligible status (see [SI 00502.100](#) ) and **one** of the following conditions exists:

- The document does not contain **all** data necessary to make an alien eligibility determination;
- The document is of questionable authenticity;
- There is reason to believe that alien status has changed;
- The document does not conform to the description in the appropriate evidence requirement section in [SI 00502.130](#) **(b) (7)(E)** or
- Cuban/Haitian Entrant status is material to eligibility. (Cuban/Haitian Entrant status is based on meeting special requirements as determined by DHS). If Cuban/Haitian Entrant status is not material to eligibility, you can use the document without verification.

For example, Cuban/Haitian Entrant status is not material if a national of Cuba or Haiti has documentation that they became lawfully admitted for permanent residence (LAPR) on 5/26/96 and are blind or disabled. In this case, the alien meets the qualified alien requirement based on LAPR status; therefore, it is not necessary to verify Cuban/Haitian Entrant status. They meet the exception condition requirement for blind/disabled aliens who were legally residing in the U.S. on 8/22/96 ([SI 00502.142](#) ). Lawfully residing in the U.S. on 8/22/96 is based on LAPR status obtained on 5/26/96.

**b. Verifying a DHS immigration document in Post-Entitlement (PE) situations**

Re-verify immigration documents in PE situations involving Title XVI as part of the re-determination (RZ) process per instructions in [SI 02305.082](#) .

**B. Procedure for verification of immigration documents**

Follow these instructions to verify an alien's immigration document for the purpose of verifying alien immigration status and establishing U.S. lawful presence. An alien's U.S. lawful presence is verified when:

- The alien submits an "acceptable" immigration document indicating the alien's immigration status (see [RS 00204.025](#) for evidentiary documentation requirements for each category of U.S. lawful presence); **AND**
- The response received from SAVE confirms the immigration document the alien submitted (see [GN 00303.630](#)  for information about requesting and interpreting the SAVE response).

**NOTE:** "Acceptable" document means that it is the right form as indicative of a particular immigration status (e.g., an I-551 for LAPRs) and it is a document that meets SSA's standard for reliability and probative value (see [GN 00301.015](#) ).

**IMPORTANT:** In some cases, a LAPR may have become a naturalized U.S. citizen but the SAVE query response does not confirm this (e.g., still provides the message "Lawful Permanent Resident -- Employment Authorized"). In this case, request that the individual provide the Certificate of Naturalization (DHS Form N-550/N-570) or other acceptable evidence of U.S. citizenship (see [GN 00303.300](#)). Verify the evidence of U.S. citizenship submitted by the claimant with DHS via SAVE only when the Certificate of Naturalization or other evidence of U.S. citizenship does not look authentic upon visual examination.

**REMINDER:** To prevent inconsistent data between the Numident and claims record, when a change in citizenship, lawful presence or work authorization is discovered during the claims process, technicians should update the Numident data with the current information.

**CAUTION:** Never ask a claimant/beneficiary to mail their immigration document to SSA. Under the law, noncitizens 18 years of age or older in the U.S. must have immigration documentation in their possession at all times. If they do not, they are subject to fine and/or imprisonment.

## 1. Request the original immigration document

The claimant must submit an original document. Photocopies are unacceptable. A letter or statement **certified** by the issuing agency is acceptable ONLY when it contains information that would allow the technician to query SAVE (i.e., an "A" number). The document must be currently valid except as indicated in [GN 00303.610B.1.b.](#)  The

document must also be one that SSA accepts as evidence of U.S. lawful presence as indicated in [RS 00204.025](#). If the claimant submits an unacceptable document, ask them to submit an acceptable document or refer the alien to United States Citizenship and Immigration Services (USCIS). Review the exceptions in this subsection.

**NOTE:** Beginning April 2013, foreign travelers arriving via air or sea no longer need to complete the paper I-94 form. Instead, these travelers may print their arrival and departure record from DHS [U.S. Customs and Border Protection's \(CBP\) website](#). Do not print the I-94 for the alien. Also, we cannot accept the I-94 printout on a smartphone or any other electronic device. Whenever an alien presents an I-94 printout, you must use the I-94 number to verify immigration status. If an alien has a valid foreign passport, DHS will insert an admission stamp inside the passport. This stamp is sufficient evidence of lawful presence. For refugees entering the U.S., DHS will place a refugee admission stamp on their transportation boarding letter, which the Department of State issues.

**a. Receipt for an application form filed for an immigration benefit or document**

A receipt for an application form filed for an immigration benefit or document is not acceptable evidence of immigration status or U.S. lawful presence.

**EXCEPTION:** Follow instructions in [RS 00204.025B.4.g.](#) for an alien who is the spouse or child of a United States citizen whose visa petition has been approved and the alien has a pending application for adjustment of status. In these situations a Form I-197, Notice of Action, may have been issued by DHS and is acceptable to use in determining whether the applicant is lawfully present in the U.S.

**b. Copy of immigration document submitted**

A **copy** of a DHS document (rather than an original) is not acceptable evidence of U.S. lawful presence.

**EXCEPTION:** Follow instructions in [RS 00204.025B.1.b.](#) if the claimant is an asylee and submits an order from the Immigration Judge or the Board of Immigration Appeals (BIA) that is not an original copy.

