

**State Criminal Alien Assistance Program (SCAAP)
Immigration Alien Query (IAQ) Instructions and Frequently Asked Questions (FAQ)
Updated June 2019**

Overview

The Department of Justice (DOJ) has updated how state and local law enforcement agencies will submit applications for reimbursement under the State Criminal Alien Assistance Program (SCAAP). Starting with the FY 2020 application cycle (July 1, 2018 through June 30, 2019), submitting agencies will be required to submit certain certifications, as described in the FY 2019 Program Requirements and Application Instructions, Notification of DOJ Intent to Modify SCAAP Requirements for Future Application Cycles, Parts 1 and 2. The third modification set forth in the FY 2019 Program Requirements and Application Instructions, however, will not be implemented until the FY 2021 application cycle. That is, starting in the FY2021 application cycle (July 1, 2019 through June 30, 2020), submitting agencies will be able to seek reimbursement payments only with respect to those undocumented criminal aliens about whom the applicant government has provided specific notice within a specified timeframe to the Department of Homeland Security (DHS) of the alien's name, the release date, and his/her home and work addresses.

For the FY 2021 application cycle (which starts on July 1, 2019), submitting agencies will establish the eligibility of inmates for SCAAP reimbursement by sending notification to the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center (LESC) in the form of an Immigration Alien Query (IAQ). This transaction will serve as "proof" of the notification to DHS. Agencies will receive an Immigration Alien Response (IAR) from the LESL with the LESL Query ID at the bottom of the IAR. This is the data element (LESL Query ID) that must be entered with the 2021 SCAAP application, unless an approved exception for an alternative method of providing specific notice applies.

The LESL is ICE's single national point of contact that provides timely immigration status, identity information, and real-time assistance to local, state, and federal law enforcement agencies on aliens suspected, arrested, or convicted of criminal activity. The LESL, located in Williston, VT, operates 24 hours a day, 7 days a week, 365 days a year.

Guidance to Submitting Agencies

1. By no later than the fourth consecutive day of incarceration of an alien for whom you will be seeking SCAAP reimbursement, submitters must notify the LESL by sending an IAQ.
 - IAQs will be transmitted to the LESL via NLETS (the International Justice & Public Safety Network)
 - Submitters should send the IAQ using the terminal or method they would typically use to transmit messages to other law enforcement entities, including the LESL, via NLETS and using an ORI.

2. The following data fields must be filled out on the IAQ to the LESL:
 - NAM (Last Name, First Name, Middle Name)
 - DOB (Date of Birth)
 - POB (Place of Birth)
 - OFF (Offense code—For the crime associated with the arrest)
 - CUS (Custody—Any code accepted, however only Y will be treated as in custody)
 - SEX (If received as unknown, the IAQ will be processed using both male and female)

- ARN (Alien registration number), if available
 - FBI (FBI number), if available
 - SID (State identification number), if available
3. In the REM (Remarks) field, submitters must input *SCAAP*.
 4. In the REM (Remarks) field, after *SCAAP*, submitters must input the subject's anticipated release date (MM-DD-YYYY), if known. If the release date is not yet known, it may be omitted.
 5. In the REM (Remarks) field, after the release date, submitters must also key in the home and work addresses of the alien, if known or provided by the alien. Submitters should make every effort to obtain and transmit addresses.
 6. Do NOT include periods (.), slashes (/) or back slashes (\) in the submission. These characters cannot be transmitted in an IAQ.

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Will the IAQ be required for the 2020 SCAAP application?

No. The IAQ requirement will start with the 2021 SCAAP application (July 1, 2019 through June 30, 2020).

Can the IAQ be submitted to ICE after the four-day period?

No. Submitters must notify the LESC by sending an IAQ with the required information by no later than the fourth consecutive day of incarceration of an alien for whom you will be seeking SCAAP reimbursement,

What does the LESC IAQ represent?

The “LESC IAQ” is the “LESC Query ID,” which can be found at the bottom of the Immigration Alien Response (IAR). The IAR is the response, or reply, to the query submitted via the IAR. It is the unique identifier for the query submitted to the LESC and the response returned to the submitter.

Is there a record layout for the IAQ?

Information on creating and submitting an IAQ can be found in Section 19: Immigration Alien Transactions of the NLETS Knowledge Base.

(http://wiki.nlets.org/index.php/Section_19: Immigration_Alien_Transactions)

Our jurisdiction does not have LESC Query ID's for inmate records because we handle all immigration matters through the 287(g) program. Can you advise how we might be able to still apply for the 2021 grant without the LESC Query ID?

If a submitting agency has a formal relationship with ICE (i.e., 287(g) or the Institutional Hearing Program IHP) where removable aliens are identified and brought to ICEs attention in an established process, that agency does not need to submit an IAQ. These jurisdictions will select a certification in the 2021 SCAAP application and will not be required to submit the LESC Query ID with their SCAAP inmate data. All other SCAAP fields will be required when submitting the SCAAP application.

Should an inmate record always be marked as in-custody when submitting an IAQ?

No. Submitters should not mark a subject as in custody if they have been released.

Unless the subject is sentenced, we will not have an “Anticipated Release Date.” What should we enter for this date?

Anticipated release date can be omitted for subjects with no definitive release date. Make note that the release date is unknown at the time of IAQ submission.

Is there a number to call for assistance with the LESC IAQ process?

General questions regarding the Immigration Alien Query (IAQ) submissions and Immigration Alien Response (IAR) inquiries can be directed to the Immigration and Customs Enforcement Law Enforcement Support Center at 802-872-6020. All other questions should be directed to the SCAAP Help Desk at 1-202-353-4411

For all current prisoners for whom we've already submitted biometrics or an IAQ upon arrest or book in, will we need to submit a new IAQ with the SCAAP remarks?

If you previously submitted biometrics or an IAQ without SCAAP comments (and already received an IAR) and you will be requesting SCAAP reimbursement for that prisoner, you need to send an IAQ with SCAAP comments.

Should we send a new LESC query for inmates that are in incarceration from prior years?

An LESC query ID serves as “proof” of your agency’s notification to DHS of the inmate you intend to submit for SCAAP funding, per the updated SCAAP guidance. With few exceptions, you must have an LESC query ID for all aliens submitted for SCAAP reimbursement. If you do NOT have an LESC Query ID for an alien you intend to submit for SCAAP reimbursement in the FY21 reporting cycle, a SCAAP IAQ must be submitted to the LESC. The timing of this notification may vary depending on the inmate’s status.

- For an alien without an LESC query ID from the previous reporting period (before the notification requirement was mandatory) and who IS expected to be released in the current reporting period, submit the SCAAP IAQ four (4) days prior to his/her intended release date or as soon as notified if under four (4) days.
- For an alien without an LESC query ID from the previous reporting period (before the notification requirement was mandatory) and who IS NOT expected to be released in the current reporting period, the SCAAP IAQ can be sent to the LESC at any time during the reporting period.
- For an alien who has had a SCAAP IAQ submitted for the previous reporting period (before the notification requirement was mandatory), provide the alien’s LESC Query ID from that time when submitting your SCAAP application.

When can I expect to receive the SCAAP query response (IAR)?

Due to the complexity of this process, response times for SCAAP IAQs may be longer than those for typical queries submitted to the LESC. Submit just one SCAAP IAQ for each alien. Submitting multiple SCAAP IAQs for the same alien will unnecessarily delay processing.

What if a home or work address cannot be provided in an IAQ?

Submitters should make every effort to obtain and transmit addresses. An IAQ will not be denied if this information is not provided however.