



June 28, 2017

United States Department of Homeland Security
United States Citizenship and Immigration Services (USCIS)
Office of Policy and Strategy
Chief Samantha Deshommes, Regulatory Coordination Division
20 Massachusetts Avenue, NW
Washington, DC 20529-2140

RE: Independent Evaluation of the Systematic Alien Verification for Entitlements (SAVE) Program
OMB Control Number: 1615 - NEW
Docket ID: USCIS-2016-0007

The American Association of Motor Vehicle Administrators (AAMVA) appreciates the opportunity to provide comments on the United States Citizenship and Immigration Services (USCIS) intent to conduct an independent evaluation of the Systematic Alien Verification for Entitlements (SAVE) Program. The SAVE program represents an essential component in verification of legal presence for purposes of issuing a driver's license in conformity with federal law (P.L. 109-13). State driver licensing agencies rely on SAVE system functionality to conduct millions of transactions per year. Because the majority of driver licensing transactions rely on SAVE, system downtimes and system failures cause state driver's licensing agencies to exorbitantly seize operations during outages or system inavailability. Further, front-line service personnel are confronted with denying services to United States citizens and non-citizens alike pending legal status verification. In short, the shortcomings of the system reflect poorly on our own state members that rely on this essential service for conducting our own transactions consistent with DHS directives.

With regards to an independent evaluation of the SAVE system, AAMVA supports the proposed collection of information as necessary for the proper performance of the functions of this agency. As you are aware, the SAVE system serves as the sole federal verification system that allows state benefit-granting agencies to verify an individual's immigration status, and therefore eligibility, for benefits. The federal Real ID Act (P.L. 109-13) mandates state conformance with federally-prescribed minimum document requirements and issuance standards for driver's licenses and personal identification cards. In order for a state to issue a DHS-certified, Real-ID compliant driver's license or identification card that can be utilized for federal official purposes such as accessing federal facilities and boarding federally-regulated commercial aircraft, states must comply with statutorily-required verification of legal status *prior* to the issuance of a driver's license (P.L. 109-13; Section 202(c)(3)). This means that states must verify the documentary information provided by driver's license and identification card applicants during the application process, in real-time, with the applicant present before them. DHS has made it clear through Real ID final rule language (page 5299 of FR Doc No: 08-140) that "the determination for lawful status in the United States will be made by the SAVE system, not particular documents." This necessitates State-SAVE interaction for each driver's license or ID card transaction and directly impacts a majority of the public. State agencies rely on the SAVE system as mission-critical towards compliance with a DHS-sponsored national security system. AAMVA therefore concludes that an independent evaluation of the SAVE system should serve as a top priority of DHS.

Further, AAMVA provides the following points that may enhance the quality, utility, and clarity of the information to be collected through the evaluation of SAVE:

- The VIS and related DHS systems have a poor reliability record and should be evaluated for ways to improve consistent service.
- DHS does not provide a disaster recovery capability that can step in when a failure occurs.
- DHS does not provide a clear record of monitoring and tracking system failures, and may not understand the extent of the problem, nor the impact system downtimes cause reliant agencies.
- Cases that fail on a first-step verification process are deferred to secondary and tertiary verification steps. This deferral requires a great deal more time to process, monopolizing scant state resources that must revisit the case repeatedly prior to resolution. Is there a way to reevaluate and streamline this process?
- Certain immigration documents are prone to triggering failures for verifications. This could be due to:
 - Poor quality of DHS data on old Naturalization and Citizenship Certificates
 - Backlogs in the DHS processing of H1B visa renewals. This means that certain H1Bs don't have a valid status yet – however on a second step verification a status can be found. AAMVA suggests that if status can be verified on the second step, what is preventing that secondary process from conducting the verification in the initial step?
- Are appropriate data quality measures in the DHS database being taken into account?
- Can the name-matching algorithm being utilized by SAVE be improved?
- Can the quality of data on immigration documents be improved so that different names are not entered differently on immigration documents when they apply to the same applicant?
- The review processing time for step 2 and step 3 reviews takes longer than expected. DHS had originally indicated that the processing time would be within 9 business days. DHS later changed that estimate to 13 business days with an average (not maximum) of 8 business days. State reports indicate that the response time can take over 60 days.
- There is a problem with the ability to locate and interpret necessary information on the wide variety of immigration documents used to verify legal status.
- DHS investigates individual cases referred for verification, but lacks the capability to identify the cause of a problem and take action to prevent the problem from occurring again. This causes the same cases to redundantly experience the same problems.
- Responses returned by SAVE require significant human investment to interpret rather than embracing a potential reliance on machine readable technologies. For 60 years, the DMVs have been automating their systems and using data processing to consume responses from other verification services. The responses from VIS are not normalized to be consumed by a machine. Manually reviewing the VIS responses takes more effort and costs more money than for other verification services.
- The design of the VIS Web services are not optimal. Other verification services needed to process driver's license and ID card transactions perform the verification in a single transaction. VIS has 20 transactions. The same data has to be sent multiple times on different transactions.
- The impact of system changes on end-users, especially real-time service providers like the DMVs, have not been accounted for or assessed before system changes are made. DMV impacts, given the scope and identity implications associated with their mission, should be a primary concern for DHS.
- Single Point of Failure in terms of resources is a major concern. Eg. For the configuration and management of users from our member states we are dependent on DHS to provide us with user IDs and if the concerned resource is on vacation or sick, we are unable to provide the user ID to our members in a timely manner
- Deployment and Releases by DHS in both STAGE and PRODUCTION Environments should be restricted to off-business hours and Sundays only to ensure minimal impact to users.

AAMVA thanks DHS for their consideration of an independent evaluation of the SAVE system and strongly encourages the agency to consider all possible improvements available to increase SAVE system reliability, utility, and interoperability. Given the increasing demands being placed on state partners observing conformity with a DHS program, system evaluation and improvements should be a vested priority of the federal government.