

A student has to be a citizen or eligible noncitizen to receive Federal Student Aid (FSA). In this chapter we describe how the student's FAFSA information is matched with other agencies to determine citizenship status. We also describe immigration documents that you may have to collect to make sure that the student meets this requirement.

ELIGIBLE CATEGORIES

A student must be one of the following to be eligible to receive Federal Student Aid:

- A U.S. citizen or national;
- A U.S. permanent resident or other eligible noncitizen;
- A citizen of the Freely Associated States: the Federated States of Micronesia and the Republics of Palau and the Marshall Islands. These students can only receive aid from some of the FSA programs (see page 38).

The general requirement for eligible noncitizens is that they be in the U.S. for other than a temporary purpose with the intention of becoming a citizen or lawful permanent resident, as evidenced by the United States Citizenship and Immigration Services (USCIS) in the Department of Homeland Security (DHS). We use DHS throughout this chapter, and we also refer to USCIS since it is the actual agency that handles immigration matters and whose field offices you and your students might have to contact.

The Department of Education matches all applications with the Social Security Administration (SSA) to determine if the student is a U.S. citizen. If he provides an alien registration number (A-number or ARN) on the FAFSA, his record is also sent to DHS to check noncitizen status. The results of both matches appear on the Institutional Student Information Report (ISIR), and a failed match with either agency will produce a C code on the student's output document.

A student's citizenship status only needs to be checked once during the award year; if the status is eligible at that time, it remains so for the rest of the award year.

If a parent wants to take out a PLUS loan for a dependent undergraduate student, both the parent and the student must be U.S. citizens or nationals or eligible noncitizens.

Citizenship issues

- All applications are matched with the SSA to determine U.S. citizenship
- Applications that have an ARN are matched against DHS records
- If the DHS match fails after automated primary and secondary confirmation, the school must collect documentation and conduct manual third-step confirmation

Citizenship

HEA Sec. 484(a)(5),
34 CFR 668.32(d),
34 CFR 668.33,
and Subpart I of Part 668.

Documenting citizenship

34 CFR 668.33(d)

U.S. citizen or national

A person is a United States citizen by birth or by naturalization. Persons (except for the children of foreign diplomatic staff) born in the 50 states, the District of Columbia, and, in most cases, Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands are U.S. citizens, as are most persons born abroad to parents (or a parent) who are citizens. All U.S. citizens are considered to be U.S. nationals, but not all nationals are citizens. Persons whose only connection to the United States is through birth on American Samoa, Swain's Island, or the United States Minor Outlying Islands are not U.S. citizens but are nationals and therefore may receive FSA funds.

Data doesn't match example

Allen put in an incorrect number for his SSN when he completed his FAFSA. The number he used isn't in the SSA database. Therefore, his application fails both the SSN match and the SSA citizenship match. Allen will need to fix the problem before he can receive aid. Because the SSN is incorrect, Sarven Technical Institute asks Allen to complete a new FAFSA instead of making a correction (see Chapter 4 for more on fixing SSN problems).

CITIZENSHIP MATCH WITH THE SSA

All applications are matched with Social Security records to verify name, date of birth, U.S. citizenship status, the Social Security number (SSN), and possible date of death (see Chapter 4). The CPS will reject the application for insufficient information if any of these items except the last is not provided. The result of this match is reported under SSA of the match flags on the ISIR and "SSA Citizenship Code" on the SAR.

If the student leaves the citizenship question on the FAFSA blank, the CPS will still attempt the citizenship match with the SSA. If there is a complete match with the student's Social Security number, name, date of birth, and U.S. citizenship, the CPS will determine the student to be a citizen.

▼ *Successful match.* The SAR and ISIR will have a match flag (but no comment) indicating that the student's status was confirmed.

▼ *Data doesn't match.* If the student's SSN, name, or date of birth doesn't match SSA records, his citizenship status can't be confirmed and a C code and a comment will appear on the output document. The student should correct the SSN, name, or date of birth (see Chapter 4 for more on SSN match problems) and submit it. The CPS will perform the match again, and you must see if the new ISIR confirms the student's citizenship status; if it does, the C code will no longer appear.

▼ *Citizenship not confirmed.* The SAR and ISIR will include a C code and a comment (code 146) explaining that the SSA was unable to confirm the student is a citizen and that she needs to provide her financial aid office with documents proving citizenship. If she provides eligible noncitizen documentation, make a correction by entering her A-number on the ISIR, changing her citizenship status to eligible noncitizen, and submitting it to the CPS, which will attempt a match with DHS records to confirm the student's status.

Note that U.S. citizens born abroad might fail the citizenship check with the SSA, unless they have updated their citizenship information (see "Updating status for citizens born abroad," page 23).

U.S. citizenship documentation

If a student must prove his status as a citizen or national, you decide what documents are acceptable. The Department doesn't specify them, but here are documents you might choose to use:

- A copy of the student's birth certificate showing that she was born in the United States, which includes Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island, or the Northern Mariana Islands, unless the person was born to foreign diplomats residing in the U.S.
- A U.S. passport, current or expired, except limited passports (which are typically issued for short periods such as a year and which don't receive as much scrutiny as a regular passport when applying). In the case of nationals who are not citizens, the passport will be stamped "Noncitizen National."

The State Department issues a wallet-sized passport card that can only be used for land and sea travel between the United States and Canada, Mexico, the Caribbean, and Bermuda. It is adjudicated to the same standards as the passport book and is therefore a fully valid attestation of the U.S. citizenship and identity of the bearer.

- A copy of Form FS-240 (Consular Report of Birth Abroad), FS-545 (Certificate of birth issued by a foreign service post), or DS-1350 (Certification of Report of Birth). These are State Department documents.
- A Certificate of Citizenship (N-560 or N-561), issued by USCIS to individuals who derive U.S. citizenship through a parent.
- A Certificate of Naturalization (N-550 or N-570), issued by USCIS through a federal or state court, or through administrative naturalization after December 1990 to those who are individually naturalized.

Older versions of the Certificate of Citizenship and of the Certificate of Naturalization instruct the holder not to photocopy them. The USCIS has advised the Department that these documents (and others) may be photocopied for lawful purposes such as documenting eligibility for FSA funds.

If the student's documentation verifies that he is a citizen, you can disburse aid to him. Unlike the case of eligible noncitizens, you don't submit the documents to the DHS or any other agency for verification, but you do need to keep a copy in the student's file. The student should also contact the Social Security Administration to have it update its database—something all naturalized citizens should do—but he doesn't have to do this to receive aid; in this case the C code can remain on his record.

Updating status for citizens born abroad

Students born abroad to U.S. citizens are also U.S. citizens, and their status is usually noted in the SSA's database when they receive an SSN. But occasionally a student's citizenship might not be correct, and such a student (for example, one born on a military base abroad) will fail the citizenship match even if he has a Social Security number. He can contact the SSA to have its database corrected.

Such students can document citizenship by providing a "Consular Report of Birth Abroad" (Form FS-240, which is *proof* of U.S. citizenship) or a "Certification of Report of Birth" (Form DS-1350, which is *evidence* of U.S. citizenship and equivalent to a birth certificate). If the birth of the student was registered with the American consulate or embassy in a foreign country before he turned 18, he can receive a copy of one of these by sending a written, notarized request to the address in the margin.

