Chapter 2

U.S. Citizenship & Eligible Noncitizens

A student must be a U.S. citizen, a citizen of the Freely Associated States, or an eligible noncitizen to be potentially eligible for federal student aid. In this chapter we describe how the student's FAFSA information is matched with other agencies to determine citizenship status. We also describe the immigration documents that you may need to collect to ensure the student's eligibility.

U.S. Citizenship and 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 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 and do not have an A-number/ARN, see "Citizens of the Freely Associated States" section later in this chapter); or
- **A U.S. permanent resident or other eligible noncitizen.**

The Department of Education (the Department) matches all applications with the Social Security Administration (SSA) on U.S. citizenship status. If the status cannot be confirmed, the student must provide documents proving U.S. citizenship, citizenship of the Freely Associated States, or eligible non-citizen status in order to be potentially eligible for Title IV aid. If the student provides an alien registration number (ARN) on the FAFSA, their record is also sent to DHS to check noncitizen immigration 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 ISIR.

A student's U.S. citizenship (or eligible noncitizen) status only needs to be checked once for the award year; if the status is eligible at that time, it remains so for the rest of the award year (with the exception of parolees; see the "Third-Step Verification" section below).

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

U.S. citizenship

A person is a U.S. citizen by birth or by naturalization or by operation of law. 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 U.S. nationals, but not all nationals are citizens. Persons who are not U.S. citizens, but were born in American Samoa, Swains Island, or the U.S. Minor Outlying Islands are not U.S. citizens but **are** U.S. nationals, and therefore may also receive Title IV funds.

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 the website at *www.uscis.gov*, or see the State Department's inter country adoption website at *http://adoption.state.gov/*.

If a student who falls under this category fails the citizenship match, the student would need to provide acceptable proof of citizenship by providing documents such as those listed below under the U.S. citizenship documentation section.

Citizenship

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

U.S. Citizenship Match With the SSA

All applications are matched with SSA records to verify U.S. citizenship status, name, date of birth, and Social Security number (SSN) (see *Chapter 4*). The Central Processing System (CPS) will reject the application for insufficient information if name, date of birth or SSN is not provided. The student's match result is reported in the "SSA Citizenship" field on the SAR, and on the Match Flags section of the SAR and ISIR. 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 SSN, name, date of birth, and U.S. citizenship, the CPS will report the student to be a U.S. citizen.

- **Successful match.** The SAR and ISIR will have a match flag (but no comment) indicating that the student's U.S. citizenship status was confirmed.
- **Data doesn't match.** If the student's SSN, name, or date of birth doesn't match SSA records, their U.S. citizenship status can't be confirmed and a C code and a comment will appear on the output document (SAR or ISIR). If the student misreported their SSN, name, or date of birth (see *Chapter 4* for more on SSN match problems), they should correct the appropriate field and re-submit it. The CPS will perform the match again, and you must see if the new ISIR confirms the student's U.S. citizenship status; if it does, the C code will no longer appear.
- **U.S. 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 U.S. citizen and that they need to provide their financial aid office with documents proving U.S. citizenship (see below). If the student provides eligible noncitizen documentation, you or the student must make a correction by entering the student's Alien Registration Number (ARN) on the ISIR (Question 15), and changing their citizenship status to "No, but I am an eligible noncitizen" (Question 14). If you are making the correction, also click "yes" on the drop-down box in the "Resend Record to Matches" field before clicking the "submit" button. CPS will attempt a match with DHS records to confirm the student's immigration status.

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

U.S. citizenship documentation

If a student must prove their status as a U.S. citizen or national, only certain types of documentation are acceptable. The Department doesn't specify all of the **acceptable** documents, but here are some documents you might choose to use to prove U.S. citizenship:

- **A Certificate of Naturalization (N-550 or N-570)** issued by USCIS (or, prior to 1991, a federal or state court), or through administrative naturalization after December 1990 to those who are individually naturalized. You must copy this document for the student's file and tell the student to update their status with DHS, see *https://uscis.gov/about-us/contact-us*.

- **A Certificate of Citizenship (N-560 or N-561)** is issued by USCIS to individuals who derive U.S. citizenship through a parent.
- **A copy of the student's birth certificate** showing that the student was born in the U.S., which includes Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands, American Samoa, Swains Island, or the Northern Mariana Islands, unless the person was born to foreign diplomats residing in the United States. If a student has a birth certificate from a U.S. jurisdiction showing that the student was born abroad (i.e., not in the U.S. or its territories), that birth certificate is not acceptable documentation. See below for acceptable State Department documentation.
- **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 U.S. citizens, the passport will be stamped "Noncitizen National" (keeping in mind that nationals are potentially eligible for Title IV aid). Five-year-duration U.S. passports (commonly issued to younger students) are considered acceptable documentation, and are not considered "limited". Passport cards are also acceptable; however, one-year-duration U.S. passports are NOT acceptable documentation.
- **A wallet-sized passport card,** issued by the State Department, is a fully valid attestation of the U.S. citizenship and identity of the bearer, but can only be used for land and sea travel between the U.S. and Canada, Mexico, the Caribbean, and Bermuda.
- **A copy of Form FS-240 (Consular Report of Birth Abroad), FS545 (Certificate of Birth Issued by a Foreign Service Post), or DS1350 (Certification of Report of Birth).** These are State Department documents.

Before you can disburse aid, the student must present documentation that verifies that they are a U.S. citizen. If the documents indicate that the student is a U.S. citizen or national, you may award and disburse aid to the student and the C-code may remain on the student's ISIR. Keep a copy of the documentation in the student's file, even though older versions of the Certificate of Citizenship and of the Certificate of Naturalization instruct the holder not to photocopy them. Citizenship documentation must be kept in the student's file but does not need to be verified by any outside agency. Handling of documents for eligible noncitizens differs, and is discussed later in this chapter. The student can also contact the Social Security Administration to update the student's record. This updating is not required to receive aid, but may prevent issues with SSA matching in the future.

At your school's discretion, you may permit U.S. citizen and U.S. national students to photocopy, scan, or otherwise image their citizenship documents, and submit either electronic images or paper copies of the same to the school's financial aid office for the purpose of determining their eligibility for Title IV funds. For more information, see DCL GEN-15-18.

Updating status for U.S. citizens born abroad

Students born abroad to U.S. citizen parents are U.S. citizens if they meet certain requirements, and their status is usually noted in the SSA's database when they receive an SSN. But occasionally, a student may not have provided sufficient proof of U.S. citizenship to SSA in order for the record to be updated. Therefore, these students will fail the U.S. citizenship match even if they have an SSN. If this occurs, the student must provide the school proof of U.S. citizenship as outlined below. The student should contact the SSA to have their record corrected, however, this update is not required to receive aid.

Such students can document US. citizenship by providing a **"Consular Report of Birth Abroad" (Form FS-240,** which is *proof* of U.S. citizenship), a **"Certification of Report of Birth" (Form DS-1350,** which is *evidence* of U.S. citizenship and equivalent to a birth certificate), or a **Certificate of Citizenship** issued by USCIS. The DS-1350 is no longer issued, but is still accepted as documentation of U.S. citizenship. If the birth of the student was registered with the American consulate or embassy in a foreign country before they turn 18, they can request the FS-240 or Certificate of Citizenship by sending a written, notarized request to the U.S. Department of State's Passport Vital Records Section. The State Department does not reissue new DS-1350s. If the student had a DS-1350 and lost it, or never received a FS-240 or Certificate of Citizenship before turning 18, the student may apply for a Certificate of Citizenship using form N-600 at the State Department webpage: *https://www.uscis.gov/n-600*.

For pictures of the U.S. citizen documents listed above, see the end of this chapter.

Passport cards & passports

A student may apply for a U.S. passport card, which may be considered acceptable documentation of U.S. citizenship, at the U.S. State Department website: *https://travel.state.gov/content/travel/en/passports/apply-renew-passport/card.html*. For more detail, see 22 CFR 51.4(b)(2).

Example: citizenship not confirmed

Anthony is a U.S. citizen, but SSA doesn't confirm his U.S. citizenship status. The aid administrator asks him to submit documentation of his status. Anthony 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. Anthony then brings in his Certificate of Naturalization. The administrator makes a copy of the certificate for his file and tells Anthony his citizenship has been documented. She also advises Anthony to have the SSA correct its database so that he won't have this problem again.