**c. Expired or invalid immigration document submitted**

An expired or invalid immigration document (i.e., a document that is no longer in use such as the I-151) is not acceptable evidence of U.S. lawful presence. See [RS 00204.040C](#) for field office and Workload Support Unit (WSU) instructions for documenting U.S. lawful presence needing re verification.

#### **EXCEPTIONS:**

- An expired document is acceptable if the claimant, who is now a U.S. citizen, needs to establish status as a lawfully present alien at some point in the past during the retroactive life of a Title II application. In addition, a claimant who is still an alien, could have multiple periods of status as a lawfully present alien where a new period begins where another leaves off. This is especially true of parolees and some Cuban/Haitian Entrants. Each I-94 could have an expiration date, but taken all together, they establish a continuous period of lawful presence. See the instructions in [GN 00303.610B.4.c.](#) to verify immigration status for a prior period.
- An expired I-94 (Arrival/Departure Record) or Employment Authorization Document (EAD) issued to an alien alleging Temporary Protection Status (TPS) may be accepted if alien status is verified by the DHS per instructions in [RS 00204.025B.4.b.](#).
- An expired I-94 (Arrival/Departure Record) or Employment Authorization Document (EAD) issued to an alien alleging status under Deferred Enforced Departure (DED) may be accepted if alien status is verified by the DHS per instructions in [RS 00204.025B.4.e.](#).

#### **d. Form I-151 submitted as evidence of LAPR status**

Form I-151 (Alien Registration Card) is no longer a valid immigration document. DHS last issued this document in 1977. Because the I-151 lacks security features, it presents more opportunities for fraud than other documents. From 1992 through 1996, the former Immigration and Naturalization Service conducted a "Green Card Replacement" project to replace these cards with the current I-551 (Permanent Resident Card). Although the I-151 is no longer a valid immigration document, the person may still be in LAPR status.

When a claimant presents an I-151 and has been unable to replace it with an I-551, request USCIS to verify the claimant's immigration **status** (as opposed to verifying the I-151 card).

In these situations:

- Verify the applicant's **status** with USCIS by querying SAVE and requesting an Additional Verification in accordance with [GN 00303.630D](#)  through [GN 00303.630F](#). 
- In the comments field, ask USCIS to verify the claimant's immigration status because they have been unable to replace their I-151 card with the currently valid Form I-551, Permanent Resident Card. All LAPR records are maintained in USCIS databases or in their Records Division.
- If the SAVE query provides the necessary information, (verifies LAPR status, etc.) process accordingly.
- If the SAVE query **does not** provide the necessary information, such as when the I-151 is old and the record has dropped off the SAVE database, it may require a Third-Level verification request via SAVE (see [GN 00303.640](#)  ).

**NOTE:** If the SAVE case has made its way through the complete verification process (Third-Level verification) and status is not confirmed, provide the claimant with the [USCIS Contact Center website](#) for the current phone number and/or USCIS field office location.

#### e. I 94 printout

Beginning April 2013, foreign travelers arriving via air or sea no longer issued the paper I-94 (Arrival/Departure Record). Instead, Customs and Border Protection (CBP) will place an admission stamp in an unexpired foreign passport and provide these travelers with an I-94 Automation tear sheet that instructs these travelers to print their arrival and departure record from the [CBP website](#). Whenever an alien presents an I-94 printout, it is an acceptable immigration document.

**NOTE:** Do not print the I-94 for the alien. Also, we cannot accept the I-94 printout on a smart-phone or any other electronic device.

## 2. Visually examine the immigration document

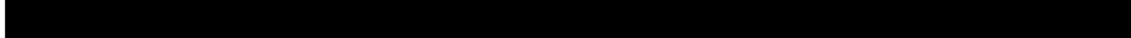
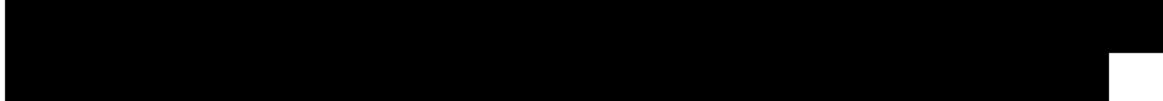
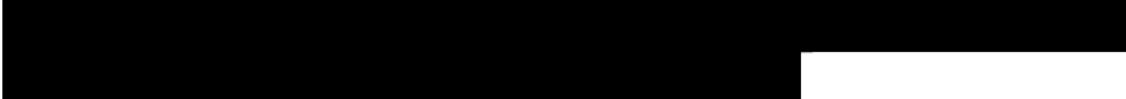
(b) (7)(E)

[REDACTED]. See the instructions in [RM 10210.205](#) when reviewing the DHS document.

**3. Detect a fraudulent/suspect DHS document**

(b) (7)(E)



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**4. Query the SAVE program**

Use the SAVE program to verify DHS immigration documents for benefit payment. See [MS 02902.001](#) for guidance on accessing the SAVE program for claims purposes. See the instructions in [GN 00303.630](#) for requesting and interpreting the SAVE query response.

**a. When to query SAVE**

Verify the information on the immigration document via the SAVE program if it meets all of the following:

- The document is unexpired (or if the document is expired, an exception in [GN 00303.610B.1.b.](#) exists that allows SSA to accept the document). See instructions in [GN 00303.610C](#) to verify immigration status for a prior period.
- The document appears authentic (see [GN 00303.610B.2.](#)), and
- The document contains an ARN or admission number.

