

1 asked for after this was created. I said I'd like
2 to see what it -- you forgot to give me what it
3 looks like when someone is a citizen, and that's an
4 important element for my purpose. So it was just
5 one page I inserted, in between page -- the pages
6 that are numbered 5 and 7, because there used to be
7 a permanent resident example, which seemed less
8 useful than a U.S. citizen example.

9 Q I'm going to hand you the pen. Can you
10 put the little 6 in the corner for that page?

11 A Yes, putting the 6 in the corner.

12 Q Perfect. All right. So we're discussing
13 page 6. You said it was a screen for confirmation
14 for somebody who is a U.S. citizen.

15 A Right. So it's the Web-1 access method
16 that returned a response United States citizen.

17 You can see that there's some data fields
18 that are blank because they're not relevant for this
19 user, like EAD expiration date, you know. In some
20 context, you would want to know that for other
21 benefits, if you were talking about that. For this
22 context, it's not relevant.

1 this isn't in every case, but where the benefit
2 applicant has had to show a document or give a copy
3 of a document, what was that.

4 Document expiration date, special
5 comments. So in other words, giving us a lot of
6 information about this person.

7 Hit "Submit Additional Verification," and
8 then the user will see the next screen will say "DHS
9 Verification in Process," meaning you've just got to
10 wait until we get back to you, we've got to search
11 around.

12 Q At that point, does it turn into a manual
13 task by CIS to try to verify?

14 A Yes.

15 Q This goes to a human being?

16 A Yes, yes. Yes.

17 Then when -- those staff are called status
18 verifiers, and when they have completed their
19 research, they will through the system send a
20 response back to that user with the end of the
21 story, essentially, with the information that they
22 found.

1 Q That's good. Do you know how long it
2 takes between the time a person takes the oath of
3 citizenship in Phoenix and when the SAVE system
4 would send a confirmation to a Web-1 user showing
5 citizenship?

6 A There's two pieces of that. I don't know
7 how long it takes our domestic operations
8 directorate that -- I'm in NSRV, and they're the
9 directorate where the person is naturalized. Their
10 staff would update CLAIMS 4 about, yes,
11 naturalization completed. CLAIMS 4 updates Central
12 Index.

13 I don't know how much time that takes. I
14 do know that the second half of it, which is once
15 Central Index has the information that the person is
16 naturalized, we get nightly uploads, so we would
17 know the next day.

18 Q So you know that SAVE would reflect
19 somebody's U.S. citizenship the day after the
20 Central Index System would know?

21 A Yes, yes.

22 Q But you don't know how long it takes

1 between the time a person takes the oath of
2 citizenship and Central Index System having that
3 information?

4 A Correct.

5 Q Do you know if there are differences in
6 the rate that Central Index System updates for
7 different types of changes in status? Do you know
8 whether it's faster when somebody goes from a
9 conditional resident to a permanent resident for CIS
10 or SAVE to reflect that, versus naturalization?

11 A I don't know. It's a direct function of
12 how quickly the adjudicator who granted that benefit
13 application then completed their task of updating
14 the system about that, which probably varies office
15 to office and adjudicator to adjudicator based on
16 workload.

17 Q Is it also true that after your
18 naturalization is approved, you still have to go
19 through that ceremony of taking the oath and then
20 have that information transmitted --

21 A Yes.

22 Q -- to the adjudicator or to the field

1 office?

2 A Yes. You're not -- you're not naturalized
3 until you've gone through the oath ceremony.

4 Q Did you ever work in a field office?

5 A No.

6 Q Okay. Did you ever have any -- have you
7 ever been an adjudicator?

8 A No.

9 Q I got the chance to talk to Mr. Quinn
10 about that previous part of his professional life.

11 A Yeah.

12 Q But I guess we won't be able to talk about
13 that.

14 The exhibit that we marked with your list
15 of SAVE users, Exhibit 6, is that a complete --
16 would that show all of the SAVE users who are county
17 recorders in Arizona? Is this an updated list?