Suspect documents

If you are able to discern that a document is fraudulent, you must deny the student Title IV aid. If the student submits conflicting information regarding immigration status on the FAFSA, you must resolve any discrepancies before disbursing Title IV aid. Report altered or misreported information to the Department's Office of Inspector General at 1-800-MIS-USED or the OIG's website at: *https://www2.ed.gov/about/offices/list/oig/index.html*.

Mandatory name changes

Whenever a student legally changes their name because of marriage, divorce, court order or any other reason, they must tell the Social Security Administration so they can get a corrected card and have correct SSN matches in the future. The student must bring the appropriate documents to prove the change to their local SSA office. See *https://secure.ssa.gov* for more information.

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.

Citizens of 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 U.S. 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. See 34 CFR 600.2.

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 below) but are not eligible for Title IV loans. These students should have a passport from the Freely Associated States or an I-94.

The student should indicate on the FAFSA that they are an eligible noncitizen and leave the ARN item blank. If the student doesn't have an SSN, they enter 666 and ED will give them a number to use, or if the student was given a number in the previous year, they must continue to use the same ED-assigned pseudo-SSN due to Pell Lifetime Eligibility Used (LEU) rules (see the November 20, 2013 Electronic Announcement for more details).

Because the student isn't providing an ARN, their application won't go through the DHS match. Do not complete a third step verification for these students—they will fail the match. Instead, request documentation of the student's Freely Associated States citizenship. Once you have received the student's document establishing their status, as a citizen of the Freely Associated States, make a copy of the document and place it in the student's file. You can reuse the original document in future years if it hasn't expired.

No FSEOG and FWS/Compact Amendments Act

The Compact of Free Association Amendments Act of 2003, or the Compact Amendments Act, eliminated 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 Amendments Act authorizes Supplemental Education Grants (SEGs) that are 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 Amendments Act and the Palau Compact Review Agreement, students who are citizens of the Republic of Palau continue to be eligible for FWS and FSEOG funds through the 2023-24 award year.

Eligible Noncitizen Match With DHS

The DHS assigns to all legal aliens an Alien Registration Number (ARN), which FSA uses to identify which applications must be sent to DHS for immigration status verification. **If the applicant indicates on the FAFSA that they are an eligible noncitizen and provides an ARN, identifying information is sent to the DHS for eligible noncitizen matching.**

The results of the match are shown by a match flag in the “FAA Information” section of the output document, under the headings “DHS Match Flag,” “DHS Sec. Conf. Flag" (Secondary Confirmation Flag), and “DHS Verification Number” on the ISIR and 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 ARN will be matched with both DHS and SSA records. When results are received from both matches, a positive SSA match will indicate that the student is a U.S. citizen. If the SSA match is negative, the DHS match flag will determine the student’s eligible noncitizen status.

- **Successful match.** (Y Flag) If the match confirms the student’s immigration status as an eligible one, they 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 their status that seems to contradict the successful match result, you must resolve the conflict before paying the student (see “Conflicting Information” in *Chapter 1*) by going through the third-step verification process.
- **Record was not sent to DHS due to data entry errors.** (Blank flag) The match won’t be attempted if the student left the citizenship question blank (**code 068**), if the student said they were an eligible noncitizen but provided either no ARN or an illegible or invalid one (**code 142**), or if they changed their response to the citizenship question or changed their ARN after previous verification by the DHS (**code 141**). Instead, the student will receive a C code and a comment explaining the problem and directing them to provide the school with their most recent immigration documentation to support their eligibility. Compare the student’s immigration document with the SAR/ISIR to determine the appropriate resolution action. If you or the student corrects the ARN and resubmits it so that the match can be conducted, and the student's eligibility is confirmed as an eligible noncitizen, the C code will not appear on the new ISIR. To match the corrected ISIR with DHS, click “yes” on the drop-down box in the “Resend Record to Matches” field before submitting the correction. If the student’s eligibility is not confirmed, (**match flag = N**), check their DHS secondary Confirmation Flag to determine how to proceed.
- **Student’s noncitizen status has not yet been confirmed.** _ secondary confirmation. The SAR and ISIR will have comment **code 144** and a DHS match flag of “N” (indicating that the procedure is still in process). Within three to five business days, the CPS should generate a SAR and ISIR indicating the result in the “DHS Sec. Conf.” Flag field. The “DHS second-step verification match flags...” subsection below explains each flag, its translation and how to proceed.

A correction to the student’s name, date of birth, or ARN made while the DHS is conducting the automated secondary confirmation may start the process over, i.e., the correction may be sent through primary confirmation. Though unlikely, if the new primary confirmation match yields a “Y,” the transaction can be used to award aid. The new transaction may have a new DHS verification number assigned. 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 match again. Otherwise, the record will be re-sent for matching.

DHS second-step verification match flags and comment codes

- Y, 120: Student’s eligibility confirmed. You can process their aid.
- C, 105: Student’s eligible noncitizen status has not yet been verified. You must wait 10 business days for another ISIR with an updated match result. If there is no update, begin the third-step verification process.
- N, 046: The student’s immigration status was not confirmed. The school must now perform third-step verification.
- X, 109: The DHS did not have enough information to determine the student’s status. The school begins third-step verification.

Example of eligible noncitizen status not confirmed

On his original application, Theo didn't give his ARN and reported that he was a citizen. When the SSA didn't confirm this, Theo told the aid administrator at Fowler University that he was a permanent resident. He added his ARN and changed his citizenship status to eligible noncitizen, but SAVE didn't confirm his status as an eligible noncitizen. He explained to the aid administrator that he had applied for permanent resident status but didn't have documentation yet. The aid administrator told him that when he received documentation that his application was approved, he should bring it to Fowler so that it could be submitted to the USCIS for confirmation. The aid administrator told him to bring any information supporting his current immigration status to Fowler so that it could be submitted to the USCIS for confirmation. Depending on the documentation Theo provides, it's possible he will be considered an eligible noncitizen in a class other than permanent resident.

DHS verification number on the ISIR

When a record is processed through the CPS match with DHS, a 15-digit verification number is assigned to the student and printed in the "FAA Information" section of the SAR and ISIR. This 15-digit number is needed to access the student's SAVE record, and to submit a third-step verification request through SAVE.

ARN corrections and additions to the FAFSA

- **If the citizenship question is blank but there is an ARN**, the CPS will send the record to DHS for matching.
- **If both the citizenship question and the ARN are blank**, the record will not be sent to DHS. The output document will explain that SSA was unable to confirm that the student is a U.S. citizen. The student must submit a correction to the citizenship status and ARN if they are an eligible noncitizen.
- **If U.S. citizen or national is selected, but the student provides an eligible noncitizen document**, correct question 14 on the ISIR to "eligible noncitizen" and enter the ARN in question 15 and click "yes" on the drop-down box in the "Resend Record to Matches" field. This correction will tell CPS to send the record to the DHS Primary match (for the first time). Ignore comment code 146 from SSA on the current ISIR. Wait for the DHS Match flags on the student's next ISIR to determine if the student is an eligible noncitizen or if a third-step verification is necessary.
- **If the ARN on the ISIR does not match the ARN on the student's immigration document**, correct the ARN in field 15 and click "yes" on the drop-down box in the "Resend Record to Matches" field. This will send the corrected record (which DHS considers a new record because of the new ARN) to the DHS Primary match. Ignore DHS comment codes **046, 105,** and **109** on the current ISIR. Do not complete third-step verification unless the DHS Match flags on the resulting ISIR indicate that third-step verification is necessary. For more detail on these codes, see the *2023-24 SAR Comment Codes and Text Guide* on the Knowledge Center.

Conditions requiring secondary confirmation

34 CFR 668.133(a)

School policies and procedures on secondary confirmation

34 CFR 668.134–135

Third-Step Verification

If the student didn't pass secondary confirmation or if you have conflicting information about their immigration status

after receiving a primary or secondary match result, you must review the record for third-step verification.

Third-step verification preparation

1. Request the student's most current, unexpired immigration document. When it is submitted, make a copy of it.
2. Carefully review the student's immigration documentation against the status and document descriptions below.
3. Determine whether the student's immigration documentation supports eligibility for Title IV aid. If it does not support an eligible status, you can tell the student that they are not eligible now, but may be eligible if/when they provide eligible noncitizen documentation. You should not complete third-step verification for this student.

For more on using the SAVE system to complete third-step verification, see the section titled "Using the SAVE System for third-step verification" later in this chapter.