**NOTE:** See [GN 00303.610B.4.b.](#) if the alien has been in the U.S. for less than 10 days.

**IMPORTANT:** Do not terminate development or suspend benefits until the SAVE query verification request makes its way through the complete verification process (see [GN 00303.630](#) and [GN 00303.640](#)).

**b. When the claimant has been in the U.S. for less than 10 days**

If the alien has been in the U.S. for less than 10 days, hold the claim until the claimant has been in the U.S. for 10 days and then query SAVE. After 10 days, submit an Initial Verification request via SAVE. If the Initial Verification response does not confirm the claimant's immigration document and immigration status, make an Additional Verification request following [GN 00303.630D](#) through [GN 00303.630F](#).

**NOTE:** For enumeration purposes, when the alien has been in the U.S. for less than 10 days follow instructions in [RM 10213.305](#).

**c. When verifying a document for a prior period**

Use SAVE to verify immigration documents for a prior period of immigration status and lawful presence. Submit an Initial Verification and select an "Additional Request"

to request the immigration status details for the prior period (see [GN 00303.620B.4.](#)  ).

The need to verify immigration status for a prior period may arise when:

- you are verifying immigration status for an alien who alleges status in a category indicated in [RS 00204.025](#);
- the DHS document submitted only indicates current immigration status; or
- there are prior months of benefit entitlement for which we must establish lawful presence based on the current benefit application.

**d. When verifying the immigration status of foreign students (F-1 and M-1) and exchange visitors (J-1) non-immigrants**

When a non-immigrant (see [RS 00204.025B.1.](#)) submits DHS-issued documentation showing F-1, J-1, or M-1 alien classification, verify the immigration document via SAVE by submitting an Initial Verification request (see [GN 00303.630](#)  ).

**IMPORTANT:** When verifying F1, J1, or M1 immigration status for enumeration purposes, follow instructions in [RM 10211.340](#) and [RM 10211.280](#).

**NOTE:** You may also check with the school or sponsor before processing the claim and suspending benefits for failure to meet the requirements of the U.S. lawful presence provisions per instructions in [RM 10211.395](#).

**e. When verifying U.S. immigration stamps in a foreign passport**

SAVE cannot verify a document not issued by DHS (i.e., issued by another agency such as a passport or visa issued by either the U.S. Department of State or a foreign country).

DHS will verify:

- an admission stamp affixed to a page of a foreign passport by the inspecting officer at the port of entry;
- an admission stamp on a machine readable immigrant visa (MRIV) along with the information about the alien on the MRIV;
- a temporary I-551 stamp in a foreign passport; or

- a DHS issued document (such as an I-94) stapled in the foreign passport.

Verify this information by initiating an Initial Verification request following procedures in [GN 00303.630](#) .

**NOTE:** If a U.S. immigration stamp is placed in the foreign passport, the stamp and the foreign passport are considered separate documents for verification purposes. Similarly, if a U.S. immigration document is attached to a foreign passport, the U.S. immigration document and the foreign passport are also considered separate documents.

### C. Action steps for verifying an immigration document

Follow the steps in this section when a claimant for a benefit submits an immigration document or an immigration status re-verification in a PE situation is necessary.

STEP	ACTION	
1	<p>Does the claimant allege status as a refugee or asylee?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> and the claimant is filing for Title II, verify status via SAVE following procedures in <a href="#">GN 00303.630B</a>  (see also, <a href="#">RM 10211.185</a>  and <a href="#">RM 10211.205</a> 2</li></ul>	<p>Is the claimant a national of Cuba or Haiti and is status as a Cuban/Haitian Entrant material to SSI eligibility or payment of Title II benefits?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , and the claimant is filing for Title II and Title XVIII benefits, verify status via SAVE following procedures in <a href="#">GN 00303.630B</a>  ; in the SAVE request, select "Cuban/Haitian Immigration Details" as an Additional Request.</li> <li>• If <b>Yes</b> , and this status is material to Title XVI eligibility, verify status via SAVE following procedures in <a href="#">GN 00303.630B</a>  ; in the SAVE request, select "Cuban/Haitian Immigration Details" as an Additional Request.</li> </ul>

STEP	ACTION
	<ul style="list-style-type: none"> <li>• If <b>No</b> , go to <b>step 3</b> .</li> </ul>
3	<p>Is the immigration document presented one that is acceptable to SSA?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 4</b> .</li> <li>• If <b>No</b> , request an immigration document that is acceptable.</li> </ul> <p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• For <b>Title II</b> claims, refer to <a href="#">RS 00204.025</a> for documentary evidence requirements.</li> <li>• For <b>Title XVI only</b> claims, refer to <a href="#">SI 00502.130</a> for a list of acceptable documents for qualified alien status.</li> <li>• For <b>uninsured Title XVIII</b> claims, refer to verification for aliens who have LAPR status in <a href="#">RS 00204.025B.1</a> (also see <a href="#">HI 00801.047</a> for the requirements for entitlement to HI under the deemed insured provision).</li> </ul>
4	<p>Is the acceptable immigration document submitted an original?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 5</b> .</li> <li>• If <b>No</b> , ask for an original immigration document (see <a href="#">GN 00303.610B.1</a>). If the person cannot present an original immigration document and is filing a Title II or Title XVIII claim, follow instructions in <a href="#">RS 00204.040D</a> to process the claim and suspend benefits. If the person cannot present an original immigration document and is filing a Title XVI claim, follow instructions in <a href="#">SI 00502.110B.2.a</a>.</li> </ul> <p>In claim situations, explain to the claimant that SSA must suspend benefit payment (in Title II and Title XVIII situations) or suspend benefit eligibility (in Title XVI situations) without documents establishing a person's U.S. citizenship or alien status even when all factors of entitlement are met.</p> <p><b>EXCEPTION:</b> Follow <a href="#">RM 10211.205</a> if the claimant is an asylee and submits an order from the Immigration Judge that is not an original</p>