The student should provide his name given at birth, the date and location of birth, the parents' names, available passport information, a return address, and a daytime phone number. The signature and a copy of valid photo identification of the requester must be included. For form FS-240 the student also has to include the original form (to exchange it) or a signed, notarized affidavit that the original was destroyed or lost. The FS-240 is \$50, and the DS-1350 is \$50 for each copy. This should be sent as a check or money order

Example: citizenship not confirmed

Chavo is a U.S. citizen, but SSA doesn't confirm his citizenship status. The aid administrator at Sarven Technical Institute asks him to submit documentation of his status. Chavo first submits a Social Security card, but the administrator explains that the card doesn't document his status because noncitizens can have Social Security cards. Chavo then brings in his Certificate of Naturalization. The administrator makes a copy of the certificate for his file and tells Chavo his citizenship has been documented. She also advises Chavo to have the SSA correct its database so that he won't have this problem again.

Social Security card and driver's license

A Social Security card or driver's license isn't acceptable for documenting citizenship or national status since noncitizens and nonnationals can also have these forms of identification.

Parent signature on certificate

Because documents such as a certificate of citizenship can go to minors, they may be signed by a parent or guardian instead of the minor child. This does not affect the legitimacy of the document.

Report of birth abroad

U.S. Department of State
Passport Services
Vital Records Section
1111 19th Street, NW, Suite 510
Washington, DC 20522-1705

(no cash or foreign checks) payable to “Department of State.” It will take four to eight weeks to receive the form. For more information, the Vital Records Section can be reached at (202) 955-0307.

If the student is over 18 and the birth wasn’t registered, she can file a self-petition for a “Certificate of Citizenship” to any local USCIS office (Form N-600). Proof of the parents’ U.S. citizenship at the time of the student’s birth must be provided.

Child Citizenship Act (CCA)

The CCA became effective on February 27, 2001. As of that date, foreign-born children who are not U.S. citizens at birth become citizens once these conditions are met:

- At least one parent (biological or adoptive) is a U.S. citizen;
- The children live in the legal and physical custody of that parent;
- They are under 18 years of age; and
- They are admitted as immigrants for lawful permanent residence.

Children newly entering the country who are adopted abroad prior to the issuance of their IR-3 visa (for orphans) or IH-3 visa (for children from Hague Convention countries) become citizens upon arrival. They should receive a certificate of citizenship within 45 days instead of receiving a permanent resident card and then filing Form N-600 to request a certificate.

Children who are adopted after being admitted to the U.S. with an IR-4 visa (for orphans) or IH-4 visa (for children from Hague Convention countries) become citizens once their adoption is full and final. Parents of these and other children who do not automatically receive a certificate of citizenship can get one by filing Form N-600.

For more information, contact the USCIS, visit their website at www.uscis.gov, or see the State Department’s intercountry adoption website at <http://adoption.state.gov/>.

NONCITIZEN MATCH WITH THE DHS

The DHS assigns to all legal immigrants an A-number, which FSA uses to verify the immigration status of permanent residents and other eligible noncitizens. If the applicant indicates on the FAFSA that he is an eligible noncitizen and provides an A-Number, identifying information is sent to the DHS for primary (and, if necessary, secondary) verification.

The results of the match are shown by a match flag in the “FAA Information” section of the output document, under the heading “DHS” on the ISIR or “DHS Match Flag” on the SAR. There will also be a comment about the results on the output document.

Because all applications are matched with the SSA, an application with an A-number will be matched with both DHS and SSA records. If results are received from both matches, only those from DHS will display on the ISIR; the SSA results will be suppressed.

If a student leaves the citizenship question blank but provides an A-number, the CPS will attempt to match with DHS records. If the student leaves both the citizenship question and A-Number blank, the CPS will reject the application. The output document will explain that SSA was unable to confirm that the student is a U.S. citizen. She must submit a correction with the citizenship status and A-number if she is an eligible noncitizen.

▼ *Successful match.* If the match confirms the student’s immigration status as an eligible one, he can receive aid if the other eligibility criteria are also met. Comment code 143 will appear on the SAR and ISIR, and the successful match results are documentation of the student’s eligibility. Of course, if you have other information about his status that seems to contradict the successful match result, you must resolve the conflict before paying the student (see “Conflicting Information” in Chapter 1).

▼ *Record was not sent to DHS.* The match won’t be attempted if the student left the citizenship question blank (comment code 068), if she said she was an eligible noncitizen but provided either no A-number or an illegible or invalid one (code 142), or if she changed her response to the citizenship question or changed her A-number after previous verification by the DHS (code 141). Instead, the student will receive a C code and a comment explaining the problem and directing her to provide the school with documentation of her eligibility. Compare the document with the SAR/ISIR to determine the appropriate action. If you or the student corrects the A-number and resubmits it so that the match can be conducted, and her eligibility is confirmed, the C code will not appear on the new ISIR. If a correction is not required,

the C code will remain, but you should put documentation in the student's file as proof that her record is correct.

Note that students who are citizens of the Marshall Islands, the Federated States of Micronesia, and Palau won't pass the DHS match because they don't have A-numbers to report. While these students aren't required to provide proof of their eligible noncitizen status, you may request their citizenship documentation and copy it for their record if necessary.

▼ *DHS has not yet confirmed the student's noncitizen status. DHS will continue to check its records.* The SAR and ISIR will have comment code 144 and a DHS match flag of "N" (for no match) and a DHS secondary confirmation match flag of "P" (indicating that the procedure is still in progress). The DHS will continue to check its records in a process called **automated secondary confirmation**. Within three days, the CPS should generate a SAR and ISIR showing one of the responses in the margin.

The school should wait at least five but no more than 15 business days for the result of automated secondary confirmation. If the result has not been received by that time, the school must begin the paper process.

A correction made while the DHS is conducting the automated secondary confirmation will start the process over, i.e., the correction will be sent through primary confirmation. Though unlikely, if the new primary confirmation match yields a "Y," the transaction can be used to award aid. A correction made to a transaction that contains secondary confirmation results of "Y" or "C" (or a transaction with a primary confirmation result of "Y") will not be sent through the DHS citizenship match again. Otherwise the record will be re-sent for matching.

G-845 PAPER SECONDARY CONFIRMATION

If the student didn't pass automated secondary confirmation or if you have conflicting information about his immigration status after receiving a match result, you must use paper secondary confirmation. The student must give you unexpired documentation that shows he is an eligible noncitizen. If you determine the evidence is not convincing, he isn't eligible for FSA funds. But if the documentation appears to demonstrate that he is an eligible noncitizen, you must submit it to the USCIS (in the DHS) to confirm it is valid. One exception to this applies to victims of human trafficking, as noted below.

You must always examine and copy original immigration documents, and you must keep a copy in the student's file with the secondary confirmation results from the USCIS. While generally not permitted, you may legally photocopy immigration documents (such as Forms I-551 or I-94) when a person needs to prove his immigration status for a lawful purpose such as applying for Federal Student Aid.

Eligible noncitizens and documentation

- **Lawful permanent residents** are noncitizens who are legally permitted to live and work in the U.S. permanently. The standard document is the Permanent Resident Card (Form I-551 since 1997) or Resident Alien Card (Form I-551 before 1997). Both forms are referred to colloquially

Automated secondary confirmation match flags and comment codes

Y, 120: The student's eligibility has been confirmed. You can process his aid.

C, 105: The DHS has not yet been able to confirm that the student is an eligible noncitizen. The school is required to wait 10 business days for another ISIR with an updated match result. If there is no update, the school begins the paper (G-845) secondary confirmation process.

N, 046: The DHS did not confirm the student's immigration status as eligible. The school begins paper secondary confirmation.

X, 109: The DHS did not have enough information to determine the student's status. The school begins paper secondary confirmation.

Conditions requiring secondary confirmation

34 CFR 668.133(a)

School policies and procedures on secondary confirmation

34 CFR 668.134–135

Help

The G-845 form can only be used after primary and automated secondary confirmation with DHS. If you have questions or if the form is returned to you by DHS with a request for more information, call the Customer Care and Research Center at 1-800-433-7327 for assistance.