Eligible Noncitizens and Documentation

Certain non-U.S. citizens may be eligible for Title IV aid. The following types of "eligible noncitizens" are among the classes of persons who may be eligible (see bulleted list below).

For classes of eligible noncitizens other than permanent residents, evidence of their status is typically on the **I-94**, but other documentation may also be acceptable. Customs and Border Protection (CBP) no longer issues a paper I-94 form, with the exception of asylees and certain parolees. In September 2015, CBP automated the refugee admission process. Refugees will no longer receive a paper form I-94, but will have access to an electronic form. Students without paper I-94 documentation may have their status confirmed by the electronic I-94 printout and/or a CBP stamp, showing class of admission and date admitted or paroled in their passport to confirm this status.

Form I-797 is USCIS's formal communication with customers and is issued when an application or petition is received or approved or to confer an immigration benefit.

Only when students fail the citizenship match or have conflicting information must you perform third-step verification using the SAVE system to confirm that their documentation supports one of the following noncitizen status categories:

- **Lawful permanent residents (LPRs)** 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 as "green cards," though they have changed colors 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 Title IV funds it is acceptable as evidence of permanent residence. In general, students whose LPR card has expired may still be considered lawful permanent residents for FSA eligibility purposes; therefore, if they submit expired documentation, submit it to SAVE and base eligibility on the response.

  Permanent residents may also present an **Arrival/Departure Record (Form I-94)** or the Departure Record (**Form I-94A**), with the endorsement "Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until _____. Employment Authorized." This is used at land border ports of entry. If available, an I-551 (also known as a "green card") is preferable to establish LPR status. The form will have an ARN 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. 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 **U.S. Travel Document** (mint green cover), which contains 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,** they 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 should have an **I-797, Notice of Action from USCIS** with "Notice Type: Approval Notice," as well as an alien number, which will give notice of current status. Note that an **application** for permanent resident status alone is not sufficient for determining eligibility for Title IV funds.

If a person is applying to suspend deportation, they 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 lawful permanent resident status. There is no special category for persons who have been granted suspensions of deportation.

Some applicants from Afghanistan may be eligible as **Afghan Special Immigrant Lawful Permanent Residents (SI LPRs)**. These applicants may have MRIVs and/or foreign passports with a DHS, U.S. Customs and Border Protection (CBP) stamp admitting them with an SQ1, SQ2, or SQ3 Class of Admission. Others may have a temporary Form I-551 stamp in their passport or on a Form I-94. Others may have a Permanent Resident Card, whose expiration date may be extended by a Form I-797 Notice of Action. Eligible SI LPRs will receive the "Lawful Permanent Resident" response in SAVE. Note that some SI LPRs may not have a physical immigrant visa in their passport and may not have a temporary Form I-551 stamp. For more details, see DCL GEN-22-08.

- **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.

  Some applicants from Afghanistan may be eligible as **Afghan Special Immigrant Conditional Permanent Residents (SI CPRs)**. These applicants may have a foreign passport with MRIVs and a DHS, CBP stamp admitting them with a CQ1, CQ2, or CQ3 Class of Admission. These applicants may also have a temporary Form I-551 stamp in their foreign passport or on a Form I-94. Others may have a Permanent Resident Card. Eligible SI CPRs will receive the "Conditional Resident" response in SAVE. For more details, see DCL GEN-22-08.

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

  The stamps mentioned use blue security ink. 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 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.
- **Refugee** status continues unless revoked by DHS. Refugees are required to apply for Lawful Permanent Residency (LPR) status after one year and continue to be refugees even after they are granted LPR status. In September 2015, CBP automated the refugee process. A refugee will have an electronic **I-94** showing "RE" as the class of admission and "DS" as the "admit until" date. The **refugee travel letter** provided by the Department of State will be annotated with a stamp showing admission under Section 207 of the Immigration and Nationality Act (INA). While the form is now automated, a refugee may be in possession of an older paper I-94 or I-94A form or be provided a paper

form upon request. The paper form I-94 or **I-94A** is 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** 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. Asylees who leave the U.S. for an extended amount of time without USCIS approval forfeit their current immigration status, therefore it may be difficult for them to be considered an eligible non-citizen for FSA purposes.
- **Persons paroled into the U.S. for at least one year** must provide documentation of their parole status (such as an I-94) and it must have a stamp indicating that the student has been paroled into the U.S. for at least one year, with a date that has not expired (Title IV funds cannot be disbursed after the document has expired). They also must provide evidence (such as having filed an Application to Register Permanent Residence or Adjust Status [**I-485**] or being the named alien relative from a petitioner, [**I-130**]) 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. DHS will usually respond to the filing of an I-485 with an I-797 and a parolee must provide this I-797C or any other immigration document from DHS showing the student is in the U.S. for other than a temporary purpose and intends to become a citizen or LPR.

  If the student does not submit an I-797C, send their alternative documentation to SAVE and ensure that the SAVE response is "Parolee-Expires" or "Parolee-Indefinite" and that the Pending Applications or DHS Comments sections indicate one of the documents mentioned above. (Form I-485 is an application for Lawful Permanent Resident status). Note that individuals classified as "Advance parolees" are never considered potentially eligible for Title IV aid.

- **Ukrainian citizens and nationals** (and persons who last habitually resided in Ukraine) paroled into the United States between February 24, 2022 and September 30, 2023 are, under Section 401 of the Additional Ukraine Supplemental Appropriations Act, 2022, enacted May 21, 2022, eligible for entitlement programs and other benefits available to refugees admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. § 1157) for the term of parole granted, unless the parole has been terminated by the Secretary of Homeland Security.

  In addition, Ukrainian citizens and nationals (and persons who last habitually resided in Ukraine) paroled into the United States after September 30, 2023, are eligible for these benefits if they are the spouse or child of a Ukrainian paroled between February 24, 2022, and September 30, 2023, or the parent or legal guardian of an unaccompanied noncitizen child who was paroled between February 24, 2022, and September 30, 2023. The spouse, child, parent, legal guardian, or primary caregiver are eligible for these benefits for the term of parole granted, unless the parole has been terminated by the Secretary of Homeland Security. Note that this additional eligibility for spouses and children begins after the end of the 2022-23 award year.

  For additional information, please see the Department of Homeland Security's Uniting for Ukraine webpage and Fact Sheet.

  Ukrainian citizens paroled under the Uniting for Ukraine (U4U) process can obtain a copy of their electronic Form I-94, Arrival/Departure Record, from the U.S. Customs and Border Protection website. This Form I-94 record will include a "UHP" class of admission (COA). Ukrainian citizens paroled into the United States under Uniting for Ukraine may also have one or more of the following:

  - Paper Form I-94 with a UHP COA;
  - Foreign passport with parole stamp that includes a UHP COA; or
  - Form I-766, Employment Authorization Document (EAD), with a "C11" category, if they have applied for and received one.

  Ukrainian citizens and nationals paroled into the United States outside of the Uniting for Ukraine process may also obtain, or may have, the same documentation as those paroled under Uniting for Ukraine, but with a general parole COA, such as "DT" or "PAR" listed in their Form I-94, Arrival/Departure Record, and/or a parole stamp in their foreign passport. The "DT" COA indicates parole authorized by U.S. Customs and Border Protection District Office or Port of Entry. The "PAR" COA indicates parole authorized by USCIS.

  If third-step verification is required, the financial aid office must ensure they provide one of the documents noted above as part of the third-step verification request. If SAVE is able to verify that the applicant is a parolee, SAVE will provide a "Parolee-Expires" response and the period of parole. If there is a federal immigration record reflecting Ukrainian citizenship, the SAVE response will also state that the financial aid applicant is a Ukrainian citizen.

Unlike other Parolee applicants, eligible beneficiaries paroled into the United States from Ukraine are not required to have been paroled into the U.S. for at least one year (although they generally have been), nor are they required to have additional documentation (such as a Form I-797C, Notice of Action, indicating receipt of a Form I-485 Application to Register Permanent Residence or Adjust Status) in order to show that they are "in the U.S. for other than a temporary purpose with intent to become a U.S. Citizen or Permanent Resident" (which is a requirement under Section 484 of the HEA).

Ukrainian citizens and nationals paroled into the United States outside of the applicable timeframes will be required to comply with the standard parolee procedures as outlined in the bullet "Persons paroled into the U.S. at least one year" above.

