

POMS Recent Change

Identification Number: RS 02635 TN 6
Intended Audience: See Transmittal Sheet
Originating Office: ORDP OISP
Title: Deportation
Type: POMS Transmittals
Program: All Programs
Link To Reference:

PROGRAM OPERATIONS MANUAL SYSTEM
Part RS – Retirement and Survivors Insurance
Chapter 026 – Foreign Deductions
Subchapter 35 – Deportation
Transmittal No. 6, 11/26/2018

Audience

PSC: BA, CA, ICDS, IES, IPDS, ISRA, PETE, RECONR, RECOVR, SCPS;

OCO-OEIO: BIES, BTE, CC, CR, CTE, FCR, PETL, RECONR, RECOVR;

OCO-ODO: BTE, CR, CST, CTE, CTE TE, PAS, PETE, PETL;

FO/TSC: CS, CS TII, CSR, CTE, FR, OA, OS, RR, TA, TSC-CSR;

Originating Component

OISP

Effective Date

Upon Receipt

Background

This is a Quick Action transmittal. These revisions do not change or introduce new policy or procedure.

Summary of Changes

RS 02635.025 Coordinating with the Department of Homeland Security (DHS)

In section B, we deleted the obsolete DHS contact form G 845 and replaced it with the new web-based SAVE electronic Verification Request.

RS 02635.025 Coordinating with the Department of Homeland Security (DHS)

A. Introduction

DHS offices have access to computerized information on lawfully admitted aliens and aliens removed from the United States. DHS also maintains physical files on such aliens, which are maintained by the DHS servicing office that last took an action with regard to the alien. After a certain time, files are sent to a Federal Records Center for storage. However, they should be available to document actions taken by DHS.

DHS files may contain a photograph and fingerprints of deportees and may include a description of scars, tattoos, and other identifying physical characteristics which can help to establish identity. Some files contain background reports and statements made by the deportee which can be useful.

B. Procedure

Number Holder (NH) in U.S. and Abroad

Contact the DHS via a web-based SAVE electronic Verification Request (see GN 00303.640) to resolve the following removal issues (see RM 10210.560):

- I-Main Web Based SAVE (See GN 00303.640) response shows a NH is a “Lawful Permanent Resident” but the “Date of Entry” on the response is before the date of removal on the DRAMS record.
- There is reason to believe the removal report is incorrect and the NH may not have been formally removed as discussed in RS 02635.015D.
- The NH insists that he/she was lawfully admitted to the United States for permanent residence (LAPR) but is unable to submit the required evidence (as discussed in RS 02635.030) and there is no SAVE query response to support LAPR status granted after removal.

- The NH (or third party) claims he or she was removed but there is no DRAMS record to support the allegation. Before contacting DHS, question the NH about the removal proceedings to determine if there was a formal removal order by an immigration judge or whether voluntary departure was offered. (See RS 02635.015E.2. - RS 02635.015E.3.) Also, obtain all alien registration numbers ("A" numbers) used by the NH.

If DHS confirms that removal occurred, determine the date of the removal, the NH's alien registration number and the section of the INA under which removal was ordered, including the final charge code. If suspension under section 202(n) is required (see RS 02635.001C. and RS 02635.001D.1. **EXCEPTIONS**) initiate suspension beginning with the month after the month of DHS confirmation (unless there is earlier notice from DHS of the removal).

To establish a record of removal on DRAMS send an email message to ^OSA DeleteDeport (See RS 02635.005C.2.).

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