Use of copy of I-94 or I-94A

Note that a refugee or an asylee may apply for permanent-resident status. During the period in which the application is being reviewed, the student may have a copy of the I-94 that includes the endorsement “209a (or 209b) pending. Employment Authorized.” Students with this form of documentation are eligible for FSA funds as long as the I-94 has not expired.

as “green cards,” though they have changed color over the years. Possessors of the older Alien Registration Receipt Card (Form I-151, issued prior to June 1978) should have replaced it with a newer card, but for receiving FSA funds it is acceptable as evidence of permanent residence.

Permanent residents may also present an Arrival/Departure Record (CBP Form I-94) or the Departure Record (Form I-94A, which is used at land border ports of entry) with the endorsement “Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until _____. Employment Authorized.” The form will have an A-Number annotated on it and is acceptable if the expiration date has not passed.

The U.S. Department of State issues a machine readable immigrant visa (MRIV) in the holder’s passport. The MRIV will have a U.S. Customs and Border Protection (CBP) inspector admission stamp, and the statement “UPON ENDORSEMENT SERVES AS TEMPORARY I-551 EVIDENCING PERMANENT RESIDENCE FOR 1 YEAR” will appear directly above the machine readable section. An MRIV with this statement, contained in an unexpired foreign passport and endorsed with the admission stamp, constitutes a temporary I-551, valid for one year from the date of endorsement on the stamp.

The USCIS issues the United States Travel Document (mint green cover), which replaced the Reentry Permit (Form I-327) and the Refugee Travel Document (Form I-571). It is used by lawful permanent residents (as well as refugees and asylees) and is annotated with “Permit to Reenter Form I-327 (Rev. 9-2-03).”

If the student has an I-551 with a baby picture, she should update the I-551 with the USCIS. Permanent residents are expected to get a new picture and be fingerprinted at the age of 14. But you can submit the documents to USCIS and pay a student who has an I-551 with a baby picture as long as you can confirm that it belongs to the student. You can do this by comparing the I-551 to a current photo ID that has the student’s name, date of birth, and signature. The current ID must also be consistent with any identifying information in the student’s file.

A student who has an approved application for permanent residence on file with the USCIS and who is waiting for a permanent resident card may not have proof of her permanent resident status. She should contact her local USCIS office for the passport stamp or I-94 stamp described at the end of this chapter, as these are available to a student before the normal permanent resident documentation is issued. Note that an **application** for permanent resident status is not sufficient for determining eligibility for FSA funds.

If a person is applying to suspend deportation, she must request a hearing before an immigration law judge who will render an oral or written decision. If that is favorable, the USCIS will give the applicant a Form I-551, which will certify her lawful permanent resident status. There is no special category for persons who have been granted suspensions of deportation.

- **Conditional resident aliens** are eligible for aid if their documentation has not expired. They may have a valid I-551, I-94, I-94A, or a passport with an MRIV bearing the statement “Upon endorsement serves as temporary I-551 evidencing permanent residence for 1 year.”

The Marriage Fraud Amendments established a two-year conditional permanent resident status for alien spouses of U.S. citizens or legal immigrants whose marriage took place less than two years before the spouse applied for permanent resident status. This status may also apply to any of the spouse’s children who are aliens.

A Form I-551 of a conditional permanent resident alien is the same I-551 that is issued to regular permanent residents, except that the card for a conditional permanent resident expires in two years, as opposed to 10 years for the regular card. A conditional permanent resident must file a petition for removal of this restriction in the 90 days before the end of the two years. The USCIS will review the petition and, if the result of the review is satisfactory, drop the restriction and issue new documents.

For classes of eligible noncitizens other than permanent residents, evidence of their status typically is on the I-94, but other documents are also acceptable.

- **Refugees** are given indefinite employment authorization. Their status continues unless revoked by DHS or until lawful permanent resident status is granted, which refugees apply for after one year. They may have a Form I-94 or I-94A annotated with a stamp showing admission under Section 207 of the Immigration and Nationality Act (INA). They may also have the old Refugee Travel Document (Form I-571) or the newer U.S. Travel Document annotated with “Refugee Travel Document Form I-571 (Rev. 9-2-03).”
- **Persons granted asylum** in the United States are also authorized for indefinite employment, and they can apply for permanent residence after one year. Asylee status continues unless revoked by DHS or until permanent resident status is granted. Asylees will have an I-94 or I-94A with a stamp showing admission under Section 208 of the INA. They may also have the same travel documents described for refugees.
- **Persons paroled into the U.S. for at least one year** must provide evidence (such as having filed a valid permanent resident application) from the DHS that they are in the U.S. for other than a temporary purpose and intend to become a citizen or permanent resident. Their documentation must have a stamp indicating that the student has been paroled into the United States for at least one year, with a date that has not expired. (Federal Student Aid cannot be disbursed after the document has expired.)
- **Cuban-Haitian entrants** as defined by Section 501(e) of the Refugee Education Assistance Act (REAA) of 1980. These are Cubans who entered the United States illegally between April 15 and October 10, 1980, and Haitians who entered the country illegally before January 1,

Jay Treaty

There is one unusual circumstance where you will need to collect documentation from the student without requiring secondary confirmation. Section 289 of the Immigration and Nationality Act (INA) gives persons with at least 50% Native American blood who were born in Canada the legal right to live and work in the United States. This is based on the Jay Treaty of 1794 and subsequent court decisions. Such individuals are not subject to the legal restrictions typically imposed on aliens by the DHS, are not required to obtain documentation from the DHS, and are considered “lawfully admitted for permanent residence.” They also are permitted to have an SSN, which they must enter on the FAFSA.

Because few FSA applicants are eligible under the INA, the FAFSA does not include a separate response for them. Therefore, a student eligible for FSA funds under the INA should report that she is an “eligible noncitizen” and fill in “A999999999” for the A-Number. She will fail the match, and a comment 144 will be printed on the output document. The school must obtain proof that the student has 50% Native American blood and was born in Canada. To do so, the student should provide one or more of the following documents:

- A “band card” issued by the Band Council of a Canadian Reserve, or by the Department of Indian Affairs in Ottawa;
- Birth or baptism records;
- An affidavit from a tribal official or other person knowledgeable about the applicant’s or recipient’s family history;
- Identification from a recognized Native American provincial or territorial organization.

If the student can provide one of the above forms of documentation and is otherwise eligible, the school must document the file and can award FSA funds.

Documentation for Cuban-Haitian entrants

The I-94 for some Cuban-Haitian entrants who are applying for permanent residence may be stamped “applicant for permanent residence.” (Or the student may instead be given a separate document acknowledging the receipt of his or her application for permanent residence.) Because the application for permanent residence is not sufficient to make a student eligible for FSA funds, a student who is a Cuban-Haitian entrant must request documentation of that status from the USCIS.

1981. Students will have a stamp across the face of the I-94 indicating that they have been classified as a “Cuban-Haitian Entrant (Status Pending). Reviewable January 15, 1981. Employment authorized until January 15, 1981.” Note that a document showing that the holder is a Cuban-Haitian entrant is valid even if the expiration date has passed.

- **Conditional entrants** are refugees who entered the United States under the seventh preference category of P.L. 89-236 or whose status was adjusted to lawful permanent resident alien under that category. They had to have entered the U.S. prior to the enactment of the Refugee Act of 1980. Students may have an I-94 with a stamp displaying “Section 203(a)(7)” and indicating that the person was admitted to the United States as a conditional entrant. Because the predecessor of the DHS stopped using this category after March 31, 1980, you should not disburse FSA funds if the student has an I-94 with conditional entrant status granted after that date.