Please note that some Ukrainian citizens and nationals may have other immigration categories that make them eligible for Title IV student aid, such as Refugee or Asylum. These applicants can also have their immigration status/category verified through SAVE.

- **Afghan citizens and nationals paroled into the U.S. between July 31, 2021 and September 30, 2022** may be eligible as Afghan Special Immigrant Parolees or Non-Special Immigrant Afghan Parolees. SI Parolees may have a separate Form I-94 with the following notation:

  Special Immigrant Status (SQ/SI) Parolee
  Sec 602(b)(1) AAPA / Sec 1059(a) NDAA 2006
  Date ___ USCIS officer: _____

  SI Parolees may also have a Form I-766, Employment Authorization Document (EAD), with a C11 parolee category. SI Parolees will receive the "Parolee-Expires" or "Parolee-Indefinite" response in SAVE, with SQ4 or SQ5 as the Class of Admission (COA).
  Other applicants from Afghanistan may be eligible as Non-Special Immigrant Afghan Parolees. These students may have a Form I-766, Employment Authorization Document (EAD), with a C11 category or a CBP "PAROLED" stamp in their passport. Some of these passports may have an "OAR" notation in the parole stamp. DHS recently began using this code to help distinguish these Afghans from other parolees. Non-SI Afghan Parolees will receive the "Parolee-Expires" or "Parolee-Indefinite" response in SAVE, with OAR, PAR, or DT as the Class of Admission. For more on Afghan arrival categories and documents, see DHS-SAVE's Afghan Fact Sheet.

  Unlike other Parolee applicants, SI Afghan Parolees and Non-SI Afghan Parolees are not required to have been paroled into the U.S. for at least one year (although they generally have been), nor are they required to have additional documentation in order to show that they are "in the U.S. for other than a temporary purpose with intent to become a U.S. citizen or Permanent Resident." This flexibility is a result of the Afghan Supplemental Appropriations Act and only applies to Afghans paroled between July 31, 2021 and September 30, 2022. This flexibility lasts until March 31, 2023, or the term of parole granted, whichever is later, unless the parole is terminated by the Secretary of Homeland Security. After that time, the Afghan arrival will be required to comply with the standard parolee requirements. For more details, see DCL GEN-22-08.

- **Cuban-Haitian Entrant** (CHE) as defined by Section 501(e) of the Refugee Education Assistance Act of 1980. All Cuban-Haitian entrants are potentially eligible for Federal Student Aid. Note that certain documents showing that the holder is a Cuban-Haitian entrant continue to convey CHE status even if the expiration date has passed. Please see Information for SAVE Users: Cuban-Haitian Entrants for examples of documentation, SAVE verification procedures, and other information regarding CHEs. If you are not sure whether documentation establishes that someone is a CHE, submit it as part of a third-step verification request following the instructions in the SAVE CHE information sheet. The SAVE response will let you know whether the submitted information and documentation is sufficient to verify that the student is a CHE. **Remember to click on the Cuban/Haitian Entrant Button to verify CHE status. DHS will not verify this status if you do not click on the button.**
- **Victims of human trafficking** have the same eligibility for federal benefits as refugees under the Victims of Trafficking and Violence Protection Act, 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 third-step confirmation does not apply. These individuals may have an **I-94 with a T1, T2, T3, or T** Class of Admission code for principal, spouse, child, or parent, respectively. You must instead review the student's certification or eligibility letter from the HHS and call the Office on Trafficking in Persons 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. They will not have a certification letter but will have a **T-visa (e.g., T2 or T3)**. They will also likely fail the DHS match; if so, you must call the same office as noted above, verify the validity of the 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 or lawful permanent resident (LPR) spouses or parents. They may, with their designated children, be eligible under the **Violence Against Women Act (VAWA)** for federal public benefits, including federal student aid. Note that both men and women may be approved as victims under VAWA.

  These applicants can indicate on the FAFSA that they are eligible noncitizens, though they will not pass the automated DHS match. Instead, they will need to obtain and provide you with documentation based on their case type: self-petition, prima facie suspension of deportation, or cancellation of removal. Check the student's documentation carefully. If the immigration documents match the description below for an approval of petition or a prima facie case, the student should be considered an eligible noncitizen. Third-step verification through the Systematic Alien Verification for Entitlements (SAVE) system is not required.

  If you have reservations about the documentation provided, or are unclear about the outcome reflected in the documentation, you must submit the student's documentation for third-step verification through the SAVE system. In SAVE, click on the "VAWA" button (in the "Agency Requests" section) for VAWA Verification. You will determine the student's eligibility for aid based on the result of the submission.

  In **self-petitioning cases** under VAWA, the immigrant submits a petition (form I-360) to USCIS, which will then either deny the petition, approve it, or make a finding that a "prima facie" case has been established. Either an approval or a prima facie finding potentially makes a student eligible for Title IV aid. In some cases, the USCIS will acknowledge receipt of a petition, which does not establish eligibility for Title IV aid.

  With an **approval of a petition**, the USCIS will provide a **Form I-797**, which will indicate it is an approval notice (with "Notice Type: Approval Notice") for a self-petitioning spouse of a U.S. citizen or LPR (with Section: Self-Petitioning Spouse of 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 potentially eligible for Title IV 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. citizens or LPR.

  If you submit prima facie documentation for third-step verification, SAVE may return the "VAWA Self-Petitioner" response. SAVE may provide a different response so you must also check the "Victim of Abuse" field. Below this field, you will see "**VAWA Application Status**" followed by "Pending Prima Facie VAWA Self-Petition." This text indicates that the student can be considered eligible even if the SAVE response is not "VAWA Self-Petitioner." If you have questions about the response, contact applicationsystemsdivision@ed.gov.

  With a **prima facie case**, the USCIS will sometimes issue an **I-797**, which indicates the establishment of a prima facie case. Notice of a prima facie determination may be for a period of up to one year, though the USCIS may extend that period until the case is approved or denied. Petitioners can submit a written request for extension.

  If the student's documentation for the applicable award year is unexpired when you receive it, the student can be considered eligible for the entire award year. The student will remain eligible even if their documentation expires during the award year. Note that the student would be ineligible for a subsequent award year if the student's documentation is still expired. Also, if the documentation is expired when you receive it, the student is ineligible unless they provide you with documentation showing that their determination has been extended.

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, their children on the I-797 would also be denied and be ineligible for aid.

If you submit prima facie documentation for third-step verification, SAVE may return the “VAWA Self-Petitioner” response. SAVE may provide a different response so you must also check the "Victim of Abuse” field. Below this field, you will see VAWA Application Status (in bold) and additional text underneath. If the text indicates “Pending Prima Facie VAWA Self-Petition.” Then the student can be considered eligible even if the SAVE response is not “VAWA Self-Petitioner.” If you have questions about the response or Victim of Abuse field, contact applicationsystemsdivision@ed.gov.

An immigration judge may issue a **suspension of deportation** or cancellation of removal of the abused person under the VAWA. For a suspension of deportation, 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 Title IV funds. For a cancellation of removal, the applicant will receive a **copy of the court order.** As long as it has not expired and clearly indicates cancellation of removal by the judge, an otherwise eligible person can receive Title IV funds. Suspension of deportation or cancellation of removal documentation alone does not make a student eligible for Title IV funds. The documentation must reference a self-petition or prima facie determination for the student to be considered potentially eligible.

You must carefully examine the USCIS document and keep a copy in the student’s file. If it indicates that the student is an approved self-petitioner or has an unexpired prima facie determination, you may award aid if the student is otherwise eligible. If a self-petitioner applies for Title IV funds in a subsequent year, you may rely on their original document. For a student with a prima facie determination, you may rely on their document as long as it is still unexpired. If the documentation has expired, the student is ineligible unless they provide you with documentation showing that their determination has been extended.

- **Jay Treaty students.** 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 indefinitely in the U.S. 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 must obtain an SSN for purposes of applying for Title IV aid.

  Students who may be eligible for Title IV funds should enter their valid ARN (or a A999999999 if they don’t have an ARN) on the FAFSA and indicate they are eligible noncitizens. If they fail the DHS match, you must submit a third-step verification with the documentation. If they fail third-step verification, they can still be considered eligible if they meet the documentation requirements below for students without an ARN. Students who enter all 9’s for their ARN will receive **comment 144** on the output document. The school must obtain proof that such a 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 this documentation and is otherwise eligible, the school must note this in the student’s file and can award Title IV funds.

