

5101:1-1-50

**Written declaration of citizenship/alien status and the use of the systematic alien verification for entitlements system.**

Each individual who is not a citizen or national of the United States (U.S.) is required to provide a written declaration of alien status and provide documentation to support their alien status. The county department of job and family services (CDJFS) is required to confirm the authenticity of the documentation provided by the individual through the automated systematic alien verification for entitlements (SAVE) system.

(A) What is the written declaration of citizenship/alien status?

(1) Each individual applying for Ohio works first (OWF), prevention, retention and contingency (PRC) or refugee cash assistance (RCA) must provide a declaration in writing under penalty of perjury of the following:

(a) Whether or not the individual is a citizen or national of the U.S. or an alien in a satisfactory immigration status; and

(b) The status of all dependent children for whom assistance is requested.

(2) The written declaration of citizenship/alien status shall be considered met for all members of the assistance group when the adult, minor heads of household or authorized representative signs and dates the JFS 07200 "Request for Cash, Food Stamp and Medical Assistance" (rev. 10/2006) or the client registry information system-enhanced (CRIS-E) generated printed copy of information (PCI).

(3) Declarations on behalf of newborn children must be provided no later than the next scheduled reapplication. The declaration requirement is met by the assistance group member's signature on the PCI signed at the face-to-face reapplication interview or the JFS 07204 "Request To Reapply for Cash and Food Assistance" (1/2009) signed for a telephone interview.

(4) Any assistance group member who is not a U.S. citizen or national must provide documentation from the U.S. citizenship and immigration services (USCIS) of their current alien status.

(B) What documents must be provided by an individual who is not a citizen or national of the U.S.?

(1) The following original documents are considered acceptable verification of alien status:

(a) Alien registration card;

(i) Alien registration cards normally have an alien registration number (A-number) referencing the individual's file at USCIS.

(ii) The A-number contains seven, eight or nine numerical digits preceded by the letter "A."

(iii) The A-number is unique to individuals.

(b) Marriage records or court orders indicating identity, immigration status or U.S. residence of the individual. These documents are not considered adequate proof of current immigration status, but may be used to verify alien status through the secondary verification process as set forth in paragraph (C)(1)(b) of this rule.

(2) If an individual claims to have lost the original documents or the documents expire, the CDJFS shall refer the individual to the local USCIS office to request new documents.

(3) Required documentation must be provided at application or when the alien status changes.

(C) How does the CDJFS verify the authenticity of the documents provided?

(1) There are two methods of verifying the documents provided as set forth in paragraph (B) of this rule:

(a) Initial or primary verification is used to provide alien status verification within seconds of inquiry. This verification is used for most applicants.

(b) Additional or secondary verification provides a more extensive validation if problems appear in the verification of alien status. Secondary verification is required in any of the following situations:

(i) The document appears counterfeit or altered.

(ii) The individual presents unfamiliar USCIS documentation, or a document indicating immigration status, but does not contain an A-number.

(iii) A document containing an A-number in the "A60 000 000" series.

(iv) A document containing an A-number in the "A80 000 000" series.

(v) When an individual has no immigration documentation and is hospitalized, medically disabled or can otherwise show good cause for the inability to present documentation, and securing such documentation constitutes an undue hardship.

(vi) When an individual presents a foreign passport and/or form I-94

"Arrival-Departure Record" (4/00) and the "Admission for Permanent Residence" endorsement is more than one year old.

(vii) When an automated check through the SAVE system returns with a response "institute additional verification" or when there is a material discrepancy between an individual's documentation and the record contained in the SAVE system.

(viii) When an individual claims lawful permanent (or conditional) resident status because they are a battered alien, a parent of a battered child(ren) or a victim of domestic violence.

(D) What is the SAVE system?

(1) The SAVE system is an information-sharing initiative allowing authorized staff to validate a noncitizen's immigration status by accessing USCIS data. The USCIS protects the individual's privacy in accordance with the Immigration and Nationality Act (INA) of 1952 and other applicable statutes. No consent for release of information is required to use SAVE.

(2) The CDJFS shall compare the information provided through the SAVE system with the documents provided by the individual. If the documentation matches in SAVE, the process is complete.

(3) SAVE does not determine eligibility for health care programs or provide information unrelated to an individual's immigration status. It does not replace the requirement for noncitizens to provide verification of their immigration status as set forth in paragraph (B) of this rule.

(E) How does the SAVE verification affect eligibility?

(1) No eligibility determination is delayed, denied, reduced or terminated solely because of pending SAVE verification.

(2) If an individual appears eligible with available USCIS documentation and all other program eligibility criteria are met, the CDJFS shall issue benefits to the assistance group while awaiting a response from USCIS.

(3) If a discrepancy exists after receipt of information from the SAVE system, the CDJFS shall send prior notice of adverse action to the assistance group in accordance with the provisions set forth in rule 5101:6-2-04 of the Administrative Code.

(4) The provisions set forth in rules 5101:1-23-70 and 5101:1-5-50 of the Administrative Code are applicable when payments have been erroneously issued.

(F) What is the process to request verification manually?

- (1) In some instances, verification through a manual process may be required if the SAVE system is unable to provide determinations of alien status in a timely manner.
- (2) The manual verification process is required when the automated check or initial inspection of an individual's documentation, or information provided from such documentation, reveals material discrepancies.
- (3) Material discrepancies are defined as obvious irregularities in name, date of birth or country of birth. A slight difference in the spelling of a name is not normally a material difference.
- (4) To conduct a manual verification the CDJFS shall mail the following documents to USCIS:
  - (a) The "Document Verification Request" (G-845) and/or the "Document Verification Request Supplement" (G-845S).
    - (i) The G-845 is used to verify the status of an alien for official purposes of a government agency not participating in the SAVE program.
    - (ii) The G-845S is submitted in conjunction with the G-845 to request verification and cannot be used alone.
  - (b) A copy of the individual's original immigration documentation.

Replaces: 5101:1-1-50

Effective:

R.C. 119.032 review dates:

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5107.05  
Rule Amplifies: 5107.05  
Prior Effective Dates: 6/1/93, 10/1/95, 7/1/98, 3/1/02, 4/1/04