As of January 2005, the stamps mentioned use red and blue security ink: the date of admission is red, and the rest of the stamp is blue. The stamp contains three codes: the first is a two-digit code to the left of the date that designates the field office with jurisdiction over the port of entry. On most stamps this code will be two numbers and no letters. Letters are currently only used on HQ stamps. The three-letter code located under the word “ADMITTED” shows the port of entry. The third code, to the right of the date, is the stamp’s unique four-digit number. When referring to a particular stamp, the port of entry code and the stamp’s unique number should be used.

The endorsement or stamp can be placed anywhere on the I-94. If the original stamp does not copy well due to the ink color, you should replicate it by hand on the photocopy. Because CBP offices don’t have uniform procedures or stamps, you should contact the local office with questions regarding acceptable immigration documents.

- **Victims of human trafficking** have the same eligibility for federal benefits as refugees under the Victims of Trafficking and Violence Protection Act (VTVPA), though the Department of Health and Human Services (HHS), rather than the DHS, is responsible for certifying this status. Because of this, these students will not pass the DHS match, and the normal paper secondary confirmation does not apply. You must instead review the student’s certification or eligibility letter from the HHS and call the Office of Refugee Resettlement at 1-866-401-5510, as noted on the letter, to verify its validity and confirm that the eligibility has not expired. You must note the date, time, and results of the call and retain a copy of the letter. If the student applies for Federal Student Aid in a subsequent year at your school, you must call again to ensure that the student’s status is still in force.

The spouse, child, or parent of a trafficking victim might be eligible for aid. He will not have a certification letter but will have a T-visa (e.g., T-2 or T-3). He will also fail the DHS match, so you must call the same office as above, verify the validity of his T-visa as well as the victim’s certification letter, note the time and results, and save a copy of both documents.

Victims of human trafficking

DCL GEN-06-09

- **Battered immigrants-qualified aliens** are victims of domestic violence by their U.S. citizen (U.S.C.) or lawful permanent resident (L.P.R.) spouses. They may, with their designated children, be eligible under the Violence Against Women Act (VAWA) for federal public benefits, including Federal Student Aid. Information on these immigrants is not maintained in the system used for matching between the Department and DHS, so there is a separate procedure for establishing eligibility for these students.

Battered immigrants-qualified aliens

DCL GEN-10-07

They indicate on the FAFSA that they are eligible noncitizens, though they will not pass the DHS match. Instead, they will need to obtain and provide you documentation based on their case type: self-petition, suspension of deportation, or cancellation of removal.

In **self-petitioning cases** under VAWA, the immigrant submits an I-360 form to the USCIS, which will deny the petition, approve it, or find that a “prima facie” case has been established. Either an approval or a prima facie finding makes a student eligible for aid, though the latter has an expiration date after which the person becomes ineligible. In some cases the USCIS will acknowledge receipt of a petition. This does not establish eligibility for aid.

With an **approval of a petition**, the USCIS will provide a Form I-797, Notice of Action form, that will indicate it is an approval notice for a self-petitioning spouse of a U.S.C. or L.P.R. and that the petition has been approved. A separate I-797 will be issued with the names and dates of birth of children listed by the applicant, and it will indicate that they are named on the approved petition. These children are eligible for aid, and because their USCIS status continues after reaching the age of majority, their eligibility for aid continues as well. In some cases a dependent child can petition for battered immigrant status; the I-797 would then indicate a self-petitioning child of a U.S.C. or L.P.R.

With a **prima facie case**, the USCIS will issue an I-797 that will sometimes indicate an establishment of prima facie case. This status is usually for a period of up to 180 days, though the USCIS may extend that period until the case is approved or denied. Petitioners can submit a written request for the extension. As long as the deadline has not expired, the person is eligible for FSA funds. Children may be included on the I-797, though their eligibility is subject to the same expiration date. If a spouse is ultimately denied approval, the children on the I-797 would also be denied and ineligible for aid.

The I-797 form has a wider usage by the USCIS than for just the cases described above. Therefore it is important to examine the notice carefully. For example, USCIS may issue a Notice of Deferred Action, which is an administrative choice to give lower priority for removal of an immigrant from the U.S. Such a notice could pertain to cases unrelated to petitions for battered immigrant status, and it would not be sufficient for documentation of a self-petitioner. Moreover, it generally will have a termination date; a student with a petition approval or an establishment of prima facie case will be eligible for aid through that date and ineligible afterward.

VAWA verification

U.S. Citizenship and Immigration
Services

10 Fountain Plaza, 3rd Floor

Buffalo, NY 14202

Attn: Immigration Status Verification

Unit

An immigration judge may issue a **suspension of deportation** of the abused person under the VAWA. The applicant will receive a copy of the court order. As long as it has not expired and clearly indicates suspension of deportation by the judge, an otherwise eligible person can receive FSA funds.

An immigration judge can also issue a **cancellation of removal** of the abused person under the VAWA. The applicant will receive a copy of the court order. As long as that has not expired and clearly indicates cancellation of removal by the judge, an otherwise eligible person can receive FSA funds.

You must examine the USCIS document and keep a copy in the student's file. If it indicates he is eligible for aid and the expiration date has not passed, you may award aid. If the student applies for FSA funds in a subsequent year, you may rely on the original document if it has not expired, but you must have the student provide a dated, written statement that his immigration status under VAWA remains in effect without change. If his documentation has expired, he must renew it.

If documentation is lost or expired or if you are unclear about it, submit a completed G-845 form and attach a copy of the document(s). Check "Box 8—Other" of the form and specify "VAWA verification" and submit the items to USCIS at the address (which is not that of the Buffalo field office) in the margin. The student's eligibility for aid will be based on the result of the submission.

Ineligible statuses and documents

- **Persons with nonimmigrant visas** include those with work visas, students, visitors, and foreign government officials. Someone with a nonimmigrant visa isn't eligible for FSA funds unless she has a Form I-94 with one of the endorsements given in the eligible document section. Nonimmigrant visas include the F-1, F-2, or M-1 Student Visa, B-1 or B-2 Visitor Visa, J-1 or J-2 Exchange Visitors Visa, H series or L series Visa (which allow temporary employment in the U.S.), or a G series Visa (pertaining to international organizations). Someone who has only a "Notice of Approval to Apply for Permanent Residence (I-171 or I-464)" cannot receive FSA funds.
- **Family unity status** individuals have been granted relief from deportation under the Family Unity Program. They may present an approved Form I-817, Application for Family Unity Benefits. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Temporary residents** are allowed to live and work in the U.S. under the Legalization or Special Agricultural Worker program. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Illegal aliens under the legalization (also called the amnesty) program** established by the Immigration Reform and Control Act of 1986 (IRCA). These individuals were given documentation that allowed them

to work while their application for permanent resident status was being processed, but they aren't eligible for aid unless their application was approved. Documents they might have in the interim are the Employment Authorization Card (Form I-688A), Employment Authorization Documents (Form I-688B or the I-766), or the Temporary Resident Card (Form I-688). None of these documents qualifies a student for FSA.

- **Students with “Temporary Protected Status”** stamped on their I-94 forms. This is used for persons who are from countries that are in upheaval, but the status differs significantly from refugee or asylee because it provides no conversion to permanent resident status. These students are not eligible for FSA funds.

If the document a student submits is for an ineligible status, you shouldn't submit the documentation for secondary confirmation. The USCIS can only confirm current immigration status based on the document presented; it doesn't determine whether the student is eligible for FSA funds. Unless the student can submit documentation for an eligible status, as described above, the student can't receive aid.