I-94 website

Customs and Border Protection (CBP) creates admission records electronically. The I-94 website allows travellers (and schools, if the traveller grants permission) to access admission records online (the website contains records from April 2011 to present). Legacy paper I-94s are also still valid.

DHS-Customs and Border Patrol began issuing I-94s with an alpha character in the 10th position of the 11-character identifier beginning in May, 2019. See *https://i94.cbp.dhs.gov/I94*.

Photocopying immigration docs

In most cases you will examine and copy original immigration documents, and you must keep a copy in the student's file with the results from the third step verification/SAVE. While generally not permitted, for the purpose of applying for Title IV aid, institutional policy may permit students to legally photocopy, scan, or otherwise image immigration documents (such as Forms I-551 or I-94) and submit either electronic images or paper copies of the same to the institution's financial aid office to facilitate the confirmation of their status and to complete the third-step verification process. See DCL GEN-15-08.

Eligible noncitizen name changes

When an eligible noncitizen student changes their name, the student needs to update it with SSA and DHS. To update their name with DHS, students can schedule an appointment by contacting their local USCIS office or by scheduling appointment online at *https://my.uscis.gov*. For the SSA update, the student must bring the appropriate documents to substantiate the change to their local SSA office. Visit *https://ssa.gov*.

Use of I-94 or I-94A copy

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 Title IV funds as long as the I-94 has not expired. For more sample citizenship documents which may be used to substantiate various types of citizenship status, see the end of this chapter.

USCIS retires red ink

U.S. Citizenship & Immigration Services (USCIS) uses blue colored ink for its secure stamps. The red ink previously used for such stamps has been retired and is no longer used (note also that some stamps still use black ink).

Ineligible statuses and documents

Several types of documentation do not substantiate a student's eligible noncitizen status. Below, we list a variety of forms and their related statuses which are ineligible. If a student does not provide a document that substantiates their eligibility for Title IV aid, they are not eligible with these documents alone. Generally, if a student has both an eligible noncitizen status as well as an ineligible status, the eligible status will trump the ineligible status, and the student will be potentially eligible for Title IV aid (pending other aspects of student eligibility as discussed in this Volume).

- **A Social Security card** or **driver's license** isn't acceptable for documenting U.S. citizenship or national status since ineligible individuals can also have these forms of identification. "Enhanced" driver's licenses (provided by a limited number of states to permit non-air travel entry to the U.S. from Canada, Mexico, and the Caribbean) are also not acceptable.
- Someone who has only a **"Notice of Approval to Apply for Permanent Residence (I-171 or I-464)"** cannot receive Title IV funds. The State Department publishes a list of nonimmigrant visas at: *https://travel.state.gov/content/travel/en/us-visas/tourism-visit.html*.
- **Employment authorization card.** Employment authorization alone does not support Title IV eligibility. However, a student with another eligible status and employment authorization can, potentially, be eligible.
- **Nonimmigrant visas** include those with work visas, students, visitors, and foreign government officials. Someone with a nonimmigrant visa isn't eligible for Title IV funds unless they have a **Form I-94** with one of the endorsements given in the eligible document section. Nonimmigrant visas include (but are not limited to) the:
  - **F-1, F-2, or M-1 Student Visa,**
  - **NATO Visas (NATO),**
  - **A2 and A3 Visas (foreign official, including attendants),**
  - **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**
  - **G series Visa (pertaining to international organizations).**

- Form **I-817**, Application or approval for Family Unity Benefits. These students are ineligible.
- Temporary residents are allowed to live and work in the U.S. under the Legalization or Special Agricultural Worker program. This usually is recognized on an **I-688** form. These residents are no longer eligible for Title IV funds.
- 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.
- **I-94** forms stamped with "Temporary Protected Status." Students with this documentation are ineligible.
- Deferred Action for Childhood Arrivals (DACA) status is conferred by the USCIS office of DHS. Students granted **DACA** often are assigned an SSN, and they are not eligible for Title IV aid, but may be eligible for state or college aid, and submitting a FAFSA can help them access those other types of aid. To complete the FAFSA, **DACA** status students must enter their SSN and answer the "Are you a U.S. citizen?" question as "No, I am not a U.S. citizen or eligible noncitizen." After submitting the FAFSA, the student should check with the school's financial aid office to see what types of non-federal financial aid they may be eligible to receive.
- "Withholding of removal" order issued by an immigration judge or by the Board of Immigration Appeals. This is used to protect a person from return to a country that threatens the person's life or freedom. It does not make the student eligible for Title IV aid.
- "U-Visa" holders are not designated as qualified aliens under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) and are therefore not eligible for Title IV program funds. However, U-Visa holders may convert to lawful permanent resident (LPR) status after they have physically been present in the U.S. for a continuous period of at least three years after the date of admission given on their U-Visa. Documentation is usually on a form **I-797**. It is important for you to inspect the content of the document since the **I-797** is used for a variety of purposes.

  If the student becomes an LPR, they become a qualified alien under the PRWORA (see above), and thus potentially eligible for Title IV funds (assuming they meet all other eligibility requirements. U-Visa holders should be encouraged to explore non-federal aid options to help them pay for school while waiting for their application for LPR status (**I-485**) to be approved. FSA's studentaid website contains information to help students search for possible scholarships and other resources.
- An I-797C, Notice of Action that shows a receipt of the student's application, or instructs the student to schedule a biometrics appointment with USCIS, does not support eligibility for Title IV aid (with the exception of Parolee students who have applied for certain immigration statuses, see the **Persons paroled into the U.S. for at least one year** section above). These documents indicate "THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT" at the top. An I-797 (no "C") with Notice Type: "Approval Notice" may be an eligible form of documentation if it approves the student's application for one of the eligible statuses listed above.
- Form I-512, Advance Parole. This status allows aliens with pending applications for certain immigration benefits to re-enter the U.S. after traveling abroad. Students with Advance Parole status are not eligible for Title IV funds.

If the document a student submits is for an ineligible status, you shouldn't submit the documentation for third-step verification, unless you have conflicting information or the student compels you to do so. USCIS will only confirm current immigration status based on the document presented; it doesn't determine whether the student is eligible for Title IV funds. Unless the student can submit documentation for an eligible status, as described above, or USCIS verifies the student's immigration status, the student can't receive aid.

U-Visa information

More information on U Visas may be found on the following website: *www.uscis.gov/green-card/other-ways-get-green-card/green-card-victim-crime-u-nonimmigrant*.

Using the SAVE System for Third-Step Verification

If the student's immigration documentation appears to support an eligible noncitizen status, or if you have conflicting information after receiving a secondary match result, you must complete a third-step verification request through the SAVE system. USCIS now returns third-step verification responses via the SAVE system.

To access the SAVE system, go to: https://save.uscis.gov/web/vislogin.aspx?JS=YES. If you have issues accessing SAVE with that link, try this one: https://save.uscis.gov/save/app/client/ui/home/?JS=YES.

In a collaborative effort, DHS and the Department of Education designed and implemented special functionality for schools to submit third-step verification requests through the SAVE system to check students' eligibility for Title IV aid. To access the SAVE system, a unique SAVE user ID and password is issued to the Primary Destination Point Administrator (PDPA) at each school when they update their school's SAIG Enrollment form.

All the instructions you need to access and navigate the SAVE system are available on the *DHS-SAVE, Eligible Noncitizen* page on the Knowledge Center. **Click on the "DHS-SAVE Electronic Third-Step Verification" link.**

Third-step verification preparation & submission

1. Request the student's most current, unexpired immigration document. When it is submitted, make a copy of it.
2. Carefully review the student's immigration documentation against the status and document descriptions above.
3. Determine whether the student's immigration documentation supports eligibility for Title IV aid. If it does not support an eligible status, you can tell the student that they are not eligible now, but may be eligible if/when they provide eligible noncitizen documentation. You should not complete third step verification for this student.

Resend record to matches process

If you determine that third-step verification cannot be completed for a student, for example, when the case status is "closed," or the SAVE response doesn't match the immigration documentation provided by the student, you must complete the "resend record to matches" process in the FAA Access to CPS Online system. This replaces the "requesting a new DHS verification number" process. For the full instructions, see the "Resend Record to Matches to Generate a new ISIR with a new DHS Verification Number" section of the SAVE instructions for U.S. Department of Education (School) Users Version 3.0 document.