STEP	ACTION
	document.
5	<p>Is the acceptable immigration document current (not expired)?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> ( the document has not expired), go to <b>step 6</b> .</li> <li>• If <b>No</b> (the document is expired), ask for a current immigration document.</li> </ul> <p>If the claimant cannot provide an une pired document, and they are filing for Title II and Title XVIII, see exceptions in <a href="#">GN 00303.610B.1.c.</a> ↗</p> <ul style="list-style-type: none"> <li>– If the alien is applying for Title XVI benefits follow <a href="#">SI 00502.110B.2.</a> ↗ and <a href="#">SI 00502.130B.</a> ↗</li> </ul>
6	<p><b>(b) (7)(E)</b> [REDACTED]</p> <p>Does the document appear genuine?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 7</b> .</li> <li>• If <b>No</b> , use SAVE to immediately institute a Third-Level Verification and verify the immigration document and the person's immigration status being sure to scan and upload a legible copy of both sides of the document and tickle the claim for 15 federal workdays. When DHS provides the Third Level Verification response in SAVE follow <a href="#">GN 00303.640D.</a> ↗ If DHS does not respond within 15 federal workdays follow <a href="#">GN 00303.640C.1.</a> ↗</li> </ul>
7	<p>Does the immigration document show an ARN or an admission number?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b>, and the claimant is filing for Title II or Title XVIII, go to <b>step 8</b> .</li> <li>• If <b>Yes</b> , and the claimant is filing for Title XVI only, follow instructions in <a href="#">GN 00303.610A.2.b.</a> ↗ to determine if verifi ation is needed. If verification is needed, and the immigration document shows an A-</li> </ul>

STEP	ACTION
	<p>number or an admission number go to <b>step 8</b> . If verification is not needed, go to <b>step 9</b> .</p> <ul style="list-style-type: none"> <li>• If <b>No</b> , and the claimant is filing for Title II or Title XVIII or Title XVI and verification is required, request a Third-Level Verification via SAVE and tickle the claim for 15 federal workday. When DHS provides the Third-Level Verification response in SAVE follow <a href="#">GN 00303.640D</a>.  If DHS does not respond within 15 federal workdays follow <a href="#">GN 00303.640C.1</a>. </li> </ul>
8	<p>Query SAVE and review the Initial Verification Results (see <a href="#">GN 00303.630C</a>  ). Do the Initial Verification Results exactly match all the information on the immigration document presented <b>and</b> confirm the immigration status shown on the immigration document?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 9</b> .</li> <li>• If <b>No</b> , go to <b>step 10</b> if one or more of the following apply: <ul style="list-style-type: none"> <li>– The Initial Verification Results do not confirm the immigration status shown on the immigration document.</li> <li>– The Initial Verification Results System Response line shows the message "Institute Additional Verification."</li> <li>– The Initial Verification Results do not match all the information on the immigration document presented (following the guidelines in <a href="#">GN 00303.630C</a>  for interpreting the Initial Verification Results).</li> <li>– The Initial Verification Results indicate the claimant is a Cuban/Haitian Entrant or is a Cuban or Haitian national in LAPR status (see <a href="#">SI 00502.108</a>  for more information).</li> </ul> </li> </ul> <p><b>NOTE:</b> If the claimant submits an immigration document(s) that shows both an ARN and an admission number (I-94 number), query SAVE using the ARN. If immigration status is not confirmed based on the Initial Verification Results for the ARN,</p>

STEP	ACTION
	then complete and close the case in SAVE and re-query SAVE using the admission number.
9	Continue processing the claim for benefits or processing the PE action. <b>STOP .</b>
10	<p>Has the claimant been in the U.S. for 10 calendar days or more?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , submit Additional Verification in accordance with <a href="#">GN 00303.630E</a> and tickle the claim for 15 federal workdays.</li> <li>• If <b>No</b> , complete and close the case in SAVE. Tickle the claim for a date equivalent to the claimant being in the U.S. for 10 calendar days or more. Then go to <b>step 11</b> .</li> </ul> <p>When you receive Additional Verification results, go to <b>step 13</b> .</p> <p>Follow-up with DHS if the Additional Verification response is not received within 15 federal workdays (see <a href="#">GN 00303.630E</a> - Step 3 - Note).</p>
11	<p>Is the acceptable immigration document still current (not expired)?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 12</b>.</li> <li>• If <b>No</b> , do not continue processing the claim or PE action.</li> </ul> <p>If the claimant is filing for Title II, follow instructions in <a href="#">GN 00303.610B.1.c.</a></p> <ul style="list-style-type: none"> <li>– If the claimant is filing for Title XVIII, the document may have expired but the claimant may continue to have LAPR status. Go to <b>step 7</b> .</li> </ul> <p>If the claimant is filing for Title XVI only, follow instructions in <a href="#">SI 00502.110B.2.</a></p>
12	Resubmit an Initial Verification using SAVE. Review the Initial Verification Results (see <a href="#">GN 00303.630C</a> ). Do the Initial Verification results now confirm the immigration status shown on the immigration document