18 A Yes, this was prepared on April 17 and, to
19 my knowledge, there's been no additional counties
20 granted MOUs since update. And the last four on the
21 list are the Arizona counties' registrar's offices
22 with current SAVE MOUs.

1 Q Great. Will you share that with us, then?

2 A Yes. It is on a piece of paper that also
3 indicates -- and I wrote this out by hand, I didn't
4 copy it, so -- but of course you're going to, so I
5 don't have one for Peter that shows the dates.

6 Q Wait. Before you start talking about it,
7 let's mark it.

8 (Deposition Exhibit 11 identified.)

9 THE WITNESS: And that's my last handout.

10 BY MS. PERALES:

11 Q There's nothing worse than going back to
12 the deposition and wondering what it was you were
13 discussing at that particular point. I'm going to
14 hand you what has been marked Deposition Exhibit 11.
15 Can you describe the document for me?

16 A This is a handout I brought to the
17 deposition entitled "Voter Registration" -- excuse
18 me, Arizona Voter Registration, SAVE usage by
19 County.

20 It shows the eight Arizona counties that
21 either -- that have had an MOU with SAVE at some
22 point. It indicates that four of them

1 self-terminated on March 28 of this year. It shows
2 the query usage -- or the query volume of all the
3 counties from the date they first began running
4 queries through -- it runs through March 25.

5 Q Of?

6 A Of this year. So they're likely -- or
7 there could have been queries run after that date,
8 but that's when this report was prepared.

9 And there is one county, La Paz County,
10 who signed an MOU to use SAVE in 2006 that has run
11 no queries, so this is not an error. It's just that
12 they haven't self-terminated, but they have not run
13 any queries, so they're not in this chart.

14 And I would also tell you that these --
15 because you're going to ask me anyway, these four
16 counties are not listed up here with their query
17 volume because they didn't run any queries.

18 Q You mean they signed up and
19 self-terminated and never ran a query in between?

20 A Correct.

21 Q And that's Yavapai, Navajo, Coconino and
22 Pinal?

1 A Correct.

2 Q And La Paz also signed up and never used
3 the system for a query?

4 A To date has not used it. They still have
5 an MOU with the SAVE program.

6 Q Thank you. This is great. This is very
7 helpful.

8 You mentioned before that it's a violation
9 of the MOU to allow someone to use your password; is
10 that right?

11 A Yes.

12 Q Is a password issued to a single
13 individual?

14 A Yes.

15 Q Okay. So, for example, an office like the
16 Maricopa County recorders office would not simply
17 get one password?

18 A Correct.

19 Q Would Maricopa County have to tell you how
20 many people they wanted to have accounts?

21 A I am not sure of the exact method by which
22 they would communicate with us about the number of

1 THE WITNESS: So I was with USCIS. I
2 was -- depending on -- I believe I was in the
3 Domestic Operations Directorate at headquarters,
4 either -- probably in that time working on -- in a
5 division called program and reg development that
6 oversaw reg writing for the agency.

7 BY MS. PERALES:

8 Q Are you aware of any regulations that
9 pertain to the SAVE program that helped further
10 flesh out the concept of license or benefit?

11 A No.

12 Q Do you know if Maricopa County -- I guess
13 we can see right here, Maricopa County was the first
14 county to come into an MOU under this law. March
15 15, 2005; is that right?

16 A Yes.

17 Q Can you describe for me the difference
18 between an alien registration number and the number
19 of a certificate of naturalization?

20 A Well, an A-number is a number that USCIS
21 assigns to a person at certain steps, when they file
22 applications for immigration benefits with us many

1 years ahead of the stage of filing for
2 naturalization.

3 You keep your A-number with you throughout
4 your relationship with USCIS. When you become
5 naturalized, your certificate -- your naturalization
6 certificate will have a number on it that is
7 separate from your A-number.

8 Q Do you know what the certificate number is
9 for?

10 A It's to track the certificates, which are
11 a secured document, fairly kind of secure document
12 that we track in our offices carefully for antifraud
13 purposes, for inventory control so that they aren't
14 disappearing and being sold, et cetera.