Third-Step Processing Delays

The SAVE system is experiencing significant delays that are affecting second and third-step verification. If you have not yet submitted documentation for a student and are waiting for second-step verification to finish, do not search the student's DHS Verification Number in SAVE. If you do, you will receive the "No cases found" message in SAVE. Before you check the student's case in SAVE, check the DHS Secondary Confirmation (Sec. Conf) Flag on the student's ISIR. If the Flag is "P" (Pending result of secondary DHS confirmation), it means that the case is still processing. Wait for a new ISIR with a DHS Sec. Conf. Flag of "N" (Citizenship not confirmed) before checking the case in SAVE. It can take several weeks for the new ISIR to generate with the new DHS Sec. Conf. Flag.

If you receive the "No cases found" message in SAVE, do not "Resend Record to Matches" in FAA Access to CPS Online to generate a new transaction with a new DHS Verification Number. Doing so generates a new SAVE case for the student while the first case is still processing and will result in a slower response. Again, wait for the DHS Sec. Conf. Flag of "N" before checking the student's case in SAVE.

If you have submitted a student's documentation for third-step verification, it can take SAVE several weeks to review the documents and provide a response. You will receive an email from SAVE when the response is available.

For additional guidance on the DHS-SAVE system and DHS Match Flags, see the SAVE Instructions for U.S. Department of Education (School) Users 3.0 document on the DHS-SAVE Electronic Third-Step Verification page.

SAVE Third-Step Responses

A USCIS status verifier will search the SAVE databases and enter the student's immigration status in the SAVE system

within three to five business days of the request. If you don't receive a response from the USCIS after **at least 15** business days from the date you sent the third-step verification request, 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 should review the student's file and determine whether they meet the eligible noncitizen requirements. If the student does not meet the requirements, make any disbursement for which they are eligible and note in their file that SAVE exceeded the time allotment and that noncitizen eligibility was determined without their verification.

When third-step verification results in an eligible status, you must keep a copy of the SAVE response screen. 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 as a third-step verification request.

If 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 third-step verification. 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

Javier is a refugee and received aid from Schwarber University. His status wasn't confirmed through the DHS match, so Schwarber performed third-step verification. The DHS didn't respond in time, so Schwarber paid Javier without any response. When Javier applies again, the CPS still doesn't confirm his status. Even though Schwarber began third-step verification for Javier last year and his documents haven't expired, because the school never received a DHS response, it must perform third-step verification again.

15 business day USCIS timeframe

34 CFR 668.136(b)(3)

Interpreting the SAVE response

SAVE is responsible for verifying the student's immigration documentation. The SAVE response does not directly state whether the student is eligible for Title IV funds. It is the school's responsibility to determine if the student is eligible, based on the student's immigration documentation and the SAVE response. When you receive the SAVE response, compare it with the list of responses below. If it matches with a response, and the student's documentation, but does not support an eligible status tell the student they are ineligible until/unless they can provide documentation that supports an eligible status.

If the student's documentation supports an eligible noncitizen status but the SAVE system response shows an ineligible status, read the DHS comments and resolve issues raised there (for example, provide a cleaner copy of the student's documentation if instructed by USCIS). Once resolved, check the bottom of the SAVE response. If you see a "Still not sure? Institute Additional Verification" link, click the link and submit the student's new documentation on the next page. If you do not see this link or the student's case is closed, use the Resend to Matches process (see above) and resubmit third-step verification. If you have questions about the SAVE response or about the student's documentation, contact applicationsystemsdivision@ed.gov and briefly describe your issue.

The following list explains whether a response means the student is eligible or ineligible for Title IV aid. For descriptions of the following immigration statuses, see the earlier sections on eligible and ineligible noncitizens and their documentation:

Potentially eligible statuses:

“Lawful Permanent Resident”

“Conditional Resident”

“Asylee or Refugee”

“Parolee-Expires or Parolee-Indefinite” The student is eligible for aid if paroled into the U.S. for at least one year. The SAVE response will include Pending Applications or DHS Comments sections indicating one of the documents mentioned in the “Persons paroled into the U.S. for at least one year” section above.

“U.S. citizen” Third-Step Verification is for verifying immigration documentation for eligible noncitizens. If the student provided U.S. citizen documentation, do not complete third-step verification. If you accidentally submitted U.S. citizen documentation to SAVE, proceed with verifying the student as a U.S. citizen as instructed in the “U.S. Citizenship Match with the SSA” section earlier in this chapter.

“Cuban/Haitian Entrant” Before submitting documentation for these students through SAVE, click the “Cuban-Haitian Entrant” button under the “Additional Requests” section. A Cuban/Haitian Entrant student may be eligible without this response so you must also check the “Cuban/Haitian Immigration Details” section of the response. An eligible student will have the comment, “Applicant is a Cuban/Haitian Entrant.”

“American Indian born in Canada” For details, see the Jay Treaty section earlier in this chapter.

“Texas or Oklahoma Band of Kickapoo Indians” If this response is received, the financial aid administrator must contact U.S. Department of Education staff by emailing applicationsystemsdivision@ed.gov.

“VAWA Self-Petitioner” Before submitting documentation for these students through SAVE, click the “VAWA” button under the “Additional Requests” section. A VAWA student may still be eligible without this response, so you must also check the Victim of Abuse section of the response. See the information for battered immigrations-qualified aliens earlier in this document for additional guidance. If you have questions about VAWA status, contact applicationsystemsdivision@ed.gov.

Ineligible statuses:

Each of the following statuses are by themselves insufficient to make a student eligible for Title IV funds. If the SAVE response is an eligible status, followed by an ineligible status (for example, Lawful Permanent Resident - Employment Authorized), ignore the ineligible status portion of the response. Unless an eligible status is also submitted, or the student can provide other documentation that can be confirmed by the USCIS, students with the following types of status are not Title IV eligible:

“Employment Authorized”

“Not Employment Authorized”

“Application Pending” In the majority of cases, a student with only a pending application for an eligible noncitizen status will not be eligible for Title IV aid. The student must have documentation showing that their status is approved in order to be considered eligible.

“Nonimmigrant”

“Deferred Action for Childhood Arrivals (DACA)”

“Family Unity”

“Temporary Protected Status (TPS)”

“Deferred Action Status”

“Withholding of Removal”

“Document Expired, Altered, or Counterfeit.” 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 (part of which will include resubmitting the document).

“Unable to verify status based on the document provided.” DHS-USCIS was not able to verify the student’s status based on the documentation provided. Carefully read the SAVE response and the DHS Comments section to determine why the student’s status could not be verified and proceed according to the information provided. For example, SAVE may indicate:

- **Resubmit request with both sides of the applicant’s immigration document.** Click the “Still not sure? Institute Additional Verification” link or perform the “Resend Record to Matches” process in FAA Access to CPS Online and resubmit the student’s immigration documents through SAVE with copies of both sides of each document.
- **Applicant’s Immigration document is illegible.** Resubmit the student’s immigration documents with higher quality copies of the original documentation.

If you see the “Resubmit Doc” response, this means that this case is available for you to submit the student’s immigration documentation for third-step verification. If you have questions about how to proceed, contact applicationsystemsdivision@ed.gov and provide a brief description of the issue and the student’s DHS Verification Number.

Student rights

You must allow the student at least 30 days from the time you receive the SAVE response to provide documentation of their immigration status. During this period and until the results of the third-step verification are received, you can’t deny, reduce, or terminate aid to the student. Unless you can determine that the documentation doesn’t support an eligible noncitizen status, you must submit the student’s immigration documents within ten business days of receipt. 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 third-step verification; or
- An immigration document, submitted by the student, that supports an eligible status, if the USCIS did not respond in a timely fashion.

The student (or parent borrower of a PLUS loan) is liable for any Title IV funds received if they are ineligible. If you made your decision without having one of the documents above, your school is held responsible for repaying Title IV funds to the Department. Your school should establish procedures to ensure due process for the student if Title IV funds are disbursed but the aid office later determines (using third-step verification) that the student isn’t an eligible noncitizen.

The student must be notified of their ineligibility and given an opportunity to contest the decision by submitting to your school any additional documents that support their claim to be an eligible noncitizen. If the documents appear to support the student’s claim, you should submit them to USCIS using third-step verification. You must notify the student of your office’s final decision based on the third-step verification results.

For every student required to undergo third-step verification, 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, they may not receive Title IV funds for the award period or period of enrollment; and
- A statement that you won’t decide the student’s eligibility until they have a chance to submit immigration status documents.