STEP	ACTION
	<p>submitted and does the information on the Initial Verification Results exactly match all the information on the immigration document presented?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , go to <b>step 13</b> .</li> <li>• If <b>No</b> , request Additional Verification in accordance with <a href="#">GN 00303.630E</a> and tickle the claim for 15 federal workdays.</li> </ul> <p>When SAVE returns the Additional Verification results, go to <b>step 13</b> .</p> <p>Follow-up with DHS if the Additional Verification response is not received within 15 federal workdays (see <a href="#">GN 00303.630E</a> Step 3 Note).</p> <p><b>NOTE:</b> For Title XVIII benefits, the immigration document must show LAPR status (see <a href="#">RS 00204.025B.1</a> for documentary evidence requirements), and the SAVE query response must verify LAPR status (see <a href="#">GN 00303.630C</a> for Initial Verification results for verification of LAPR status).</p>
13	<p>Do the verification results confirm the information and the immigration status shown on the immigration document presented?</p> <ul style="list-style-type: none"> <li>• If <b>Yes</b> , continue processing the claim or PE action. <b>STOP</b> .</li> <li>• If <b>No</b> , and DHS provides information about current immigration status or about the immigration document: <ul style="list-style-type: none"> <li>– If the claimant is filing for Title II or Title XVIII benefits, ask the claimant to apply for an acceptable immigration document from the U.S. Citizenship and Immigration Services (USCIS).</li> <li>– If the claimant is filing for Title XVI only, refer the alien to DHS to obtain acceptable documentation of status in accordance with <a href="#">SI 00502.130</a> and <a href="#">SI 00502.110B.2</a> <b>STOP</b>.</li> </ul> </li> <li>• If <b>No</b> , and DHS is unable to provide any information for the claimant or about the document (i.e., DHS cannot verify the document or cannot provide information that the document is authentic):</li> </ul>

STEP	ACTION
	<ul style="list-style-type: none"> <li>– If the claimant is filing for Title II or Title XVIII, process the claim and suspend benefits for no U.S. lawful presence established (LAF S9/RFST NOTLAW) per instructions in <a href="#">SM 03020.310</a> and <a href="#">MS 00705.011</a>.</li> <li>– If the claimant is filing for Title XVI only, deny the claim (N13). See <a href="#">SI 00502.110B</a> for instructions.</li> <li>• If <b>No</b>, and the DHS response appears questionable, contact the SAVE hotline using the number 1 877 469 2563 to request assistance.</li> <li>• If the DHS response is “Resubmit Doc (Need copy original)” <b>do not continue</b> processing the claim or PE action. Instead, follow <a href="#">GN 00303.640</a> to send a Third-Level Verification request via SAVE. When the Third-Level Verification response is returned follow <a href="#">GN 00303.640D</a> and review step 13 again.</li> </ul>

## D. Verifying unique classes of non-citizens

### 1. Asylee and refugee

An **asylee** is a person who has been granted asylum status under Section 208 of the Immigration and Nationality Act (INA) by either United States Citizenship and Immigration Services (USCIS), an Immigration Judge, the Board of Immigration Appeals (BIA), or a federal court.

A **refugee** is a person who has been granted refugee status under Section 207 of the INA and admitted into the United States by the Department of Homeland Security (DHS).

As set forth in Section 101(a)(42) of the INA, an applicant for refugee or asylum status is a person who is unable or unwilling to return to their country of nationality because of persecution or a well founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The spouse and unmarried children under the age of 21 of an asylee or refugee may derive asylum or refugee status through the principal asylee or refugee.

**a. Adjusting to lawful permanent residence and citizenship**

Asylees and refugees may adjust their status to lawful permanent resident (LAPR) one year after they have been granted asylum or admitted to the United States as refugees. They may become naturalized U.S. citizens if they have been in LAPR status for at least five years and meet all other requirements for naturalization.

**b. Immigration documents commonly used by asylees and refugees**

<b>Document Type (in descending order from most to least common)</b>	<b>Asylee</b>	<b>Refugee</b>
Form I-94 (Arrival/Departure Record)	X	X
Form I-766 (Employment Authorization Document) issued by USCIS	X	X
Form I-571 (Refugee Travel Document)	X	X
Form I-797 (Notice of Action) with a Form I-94 issued by USCIS showing approval of asylum status	X	
Asylum approval letter from a USCIS Asylum Officer	X	
A final order from an Immigration Judge granting asylum	X	
A decision from the Board of Immigration Appeals (BIA) granting asylum	X	
A decision from a U.S. federal court granting asylum	X	

**2. Cuban/Haitian Entrants (CHE)**

According to Section 501(e) of the Refugee Education Assistance Act of 1980 (REAA), Pub. L. No. 96-422, as amended, a Cuban/Haitian Entrant is: (1) any individual granted

parole status by DHS as a Cuban/Haitian Entrant or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti; and (2) any other Cuban or Haitian national who is not subject to a final, non-appealable and legally enforceable removal order, provided they are also in removal proceedings under the Immigration and Nationality Act or have an application for asylum pending with USCIS.