Using the G-845 for secondary confirmation

To initiate paper secondary confirmation, you must complete a Form G-845 and send it to the USCIS field office for your area within 10 business days of receiving the student's documentation. The G-845 (“Immigration Status/Document Verification Request”) is a standard form that asks the USCIS to confirm a noncitizen's immigration status. See the electronic announcement dated March 4, 2010, on the www.ifap.ed.gov website for more information on where to send the form and to download a copy of it.

To complete the G-845, fill in each item on the top half of the form. You must enter the A-Number in box 1. **For box 5 you must provide the 15-digit DHS verification number that is printed in the match flag section of the SAR and ISIR. Paper G-845 requests without this number will be returned unprocessed.** “Education Grant/Loans/Workstudy” must be marked in box 8, “Benefit.” Also, at the bottom of box 8, write “SSN” in the space marked “Other” and the student's SSN in the space next to it. You must write your name as the submitting official and your school's name as the submitting agency. Enter the DHS field office in the “To” space and your school's name and address in the “From” space in the right column.

Photocopies of the front and back sides of the student's immigration document must be attached to the G-845. Be sure to submit each pertinent visa and immigration document along with the form; the G-845 submitted by itself can't be used to determine FSA eligibility. A student who lost documents or surrendered them when entering prison is responsible for getting copies of them before the G-845 is submitted. (See “Replacing Lost DHS Documents” on page 39.) You can request copies of immigration documents directly from penal institutions at the request of the student. Send the completed G-845 and attachments to the field office serving the prison's locale.

Noncitizens may also present other documents, such as marriage records or court orders, that indicate the identity or United States residency of the holder. Although these documents may not serve as adequate proof of im-

Which G-845 form to use?

You might have noticed that there is a more current version of the G-845 and G-845S forms on the USCIS website. Because the older form we have reproduced here and in our electronic announcements contains useful elements that the new forms lack, such as the checkbox for parolees of one year or longer, you should continue to use it until further notice. The USCIS will process it normally. You can download it from the IFAP website (at www.ifap.ed.gov) by going to the electronic announcement dated March 4, 2010. In late summer or early fall of 2011, USCIS plans to release a new version of the G-845 and discontinue the G-845S. You will be able to use the new form for secondary confirmation; look for it on the USCIS website at www.uscis.gov under “Forms.”



The A-number on the FAFSA and the DHS verification number

When the CPS matches with DHS records, a 15-digit verification number is assigned to the student and printed in the “FAA Information” section of the SAR and ISIR. This number is needed for paper secondary confirmation with the DHS; it is reported in box 5 of the G-845 form. **If the student did not provide an A-number on the FAFSA, the match won't be made and he won't receive a DHS verification number.** He should make a correction to add the A-number so that the data match can be made and he can receive a verification number. If his A-number is eight digits, add a leading zero when making the correction.

Sending the G-845 to the USCIS

Submit the G-845 to the USCIS field office (Los Angeles or Buffalo) that serves your state or territory. See their website at www.uscis.gov. Search on “Direct Filing Addresses for Form G-845.” **Do not send the form to the Department of Education.**

migration status, copies of them should be submitted with the G-845, as they may be useful to the status verifier.

A status verifier at the district USCIS office will search the student’s record to confirm his immigration status, complete the “USCIS Response” section, and send the G-845 back to your office, generally within 10 federal working days of receipt. We recommend that you document any mailings to the USCIS and, if you haven’t heard back, that you call DHS’s Case Resolution Team at (877) 469-2563 to make sure the G-845 was received. See www.uscis.gov/save for contact and other information. If you don’t receive a response from the USCIS after at least 15 business days from the date you sent the G-845, if you have sufficient documentation to make a decision, and if you have no information that conflicts with the student’s documents or claimed status, you shall review his file and determine whether he meets the eligible noncitizen requirements. If he does meet the requirements, make any disbursement for which he is eligible and note in his file that USCIS exceeded the time allotment and that noncitizen eligibility was determined without their verification.

Determining eligibility if USCIS response is late

34 CFR 668.136(b)

When secondary confirmation results in an eligible status, you must keep the G-845. If the confirmation process indicates a discrepancy, you must ask the student to correct the discrepancy with the USCIS. No certification of loans or further disbursement of funds can be made until the discrepancy is corrected. If the discrepancy isn’t reconciled, the student must repay all aid except wages earned under FWS. Whenever the student is able to provide new information, it must be submitted to the USCIS on a new G-845.

As long as you have followed the procedures outlined here, including notifying the student of the discrepancy and withholding further payments and loan certifications as soon as a discrepancy is found, your school isn’t liable for aid disbursed prior to secondary confirmation. This assumes that you had no other conflicting information prior to making the disbursement and had reviewed the available documentation and concluded that the student was otherwise eligible.

Lack of response example

Mikko is a refugee and received aid from Guerrero University for the 2009–10 school year. His status wasn’t confirmed through the DHS match, so Guerrero had to perform secondary confirmation. The DHS didn’t respond in time, so Guerrero paid Mikko without any response. When Mikko applies for 2010–11, the CPS still doesn’t confirm his status. Even though Guerrero began secondary confirmation for Mikko last year and his documents haven’t expired, because the school never received a DHS response, it must perform secondary confirmation again.

Interpreting the USCIS response

The status verifier will mark one or more of the checkboxes on the G-845. The following list explains whether checking a box means the student is eligible. In reviewing the completed G-845, bear in mind that it reflects the student’s most recent status with the USCIS and may show a different status than the documentation presented by the student. In this case, you should verify that both documents identify the same person. If they do, the status on the G-845 should be used since it is more current.

For descriptions of the following immigration statuses, see the earlier sections on eligible and ineligible noncitizens and their documentation:

1. **“Lawful Permanent Resident alien of the United States.”** A student with this status is eligible for FSA funds.
2. **“Conditional Resident alien of the United States.”** A student with this status is eligible for FSA funds.

3. “**Refugee** under Section 207 of the INA.” A student with this status is eligible for FSA funds.
4. “**Asylee** under Section 208 of the INA.” A student with this status is eligible for FSA funds.
5. “Alien **paroled** into the United States pursuant to Section 212(d) (5) of the INA ...” The student is eligible for aid if paroled into the U.S. for one year or more (the corresponding subsidiary box must be checked) and if he has evidence from the DHS (such as having filed a valid permanent resident application) that he is in the U.S. for other than a temporary purpose and intends to become a citizen or permanent resident. The new G-845 form that USCIS will issue in 2011 (mentioned in the margin note on page 31) has date fields for the start and end of the parole period. If, for example, the start date were September 22, 2011, and the end date were September 21, 2012, the parole period would be for one year.
6. “Alien who is a **Cuban/Haitian** entrant as defined by Section 501(e) of the REAA of 1980.” A student with this status is eligible for FSA funds.
7. “Alien who is a **conditional entrant**.” A student with this status is eligible for FSA funds.
8. “Alien who is a **nonimmigrant**.” Students with this status are not eligible for FSA funds.
9. “Alien who has an **application pending** for:” This is checked for an alien waiting for a new immigration status or a change of status. If a change is pending, the block indicating the current status will also be checked elsewhere on the G-845. A pending application for an immigration status doesn’t by itself make the student eligible for FSA funds; he must have an eligible status checked on the form or provide other documentation of an eligible status.
10. “**U.S. citizen**.” Because the verification request is used to check the status of immigrants, this box should be infrequently checked, and you should not see this in the financial aid office because, as explained earlier in the chapter, you would have reviewed the student’s documentation, and if it showed him to be a U.S. citizen, you would not have submitted it to the USCIS.
11. “Alien **authorized employment** as indicated below:” This indicates the expiration date or that there is no expiration. Employment authorization doesn’t make the student eligible for FSA funds. Unless some eligible status is also checked or the student can provide other documentation that can be confirmed by the USCIS, the student isn’t eligible for aid.
12. “Alien not authorized employment in the United States.” This block is checked when an alien’s status prohibits employment in the United States. Students with this status aren’t eligible for aid.