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 is not confirmed as an eligible noncitizen on the SAR/ISIR. 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.

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 status revoked. You will have to send the documents for third-step verification if the student's status isn't confirmed through the DHS match. Also note that VAWA prima facie status generally expires after 1 year, and that parolees can potentially become Lawful Permanent Residents if their I-485 is approved.

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;
- a citizen of the Freely Associated States;
- has a Form I-551 or I-151; or
- if the SAVE response indicates that for the previous award year, the student was an eligible noncitizen and the documents supporting the status in question have not 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. You may disburse aid without the USCIS response if the USCIS doesn't respond in time for that award year, but you can't count that lack of response as confirmation for the following year.

Exclusion from subsequent confirmation

34 CFR 668.133(b)

Procedures when ineligibility is determined after disbursement

34 CFR 668.136(c)

Replacing Lost DHS Documents

If a student can't locate their 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 by the student to the nearest USCIS District Office.

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 website at *uscis.gov*. A temporary I-94 may be issued while the replacement documents are pending. If the student needs to replace other documentation, they should go to *uscis.gov* or contact their

local USCIS office.

In cases of undue hardship, where the student urgently needs documentation of their status, the Freedom of Information Act (FOIA) allows them 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 they are not sure which district office issued the original documents, they can submit the request to the field office nearest to their place of residence.

A naturalized U.S. citizen student who lost documents or surrendered them when entering prison is responsible for getting copies of them so you can verify their status. You can request copies of immigration documents directly from penal institutions at the request of the student.

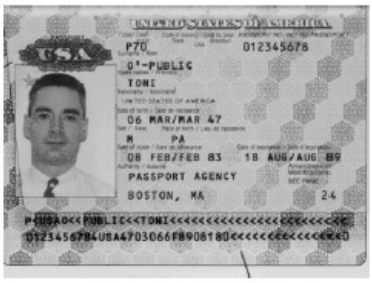
Examples of U.S. Citizenship and Eligible Noncitizen Documents

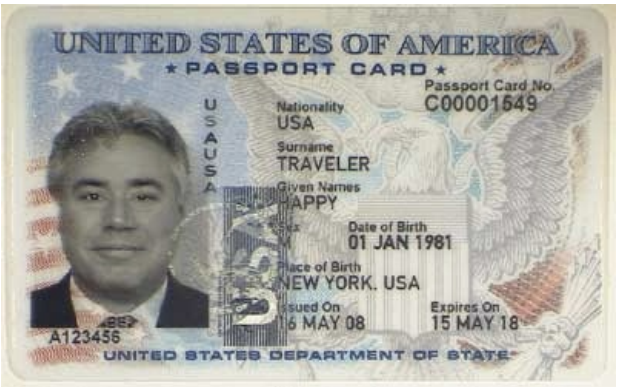
Some common documents used to demonstrate citizenship for various categories/types of citizenship and eligible noncitizenship are shown below. Note that not all documents shown satisfy citizenship requirements in all cases. See the specific notes on each document shown, and also refer to the discussion of citizenship requirements described in detail earlier in this chapter.

U.S. Passport

Can be used to document citizenship for citizens born at home or abroad.

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





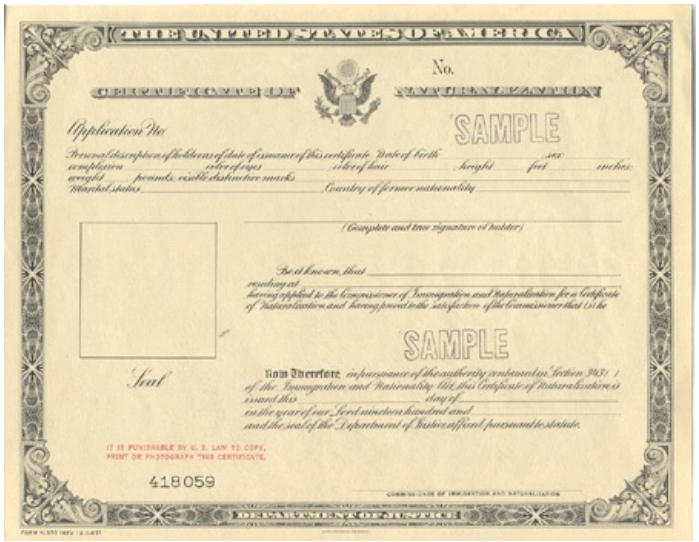
U.S. Passport Card

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.

Certificate of Naturalization

The Certificate of Naturalization is issued to naturalized U.S. citizens A revised version of the Certificate of Naturalization (Form N-550) was created in 2010.

All previously issued certificates remain valid.



Certificate of Citizenship

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.

Certification of Birth Abroad

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

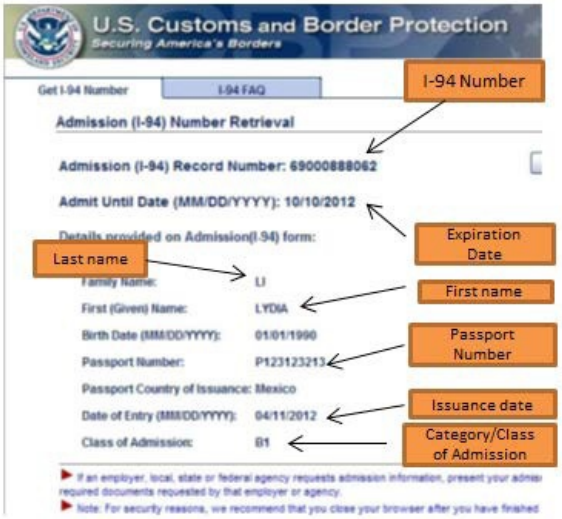
Form CBP I-94

Here is a sample paper form. Although such are no longer normally issued for air and sea arrivals, legacy paper forms are still valid and in use, and one may still encounter recently issued valid paper forms.

Form CBP I-94A

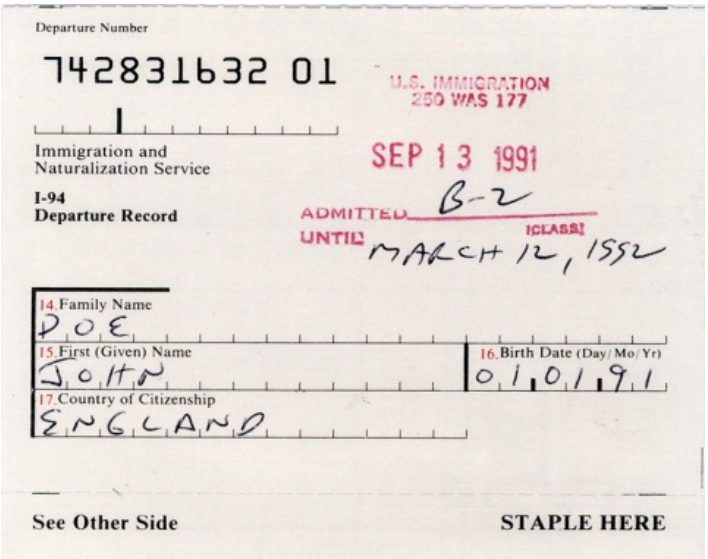
The computer-generated Form CBP I-94A replaces the paper Form I-94 that was completed manually. For eligible noncitizens, it must be annotated as described earlier in this chapter.

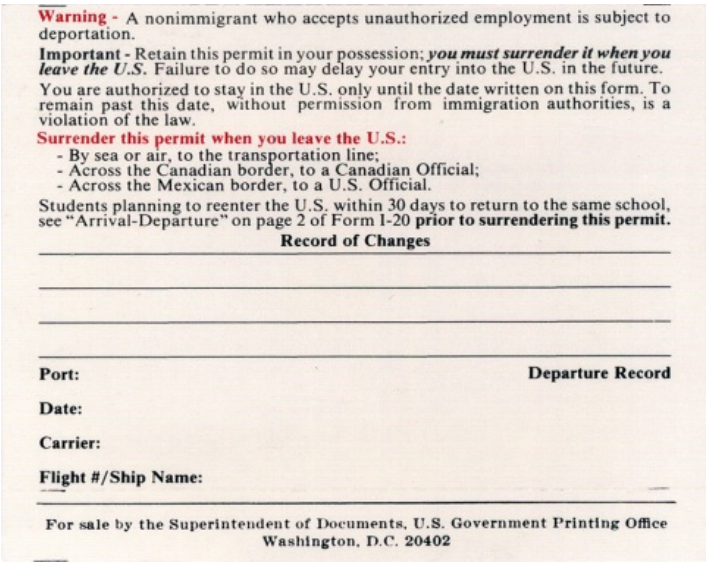
See also the I-94 website at: https://i94.cbp.dhs.gov/I94/#/home. The website allows you to look up I-94 student data, if the student grants you permission to do so.