Many Cuban/Haitian Entrants will have an additional immigration status or designation, such as lawful permanent resident or parolee. Thus, an individual may simultaneously have an immigration status and a Cuban/Haitian designation. However, it is also possible for a Cuban/Haitian Entrant not to have any immigration status. It is also possible for certain Cuban/Haitian entrants to retain legal immigration status even after they are subject to a final, non-appealable order of removal.

Verify the individual's immigration document via the SAVE program. To the extent a Cuban or Haitian national has an immigration status or designation in addition to Cuban/Haitian Entrant, like "parolee," the SAVE response will provide the person's immigration status or designation, but it will not automatically provide the person's Cuban/Haitian Entrant designation.

If you need to determine whether an applicant qualifies as a CHE, you must specifically request for SAVE to provide that information by utilizing the Additional Request feature in SAVE and request "Cuban/Haitian Immigration Details" (see [GN 00303.620B.4.](#)).

#### **a. Title II eligibility for individuals with CHE status**

Follow the instructions in [RS 00204.025B.1.g.](#) to determine the evidence required to initially establish lawful presence status for a national of Cuba or Haiti as a CHE for paying Title II benefits. If a national of Cuba or Haiti does not meet the requirements for CHE status, then they may meet another lawful presence category in [RS 00204.025B](#). For Title XVI purposes see [SI 00502.108](#)  for eligibility and [SI 00502.130](#)  for documentary evidence requirements to establish qualified alien status as a CHE.

**NOTE:** In accordance with section 501(e) of the Refugee Education Assistance Act (REAA) of 1980, a category 1 (Subcategory A or B) CHE retains that status regardless of any subsequent changes in immigration status, therefore, there is no

need to re-verify a category 1 CHE after initial verification. Category 2 CHE should be re-verified according to instructions in [RS 00204.025B.1.g..](#)

**b. Title II benefits for a CHE who is ordered removed from the U.S.**

Section 401(b)(2) of the Personal Responsibility Work Opportunity Reconciliation Act of 1996 allows aliens who are lawfully present in the U.S. to receive benefits under Title II of the Social Security Act. The Department of Homeland Security (DHS) determines an alien's lawful presence status, which SSA uses to determine if an alien can be paid Title II benefits. CHE is one of the categories of lawfully present aliens and DHS, in accordance with the applicable laws, may permit them to remain in the U.S. for humanitarian or other public policy reasons without enforcing removal.

There are instances where an alien issued an Order of Removal that is final, non appealable, and legally enforceable may remain in the U.S. if DHS does not enforce the order through actual physical removal. Although an alien issued such an order remains in the U.S., they continue to be **removable** (i.e., subject to removal but not yet removed). Therefore, DHS places the alien on an Order of Supervision and may or may not authorize them to work while remaining in the U.S.

**i. Payment of title II benefits for a CHE when DHS enforces the Order of Removal**

Follow the instructions in [RS 02635.001](#) to determine when to suspend benefits for a CHE that has been **removed** from the U.S. These instructions only apply once the NH has been physically removed from the U.S. unless the final order of deportation is for grounds of participating in Nazi persecution or committing crimes of genocide, [RS 02635.040](#).

**ii. Payment of title II benefits for a CHE issued an Order of Supervision after the issuance of an Order of Removal that is final, non-appealable and legally enforceable**

A CHE may be considered lawfully present and Title II benefits may be payable if the CHE is placed on an Order of Removal that is final, non-appealable, and legally enforceable, that DHS has not enforced and consequently has placed the individual on an Order of Supervision. Use the chart in this section and the examples that follow to determine if the CHE is considered lawfully present for Title II benefits.

**REMINDER:** Technicians must verify any immigration documents with DHS via SAVE.

<b>IF the CHE was a category....</b>	<b>And has...</b>	<b>Then the alien is considered...</b>	<b>Verify initial lawful presence status via SAVE then re-verify...</b>
1A or 1B	a valid Employment Authorization Document (EAD) – Form I-766	lawfully present and <b>payable</b> .	Category 1 CHE retains that status regardless of any subsequent changes in immigration status. No need to re-verify after initial verification.
1A or 1B	no EAD	lawfully present and <b>payable</b> .	Category 1 CHE retains that status regardless of any subsequent changes in immigration status. No need to re-verify after initial verification.
2A, 2B, or 2C  (see NOTE in this section)	a valid EAD	lawfully present and <b>payable</b> .	Re-verify continuing lawful presence at the end of the period of authorized stay, if known, or within 1 year of the date of adjudication.
2A, 2B, or 2C  (see NOTE in this section)	no EAD (or expired EAD)	<b>NOT</b> lawfully present and <b>NOT</b> payable.	N/A

- **Example 1.** DHS issues Samuel, a CHE, category 1 alien, an order of removal that is final, non-appealable and legally enforceable and is placed on an order of supervision. The issuance of the final, non appealable and legally enforceable order of removal with an order of supervision has no impact on

Samuel's title II eligibility status because they are a CHE, category 1 alien. Per section 501(e) of the Refugee Education Assistance Act of 1980, CHE, category 1 alien retains that status regardless of any subsequent changes in immigration status. SSA considers Samuel lawfully present for Title II benefits regardless of whether or not they have a valid EAD.