G-845 form response

The status verifier at the USCIS field office will note on the G-845 form the immigration status the student’s documentation supports. **The form does not directly state whether the student is eligible for FSA funds.** To determine that, you must check the result of the status check as it appears on the G-845 against the information on eligible noncitizen statuses provided in this chapter.

Status not confirmed example

On his original application Hector didn’t give his A-Number and reported that he was a citizen. When the SSA didn’t confirm this, Hector told the aid administrator at Guerrero University that he was a permanent resident. He made a correction, but the USCIS didn’t confirm his status as an eligible noncitizen. He explained to the administrator that he had applied for permanent resident status but didn’t have documentation yet. The administrator told him that when he had documentation that his application was approved, he should bring it to Guerrero so that it could be submitted to the USCIS for confirmation.

Citizenship and Immigration Services will initial and stamp the front of the G-845 in the signature block.

The comments block on the back of the G-845 provides further instructions for boxes that are checked:

13. “The document is not valid because it appears to be . . .” This and the appropriate subsidiary box are checked when the document has expired, been revoked, or when it appears to be counterfeit or altered. Notify the student that unless corrective action is taken with the USCIS, the case will be submitted to the Office of Inspector General (OIG). Until this is resolved, no further aid may be disbursed, awarded, or certified. If the student does not take corrective action in a timely manner, you must report the case to the OIG.
14. “The attached Form I-551, Permanent Resident Card or Resident Alien Card, has expired. The card does not indicate that the alien’s status has expired. The expiration date on the Form I-551 indicates the card has expired and must be renewed. Please refer the applicant to their local USCIS Application Support Center for a replacement card.” Students whose LPR card has expired are still lawful permanent residents, and if there are no other problems, they remain eligible for aid and should not be reported to the OIG.
15. “Continue to process as legal alien. USCIS is searching indices for further information.” This block is checked if the USCIS is withholding judgment, pending further investigation on the status or validity of documentation. This statement doesn’t imply that the applicant is an illegal alien or the holder of fraudulent documentation. Benefits shouldn’t be denied on the basis of this statement.

The student’s documentation should be accepted at face value until the USCIS sends final notification regarding immigration status. If the student appears to be an eligible noncitizen based upon your review of the documents, you may pay the student any FSA funds for which she is eligible. If the USCIS later notifies you that the student’s documentation isn’t valid, you must cancel further disbursements, but your school isn’t liable for the payments already made—the student is.

16. “Copy of document is not readable.” Resubmit the G-845 with higher quality copies of the original documentation.
17. “No determination can be made without seeing a copy of both sides of the document submitted.” Resubmit the G-845 with copies of both sides of each document.
18. “Unable to process request without an original consent of disclosure statement signed by the applicant.” Ignore this comment; it does not apply to FSA applicants.

Department of Homeland Security
U.S. Citizenship and Immigration Services

G-845, Immigration Status/ Document Verification Request

Section A. -To be completed by the submitting agency.

To: U.S. Citizenship and Immigration Services (USCIS)

Attn: Status Verifier

From: Typed or Stamped Name and Address of
submitting Agency

(USCIS may use above address with a No. 20 window envelope.)

1. Alien Registration Number or I-94 Number

2. Applicant's Name (Last, First, Middle)

3. Citizenship/Nationality

4. Date of Birth (mm/dd/yyyy)

5. Verification Number

6. ☐ Photocopy of Document Attached.
(If printed on both sides, attach a copy of the **front and back**.)

7. ☐ Other Information Attached (*Specify documents.*)

8. (Benefit)	(Your Case Number)
<input type="checkbox"/> Education Grant/Loans/Workstudy	
<input type="checkbox"/> Food Stamps	
<input type="checkbox"/> Housing Assistance	
<input type="checkbox"/> Medicaid/Medical Assistance	
<input type="checkbox"/> TANF	
<input type="checkbox"/> Unemployment Insurance	
<input type="checkbox"/> Other (<i>specify</i>)	

9. Name of Submitting Official

10. Title of Submitting Official

11. Date (mm/dd/yyyy)

12. Telephone Number ()

For U.S. Department of Labor Use Only:

☐ Provide 18-months of employment authorization document history data under No. 19, "Other" on Page 2.

Section B. -To be completed by USCIS.

USCIS RESPONSES: From the documents or information submitted and/or a review of our records, we find that:

The person identified is a/an:

1. ☐ **Lawful Permanent Resident alien** of the United States.

2. ☐ **Conditional Resident alien** of the United States.

3. ☐ **Refugee** under Section 207 of the INA.

4. ☐ **Asylee** under Section 208 of the INA.

5. ☐ Alien **paroled** into the United States pursuant to Section 212(d)(5) of the INA as indicated below:

a. ☐ For a period of one year or more.

b. ☐ For a period of less than one year.

6. ☐ Alien who is a **Cuban/Haitian** entrant as defined by Section 501(e) of the REAA of 1980.

7. ☐ Alien who is a **conditional entrant**.

8. ☐ Alien who is a **nonimmigrant**.
(Specify type or class and admitted to date.)

9. ☐ Alien who has an **application pending** for:
(Specify USCIS benefit below.)

10. ☐ **U. S. citizen.**

11. ☐ Alien **authorized employment** as indicated below:

☐ a. No Expiration (Indefinite).

☐ b. Expires on: _____
(mm/dd/yyyy)

12. ☐ Alien not authorized employment in the United States.

☐ See Page 2 for additional comments.

USCIS Stamp

Section B. (Continued.)**USCIS Comments**

13. ☐ The document is not valid because it appears to be (*Check all that apply.*):
- ☐ a. Expired (*Provide expiration date - mm/dd/yyyy.*) _____
- ☐ b. Altered.
- ☐ c. Counterfeit.
- ☐ d. Revoked (*Provide revocation date - mm/dd/yyyy.*) _____
14. ☐ The attached Form I-551, Permanent Resident Card or Resident Alien Card, has expired. The card does not indicate that the alien's status has expired. The expiration date on the Form I-551 indicates the card has expired and must be renewed. Please refer the applicant to their local USCIS Application Support Center for a replacement card.
15. ☐ Continue to process as legal alien. USCIS is searching indices for further information.
16. ☐ Copy of document is not readable. (*Resubmit request.*)
17. ☐ No determination can be made without seeing a copy of both sides of the document submitted. (*Resubmit request.*)
18. ☐ Unable to process request without an original consent of disclosure statement signed by the applicant. (*Resubmit request.*)
19. ☐ Other (Provide comments. *Attach additional sheet of paper, if necessary.*)

Instructions

- **Submit a copy of the front and back of the alien's original immigration documentation.**
- **Make certain a complete return address has been entered in the "From" portion of the form.**
- The Alien Registration Number ("A" Number) is the letter "A" followed by a series of seven, eight or nine digits. The number found on Form I-94 may also be recorded in the block. (Check the front and back of the Form I-94 document. If the "A" Number appears, record that number when requesting information, instead of the longer admission number, because the "A" Number refers to the most integral record available.)
- If Form G-845 is submitted without a copy of the applicant's original immigration documentation, it will be returned to the submitting agency without any action taken.
- Address this verification request to the local office of the U.S. Citizenship and Immigration Services.