15 Q Are you familiar with any uses of an
16 individual's A-number after she naturalizes?

17 A Well, one example, certainly, is for the
18 Arizona counties running voter registration queries
19 through Web-1, Web-1 -- the primary verification
20 method is only by A-number.

21 Q Are you aware of any other uses of an
22 individual's A-number -- occasions in which an

1 maybe I will remember this form.

2 (Witness reviewed the document.)

3 I probably have never seen this before.

4 I -- the N4 form itself, or I might have and don't
5 have any memory of it. I have in my deep past jobs
6 through the years been aware that there was a
7 process where courts would report up their
8 naturalization activity. So I'm inferring that it's
9 via this form.

10 But that is basically all I know about
11 this topic.

12 Q Thanks. Let's go ahead and mark it since
13 we talked about it.

14 (Deposition Exhibit 12 identified.)

15 BY MS. PERALES:

16 Q Are you aware whether the naturalization
17 certificate says that it's a violation of law to
18 photocopy or duplicate the certificate?

19 A I believe it does say that.

20 Q Do you know where that rule comes from?

21 A I believe it's a statute, I'm not 100
22 percent sure. I'm aware that that is a rule and

1 certificate. I think it is. Other than that, it
2 would just be in whatever papers the person has
3 kept, historical papers.

4 Q Does a person who naturalizes get to keep
5 their green card?

6 A They are supposed to turn it in.

7 Q And isn't it true that not all
8 certificates of naturalization have an A-number
9 printed on them?

10 A I don't know. Nothing surprises me, so
11 it's completely possible.

12 Q Can you think of -- well, other than
13 somebody maybe making a notation of her A-number
14 before she becomes a citizen because you turn in
15 your green card and if you'll go with me on the fact
16 that not all naturalization certificates have an
17 A-number, is it possible that a naturalized citizen
18 might find herself not in possession of her
19 A-number?

20 A Sure.

21 Q Do you know when your status verifiers in
22 the SAVE program on a secondary verification could

1 replacement naturalization certificates go to
2 Nebraska?

3 A I don't know.

4 Q Do you know whether after naturalization,
5 an individual has to continue to update CIS on her
6 residence address?

7 A I'm quite -- I can't imagine why -- I'm
8 not aware of any legal duty to continue notifying
9 USCIS of your address after you've been naturalized.

10 Q And do you know whether there's any legal
11 requirement for a naturalized citizen to carry
12 documentary proof of naturalization when out and
13 about?

14 A I'm not aware of any legal requirement of
15 that.

16 Q Okay. Contrasted with a legal permanent
17 resident, who is required to carry --

18 A Right, right.

19 Q But you're not aware of anything for
20 naturalized?

21 A I'm not aware of that, no.

22 MR. GREGORY: Within the immigration

1 context. She can't speak for all.

2 BY MS. PERALES:

3 Q Correct. As a CIS representative, for CIS
4 purposes.

5 A Right.

6 Q Are you aware of any continuing CIS
7 business or interest in the naturalized citizen
8 after naturalization?

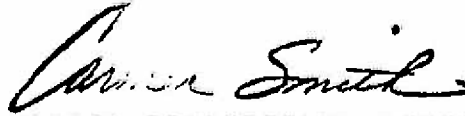
9 A Generally, there would be no interest
10 beyond, as we've discussed, if a person needs to
11 file for replacement certificate. Generally, our
12 job is done.

13 Q And you close the file; right?

14 A We -- in accord -- well, in accordance
15 with the A-file or record retention schedule, we
16 would retire the file.

17 Q Do you know whether you bring that file
18 out of retirement if the naturalized citizen, let's
19 say, years down the line marries somebody from
20 another country and wants to bring them -- immigrate
21 them as a spouse? Do you know if you go back in and
22 get all that stuff from the A-file?

I, CARMEN SMITH, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn; that the testimony of said witness was taken in shorthand and thereafter reduced to typewriting by me or under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



Notary Public in and for the
District of Columbia

My Commission Expires: MARCH 14, 2013