- **Example 2.** DHS issues Tamara, a CHE, category 2 alien, an order of removal that is final, non-appealable and legally enforceable and is placed on an order of supervision. The issuance of the final, non-appealable and legally enforceable order of removal with the order of supervision potentially affects Tamara's Title II eligibility. Tamara is no longer a category 2 CHE effective with the date the order first became final, non-appealable, and legally enforceable because DHS issued the order of removal. The SAVE verification should come back as "no immigration status" for this alien. Although this alien has no immigration status, DHS issued them an EAD that is still currently valid, and, as a result, SSA considers Tamara lawfully present. Tamara is eligible for Title II benefits.
- **Example 3.** DHS issues Daniel, a CHE, category 2 alien, an order of removal that is final, non-appealable and legally enforceable and is placed on an order of supervision. The issuance of the final, non appealable and legally enforceable order of removal with the order of supervision potentially affects Daniel's Title II eligibility. Daniel is no longer a category 2 CHE effective with the date the order first became final, non appealable, and legally enforceable because DHS issued the order of removal. The SAVE verification should come back as "no immigration status" for this alien. Although this alien has no immigration status and is on an order of supervision, DHS has **NOT** issued them an EAD, and, as a result, SSA considers Daniel not lawfully present. Daniel is not eligible for Title II benefits.

**NOTE:** In accordance with section 501(e) of the Refugee Education Assistance Act (REAA) of 1980, there is no effect on status as a Category 1 (Subcategory A or B) CHE if a citizen or national of Cuba or Haiti is subject to a final, non-appealable and legally enforceable order of removal. However, a citizen or national of Cuba or Haiti with Category 2 (Subcategory A, B, or C) CHE status with a final, non-appealable and legally enforceable order of removal is no longer considered CHE effective with the date the order first became final, non-appealable, and legally enforceable.

**c. Immigration documents commonly used by Cuban/Haitian Entrants**

Status	Common Documents
Parole or other special status	<ul style="list-style-type: none"> <li>• A Form I-94 (Arrival/Departure Record) with a stamp noting Cuban/Haitian Entrant or parole under 212(d)(5). Some Cuban/Haitian Entrants may also have a Cuban or Haitian passport with a stamp noting "parole under 212(d)(5)."</li> <li>• An Employment Authorization Card (I-766)(EAD) with a category code of "C11." The C11 code indicates that the individual was admitted into the United States as a parolee.</li> <li>• Certain other EADs or documents possessed by Cubans or Haitians containing coding indicating that they have obtained other immigration statuses, such as asylee, student, Temporary Protected Status (TPS), among others. The individual <i>may</i> initially have been a parolee (or in some cases may have since been paroled into the U.S.).</li> </ul> <p><b>NOTE:</b> <i>Since such a parolee would remain a Cuban/Haitian Entrant, regardless of any other status they may have at the time of requesting benefits, it is important to determine whether they are such an Entrant if the applicant presents relevant documentation or asserts eligibility as a Cuban/Haitian Entrant.</i></p> <ul style="list-style-type: none"> <li>• A Permanent Resident Card (I-551) with a category code of CU6, CH6 or HB6. <ul style="list-style-type: none"> <li>– "CU6" code refers to Cubans who were allowed to adjust status to Lawful Permanent Residents under the Cuban Adjustment Act of 1966.</li> <li>– "CH6" code refers to Cuban/Haitian Entrants who were allowed to adjust status to Lawful Permanent</li> </ul> </li> </ul>

Status	Common Documents
	<p>Residents under the Immigration Reform and Control Act of 1986.</p> <p>"HB6" code refers to Haitian parolees who adjusted to Lawful Permanent Resident status under the Haitian Refugee Immigration Fairness Act.</p>
Pending Asylum Application	<ul style="list-style-type: none"> <li>• An Employment Authorization Card (I-766) with a category code of "C08." The "C08" code indicates that the person was issued an I-766 based on a pending application for asylum.</li> <li>• A USCIS Form I-797C confirming USCIS's receipt of the individual's Form I-589 (Application for Asylum and Withholding of Removal).</li> </ul>
Individual in Removal Proceedings	<ul style="list-style-type: none"> <li>• Documentation issued by the Department of Homeland Security or the Department of Justice's Executive Office of Immigration Review (EOIR) showing that the individual is in removal proceedings. This includes Notice to Appear (DHS Form I-862) and Order of Supervision (DHS I-220B).</li> </ul>

### 3. Temporary protected status (TPS)

DHS may designate a foreign country for TPS under Section 244 of the Immigration and Nationality Act (INA) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, when the country is unable to adequately handle the return of its nationals. These temporary conditions include, but are not limited to, ongoing armed conflict or an environmental disaster, such as earthquake or hurricane.

DHS may also grant TPS to eligible nationals of designated countries (or parts of countries) who are already in the U.S. The initial TPS designation usually lasts for a period of 6 to 18 months.

During a designated period, individuals that have been granted TPS status are not removable from the United States and can obtain an employment authorization document (EAD) (see [RM 10211.420](#) for more information). TPS is a temporary designation that does not lead to lawful permanent resident status or give any other immigration status. However, individuals from TPS-designated countries may apply for other immigration benefits or protection for which they may be eligible.