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 with the proper information as described for Refugee, Asylum Status, Conditional Entrant (before April 1, 1980), Parolee, or Cuban- Haitian Entrant.

I-94 Arrival-Departure Record


Departure Number
742831632 01
U.S. IMMIGRATION
250 WAS 177
Immigration and Naturalization Service
SEP 13 1991
I-94
Departure Record
ADMITTED B-2
UNTIL MARCH 12, 1992
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

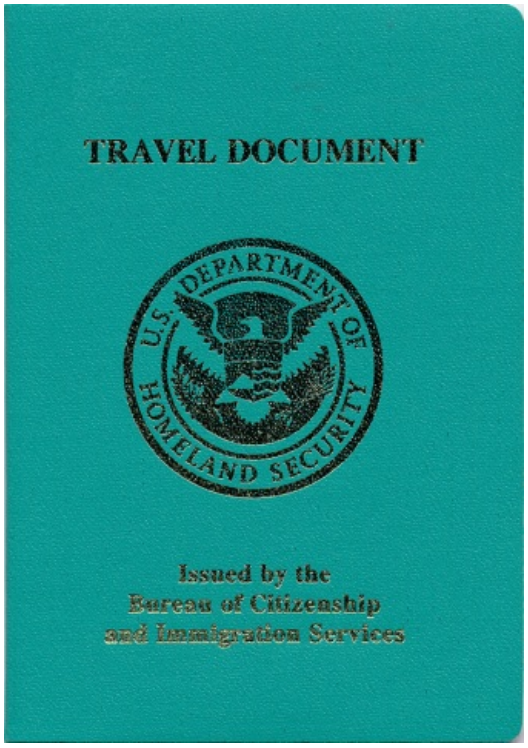
Port: **Departure Record**

Date:

Carrier:

Flight #/Ship Name:

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



United States Travel Document

(front cover) *This contains the Reentry Permit (Form I-327) and the Refugee Travel Document (Form I-571). It is used by lawful permanent residents, refugees, and asylees.*

Machine Readable Immigrant Visa (MRIV)

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.

I-571 Refugee Travel document

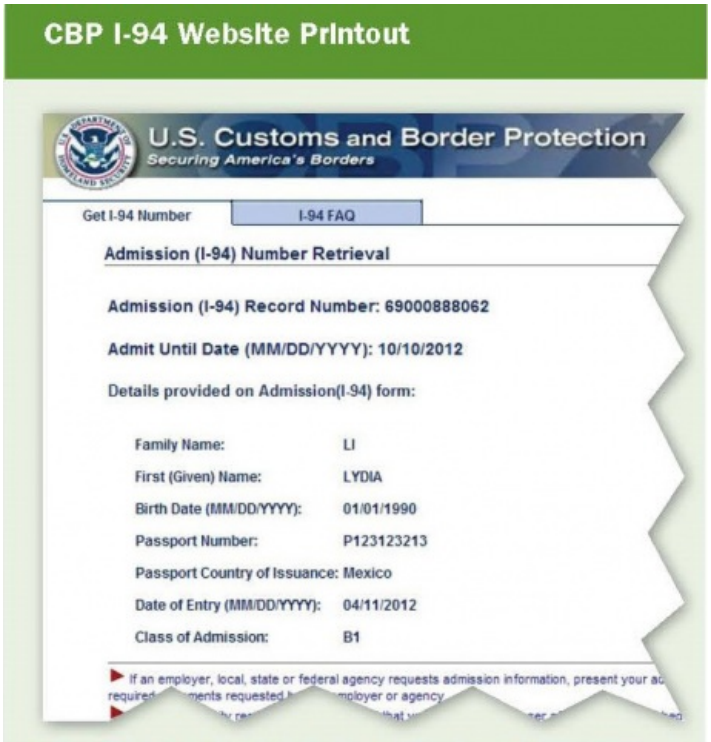
Contained in the U.S. Travel document, the I-571 helps document the status of refugees.

Re-entry permit

USCIS issues the Form I-327, Re- Entry Permit to permanent residents and conditional residents to allow them to re-enter the U.S. for a period of two years. The re-entry permit is found in the U.S. Travel Document.

CBP I-94 Website Printout

Travelers have access to their electronic I-94 via DHS's I-94 website. The website printout serves the same purpose as any other I-94. A sample of what the printout looks like is shown here.



CBP I-94 Website Printout

U.S. Customs and Border Protection
Securing America's Borders

Get I-94 Number | I-94 FAQ

Admission (I-94) Number Retrieval

Admission (I-94) Record Number: 69000888062

Admit Until Date (MM/DD/YYYY): 10/10/2012

Details provided on Admission(I-94) form:

Family Name:	LI
First (Given) Name:	LYDIA
Birth Date (MM/DD/YYYY):	01/01/1990
Passport Number:	P123123213
Passport Country of Issuance:	Mexico
Date of Entry (MM/DD/YYYY):	04/11/2012
Class of Admission:	B1

If an employer, local, state or federal agency requests admission information, present your ad

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

(front and back) *Issued prior to June 1978 to permanent residents. Form I-151 is no longer accepted by USCIS as evidence of permanent residence, though it may be used to receive Title IV funds.*

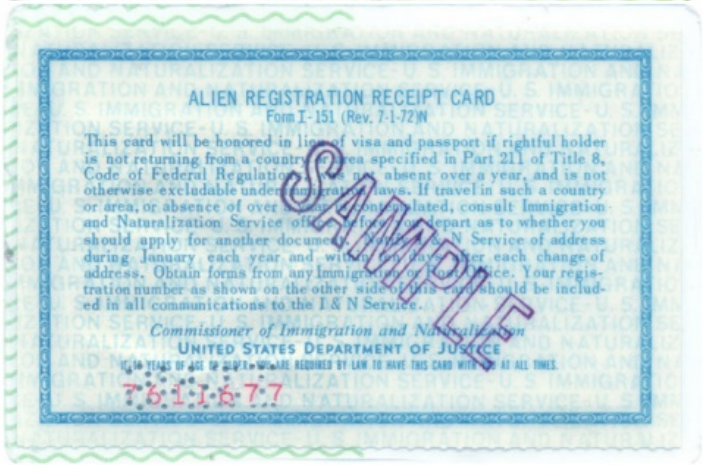
This is to certify that
[redacted], Elsa L.

(REGISTRATION NUMBER)
A31 [redacted]

MO-DAY-YR OF BIRTH | SEX
03-25-[redacted] F

has been duly registered according to law and was admitted to the United States as an immigrant at

PORT | MO-DAY-YR OF ENTRY
08 NYC 04-13-76



ALIEN REGISTRATION RECEIPT CARD
Form I-151 (Rev. 7-1-72)N

This card will be honored in lieu of visa and passport if rightful holder is not returning from a country or area specified in Part 211 of Title 8, Code of Federal Regulations, has not been absent over a year, and is not otherwise excludable under immigration laws. If travel in such a country or area, or absence of over a year, is contemplated, consult Immigration and Naturalization Service office before you depart as to whether you should apply for another document. Notify I & N Service of address during January each year and within ten days after each change of address. Obtain forms from any Immigration or local office. Your registration number as shown on the other side of this card should be included in all communications to the I & N Service.

Commissioner of Immigration and Naturalization
UNITED STATES DEPARTMENT OF JUSTICE
IF 14 YEARS OF AGE OR OLDER YOU ARE REQUIRED BY LAW TO HAVE THIS CARD WITH YOU AT ALL TIMES.

7 6 1 1 6 7 7

SAMPLE

Resident Alien Card

(two versions, front only) *The I-551, Resident Alien Card is a revision of the Alien Registration Receipt Card.*

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

(front only for older versions, front and back for the current version) *The Permanent Resident Card (I-551) was introduced in December 1997 and revised in 2004 and 2010. The current version has returned to using green in the design of the front of the card.*

(1997)

(2004)

(2010 front)

(2010 back)