Student rights

You must allow the student at least 30 days from the time you receive the output document to provide documentation of his immigration status. During this period and until the results of the secondary confirmation are received, you can't deny, reduce, or terminate aid to him. If the documentation supports the student's status as an eligible noncitizen, and if at least 15 business days passed since the date on which the documentation was submitted to the USCIS, you can disburse aid to an otherwise eligible student pending the USCIS response.

Your school isn't liable if you erroneously conclude that a student is an eligible noncitizen, provided that you had no conflicting data on file and you relied on:

- a SAR or ISIR indicating that the student meets the requirements for Federal Student Aid,
- a USCIS determination of an eligible immigration status in response to a request for secondary confirmation, or
- immigration status documents submitted by the student, if the USCIS did not respond in a timely fashion.

The student (or parent borrower of a PLUS loan) is liable for any FSA funds received if he is ineligible. If you made your decision without having one of these types of documents, your school is held responsible for repaying FSA funds to the Department.

Your school should establish procedures to ensure due process for the student if FSA funds are disbursed but the aid office later determines (using secondary confirmation) that the student isn't an eligible noncitizen. The student must be notified of his ineligibility and given an opportunity to contest the decision by submitting to your school any additional documents that support his claim to be an eligible noncitizen. If the documents appear to support the student's claim, you should submit them to USCIS using paper secondary confirmation. You must notify the student of your office's final decision based on the secondary confirmation results.

For every student required to undergo secondary confirmation, you must furnish written instructions providing:

- an explanation of the documentation the student must submit as evidence of eligible noncitizen status;
- your school's deadline for submitting documentation (which must be at least 30 days from the date your office receives the results of the primary confirmation);
- notification that if the student misses the deadline, he may not receive FSA funds for the award period or period of enrollment; and
- a statement that you won't decide the student's eligibility until he has a chance to submit immigration status documents.

Procedures when ineligibility is determined after disbursement

34 CFR 668.136(c)

The Freely Associated States

The Compact of Free Association (P.L. 99-239) created three political entities from the former Trust Territory of the Pacific Islands. Two of these entities, the Marshall Islands and the Federated States of Micronesia, voted in 1986 to end political ties with the United States. The third entity, Palau, voted to ratify the compact in 1994; its independence was effective October 1, 1994. These three entities are the Freely Associated States.

34 CFR 600.2

No FSEOG and FWS

The Compact of Free Association Amendments Act of 2003, or the Compact Act, eliminates eligibility for citizens of the Republic of the Marshall Islands (RMI) and the Federated States of Micronesia (FSM) for FSEOG and FWS funds. To mitigate this loss, the Compact Act authorizes Supplemental Education Grants (SEGs) that may be awarded to the FSM and RMI. For more information, students of the FSM and RMI should contact their local education authority. Also under the Compact Act, students who are citizens of the Republic of Palau will continue to be eligible for FWS and FSEOG through the 2011–12 year.

CITIZENS OF THE FREELY ASSOCIATED STATES

Students who are citizens of the Freely Associated States—the Federated States of Micronesia and the republics of Palau and the Marshall Islands—are eligible for Pell grants (citizens of Palau are also eligible for FWS and FSEOG; see the margin note) but are not eligible for FSA loans. They should indicate on the FAFSA that they are eligible noncitizens and leave the A-Number item blank. If the student doesn't have an SSN, he enters 888 and ED will give him a number to use, or if he was given a number in the previous year, he should use that. Because he isn't giving an A-Number, his application won't go through the DHS match. As long as his file contains consistent information on his citizenship, you aren't required to collect documentation.

Citizens of the Freely Associated States whose applications were sent through FAA Access to CPS Online may indicate that they are eligible noncitizens, and their state of legal residence will be confirmed. If they are determined to be residents of the Freely Associated States, they won't be required to provide an A-Number.

DOCUMENTING IMMIGRATION STATUS IN LATER AWARD YEARS

There are several cases in which you must document a student's immigration status in a subsequent award year if that student again is not confirmed through the application process.

For example, a student who presented a Temporary Form I-551 in a prior award year should have received a permanent I-551 by the next year and shouldn't still have a temporary card. You should refer the student to USCIS to obtain a permanent I-551 or an updated endorsement on the previous card. The documents should also be submitted to USCIS on a G-845.

You must also document the eligible noncitizen status each award year for a conditional permanent resident, a refugee, a Cuban-Haitian entrant, or a person granted asylum. Students in any of these categories may have been redesignated to permanent-resident status or may have had their statuses revoked. You will have to send the documents for secondary confirmation if the student's status isn't confirmed through the USCIS match.

You don't have to document a student's eligible noncitizen status in subsequent award years if you've documented that the student is a U.S. citizen or national, is a citizen of the Freely Associated States, or has a Form I-551 or I-151.

In addition, you aren't required to perform secondary confirmation if for a previous award year it showed that the student was an eligible noncitizen and the documents used for that secondary confirmation haven't expired. You must also have no conflicting information or reason to doubt the student's claim of having eligible noncitizen status. Also note that you must have **confirmed the status** in a previous award year. (Although you can disburse aid without the USCIS response if the USCIS doesn't respond in time, you can't count that lack of response as confirmation for the following year.)

REPLACING LOST DHS DOCUMENTS

If a student can't locate his official USCIS documentation, the student must request that the documents be replaced because noncitizens who are 18 years and older must have immigration documentation in their possession at all times while in the United States. Requests for replacement documents should be made to the USCIS District Office that issued the original documents.

The student will be asked to complete a Form I-90, "Application to Replace Alien Registration Card" or a Form I-102, "Application for Replacement/Initial Nonimmigrant Arrival-Departure Document." PDF versions of these forms can be downloaded from the USCIS web site at www.uscis.gov. A temporary I-94 may be issued while the replacement documents are pending.

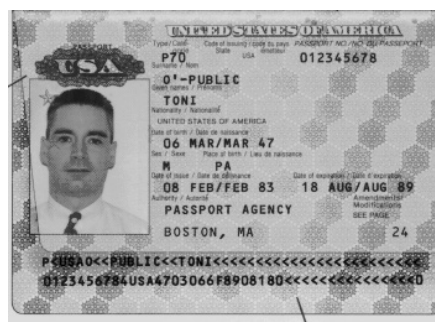
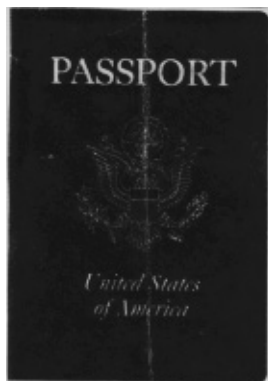
In cases of undue hardship, where the student urgently needs documentation of his status, the Freedom of Information Act (FOIA) allows him to obtain photocopies of the documents from the USCIS District Office that issued the original documents. The student can submit a Form G-639 to make this request or can simply send a letter to the district office. If he is not sure which district office issued the original documents, he can submit the request to the field office nearest to his place of residence.

Exclusion from subsequent secondary confirmation

34 CFR 668.133(b)

Can be used to document citizenship for citizen born abroad.