**a. Title II eligibility for individuals with TPS**

Consider an individual with a current grant of TPS lawfully present in the U.S. for Title II purposes. However, TPS status, on its own, does not mean an individual is a qualified alien for Title XVI purposes (see [RS 00204.025B.4.b.](#) and SI 00502.100 for more information).

**b. Extension of TPS designation and verification**

DHS may extend the TPS designation beyond the initial expiration date for a country if the conditions resulting in the initial designation continue to be met. While extension periods vary, they are usually issued for 6, 12, or 18 months. The [USCIS TPS website](#) will list TPS designated countries as well as TPS countries that have been granted an automatic EAD extension (see [RM 10211.420D](#) for more information). Verification of a claimant's immigration status who has been granted an automatic extension should be completed by requesting an Additional Verification via SAVE.

**c. Immigration documents commonly used by individuals granted TPS**

**• Form I-766 (Employment Authorization Document (EAD))**

TPS applicants and beneficiaries can obtain a USCIS-issued EAD. The EAD will contain an "A-12" or "C-19" notation in the category section. The A-12 code indicates that the individual was granted TPS. The C-19 code indicates that the individual was issued the EAD based on a pending TPS application. The EAD will also include an expiration date, which usually coincides with the date that the country's TPS designation expires.

**• Form I-797 (Notice of Action) with Form I-94 (Arrival/Departure Record) showing TPS status**

USCIS may also issue a Form I-797A with an attached I-94 to some TPS recipients. This document is usually only issued to first-time TPS recipients. Re-registering beneficiaries who do not request an EAD will also be issued Form I-797A with an attached I-94 if their re-registration application is approved. The I-797A will contain information about the individual's approved TPS application, and the I-94 found at the bottom of the I-797 may be verified through SAVE System in the same manner as any other I-94. Applicants for TPS may have a Form I-797C, which is a receipt notice indicating that an applicant has submitted an application for TPS (Form I-821) or an application for employment authorization (I-765). Form I-797C can be verified through SAVE as an "Other" document if it contains an I-94 or Alien Number.

- **Final order from the Department of Justice Executive Office of Immigration Review (EOIR) granting TPS**
- A final order from EOIR may also show that an individual has been granted TPS. If you encounter such a document, check to see if an alien number or I-94 number is on the document. If there is an alien number or I-94 number, then complete a verification request via SAVE using the "Other" document type. If both an alien number and an I-94 number are presented, attempt to verify using the alien number before attempting to verify status using the I-94 number.
- **Form I-512 (Authorization for Parole of an Alien into the United States)**

TPS beneficiaries allowed to travel outside the United States and re-enter legally may also have a Form I-512. The Form I-512 will contain an alien number and should be verified via SAVE using the "Other" document type. It is typically valid for one year from the date of issuance or until the end of the TPS designation, whichever period is shorter.

#### **4. Deferred action for childhood arrivals (DACA)**

DHS/USCIS defers removal action on certain individuals who entered the U.S. as children without a lawful presence status. Such individuals may request consideration for DACA, which is one of several forms of deferred action. For more information on the guidelines for DACA consideration, visit the [USCIS website](#).

If USCIS approves the DACA request and grants work authorization, they will issue the individual an Employment Authorization Document (EAD) (i.e., I-766 Card) with a category designation of "C33." An individual who has received deferred action is authorized by DHS to be present in the U.S., and is therefore considered by DHS to be lawfully present during the period deferred action is in effect. However, deferred action does not grant lawful immigration status upon an individual, nor does it excuse any previous or subsequent periods of unlawful presence.

**a. Title II eligibility for individuals with DACA**

Consider an individual with a current (i.e., unexpired) grant of DACA lawfully present in the U.S. for Title II purposes. However, a DACA-approved individual is not a qualified alien for Title XVI purposes (see [SI 00502.100A.7](#) for more information).

**b. Verifying DACA authorizations**

Use SAVE to verify the existence of unexpired authorization of DACA approved individuals as follows:

1. (b) (7)(E)  
[REDACTED]
2. If the I-766 does not appear genuine, then initiate an "Additional Request" within SAVE for immigration status. This does not always require the submission of an immigration document with the request. Technicians should follow the guidance prompts within SAVE when requesting an "Additional Request" during any of the steps of the case verification process.
3. If the I-766 appears genuine, initiate a SAVE Initial Verification request. On the SAVE screen, select Form I-766 (Employment Authorization Card) as the document type.
4. Enter the applicant's information as shown on the I-766 Card. Either response of "DACA – Employment Authorized" or "Temporary Employment Authorized" demonstrates that the individual has valid DACA authorization and is lawfully present in the U.S. for Title II purposes.

5. If SAVE does not return one of the above responses, then request an "Additional Verification" (AV) request following the instructions in [GN 00303.630E](#).
6. After verifying DACA authorization, the FO technician who used SAVE and updated the Lawful Presence (CLLP) screen must update Shared Processes and fax the submitted document into the Electronic Folder/NDRED.

**c. Coding of claims with DACA involvement**

Individuals authorized to be in the U.S. under DACA are not lawfully admitted permanent residents (LAPR) and their status requires re verification upon the expiration of the documentation allowing lawful presence in the U.S. (b) (7)(E)



## Section History

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