*For a noncitizen national, must be stamped "Noncitizen National."
(Note that a passport issued by another country may be used to document permanent resident status if it has the endorsement "Processed for I-551" and has a currently valid expiration date.)*

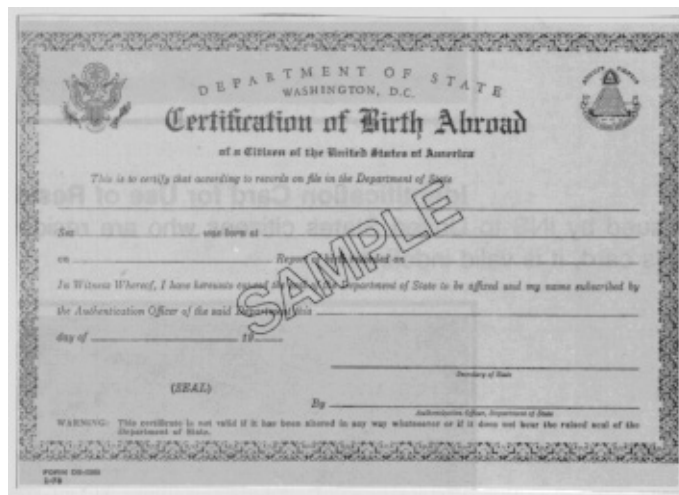


This resembles a credit card in size and form. Though it cannot be used for international air travel, it is, like the passport book, proof of U.S. citizenship.

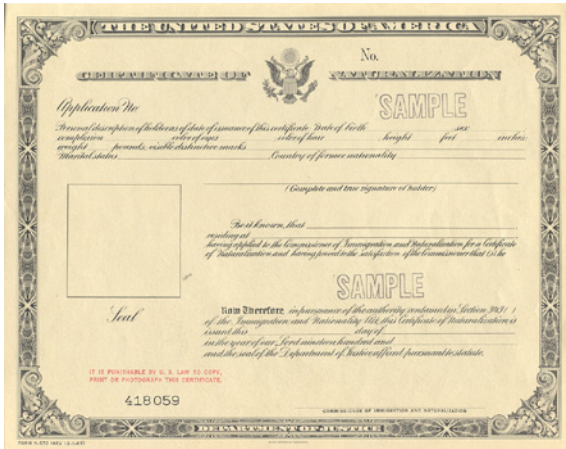


**Certification of
Birth Abroad**
*Issued to U.S. citizens
born abroad. Must have
embossed seal of the State
Department.*

The Certificate of Citizenship is issued to persons who were born abroad of U.S. parent(s), who became citizens when their parents were naturalized, or who were adopted by U.S. parents.



Certificate of Naturalization
The Certificate of Naturalization is issued to naturalized U.S. citizens.



A revised version of the Certificate of Naturalization is issued to citizens who filed for naturalization after October 1, 1991.



PERMANENT RESIDENT/OTHER ELIGIBLE NONCITIZEN

I-94 Arrival-Departure Record

For permanent resident status, must be stamped “Processed for I-551” with expiration date or “Temporary Form I-551” with appropriate information filled in.

For other eligible noncitizens, must be stamped as Refugee, Asylum Status, Conditional Entrant (before April 1, 1980), Parolee, or Cuban-Haitian Entrant. See pages 27–28.

Departure Number
742831632 01

U.S. IMMIGRATION
250 WAS 177

SEP 13 1991

ADMITTED B-2
UNTIL MARCH 12, 1992

ICLASS

14. Family Name
DOE

15. First (Given) Name
JOHN

16. Birth Date (Day/Mo/Yr)
01/01/91

17. Country of Citizenship
ENGLAND

See Other Side

STAPLE HERE

Warning - A nonimmigrant who accepts unauthorized employment is subject to deportation.

Important - Retain this permit in your possession; you must surrender it when you leave the U.S. Failure to do so may delay your entry into the U.S. in the future. You are authorized to stay in the U.S. only until the date written on this form. To remain past this date, without permission from immigration authorities, is a violation of the law.

Surrender this permit when you leave the U.S.:

- By sea or air, to the transportation line;
- Across the Canadian border, to a Canadian Official;
- Across the Mexican border, to a U.S. Official.

Students planning to reenter the U.S. within 30 days to return to the same school, see “Arrival-Departure” on page 2 of Form I-20 prior to surrendering this permit.

Record of Changes

Port: _____ **Departure Record**

Date: _____

Carrier: _____

Flight #/Ship Name: _____

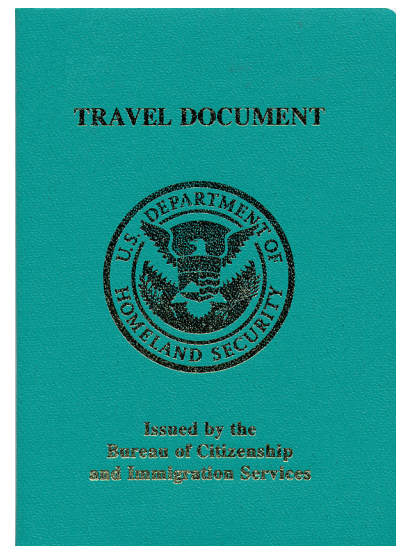
For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

Form CBP I-94A

The computer-generated Form CBP I-94A replaces—in many instances, but not all—the Form I-94 that was completed manually. For eligible noncitizens, it must be annotated as described on pages 27 and 28.

(front cover)

This replaces the Reentry Permit (Form I-327) and the Refugee Travel Document (Form I-571). It is used by lawful permanent residents, refugees, and asylees and will be annotated as described earlier in the chapter.



The MRIV will appear in the holder's (foreign) passport. If the passport is unexpired and endorsed with an admission stamp and the statement "Upon endorsement serves as temporary I-551 evidencing permanent residence for 1 year," it serves as a temporary I-551 and as valid documentation for establishing aid eligibility.

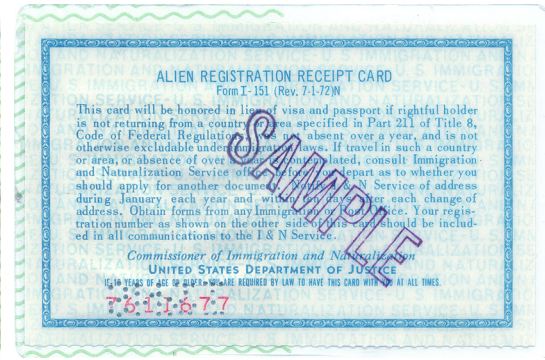
PERMANENT RESIDENT

Permanent residents are issued identification cards that they are required to have in their possession at all times. The first Alien Registration Receipt Card was introduced in 1946 and through various revisions was primarily green, which caused it to be known as a “green card.” This term is still used, though the cards have changed color over the years.

Alien Registration Receipt Card I-151 (front and back)

Issued prior to June 1978 to permanent residents.

Note: As of March 20, 1996, Form I-151 is no longer acceptable to USCIS as evidence of permanent residence, though it may be used to receive FSA funds.

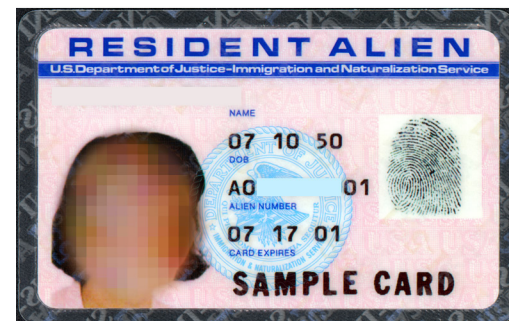


Resident Alien Card

I-551 (two versions, front only)

The I-551 is a revised version of the I-151. It was phased in beginning in January 1977 and was revised in 1989.

The “Conditional Resident Alien Card” is identified by a “C” on the front and an expiration date on the back.



(1989)

Permanent Resident

Card I-551 (front only for older versions, front and back for the current version)

The Permanent Resident Card was introduced in December 1997 and revised in 2004. In 2010 it was again updated, with the color green used once more in the design of the front of the card.



(1997)



(2004)



(2010)



