



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION

APR 30 2015

GEN-15-08

Subject: Citizenship and Immigration Status Documentation

Summary: This letter announces a process through which an institution and affected student may work to confirm the student's citizenship or immigration status and, thus, eligibility for Title IV, HEA student financial assistance when the student is unable to appear in person at the institution.

Dear Colleague:

Section 484(a)(5) of the Higher Education Act of 1965, as amended (HEA), provides that in order to be eligible for Title IV, HEA student financial assistance, a student must "be a citizen or national of the United States, a permanent resident of the United States, or able to provide evidence from the Immigration and Naturalization Service<sup>1</sup> that he or she is in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident" (eligible noncitizens).

Volume 1, Chapter 2 of the Federal Student Aid (FSA) Handbook provides details on citizenship confirmation, including the documentation students can provide to confirm their U.S. citizenship or eligible noncitizen status when the established automated processes are not able to confirm the students' status.

This letter announces a process through which an institution and affected student may work to confirm the student's citizenship or immigration status and, thus, eligibility for Title IV, HEA student financial assistance when the student is unable to appear in person at the institution.

Confirmation of Eligible Noncitizen Status

If a student indicated on his or her Free Application for Federal Student Aid (FAFSA<sup>®</sup>) that he or she is an eligible noncitizen,<sup>2</sup> but the U.S. Department of Homeland Security-United States Citizenship and Immigration Services (DHS-USCIS) data match did not confirm that status, the student must present original documentation to the institution that confirms that he or she is an eligible noncitizen. However, some students may not be able to present the documentation to the institution easily in person, as in the case of a student enrolled in a distance education program

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<sup>1</sup> The authorities previously exercised by the Department of Justice through the Immigration and Naturalization Service now reside with the U.S. Department of Homeland Security (DHS), which has several component agencies, including the United States Citizenship and Immigration Services (DHS-USCIS).

<sup>2</sup> Question 14 on the FAFSA<sup>®</sup> reads "Are you a U.S. Citizen?" and three answer options are given, including "No, but I am an eligible noncitizen."

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where the institution is located far from where the student resides. While the reproduction of certain immigration-related documents is statutorily prohibited, DHS-USCIS has informed the Department that for the limited purpose of applying for Title IV, HEA student financial assistance, DHS-USCIS does not deem reproduction of such documents to be a violation of the relevant statute. Therefore, institutional policy may permit such students to photocopy, scan, or otherwise image their immigration documents, 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, thus, establish their eligibility for Title IV, HEA student financial assistance. Subsequently, the institution must initiate the paper-based secondary confirmation process, using DHS-USCIS Form G-845, Document Verification Request, once confirmation documents are received from a noncitizen student.

#### Confirmation of U.S. Citizenship or U.S. National Status

All students who fill out a FAFSA are sent to the Social Security Administration (SSA) to determine U.S. citizenship. If a student indicated on his or her FAFSA that he or she is a U.S. citizen or U.S. national,<sup>3</sup> but the citizenship match with the SSA could not confirm that status, the student must present original documentation to the institution that confirms that he or she is a U.S. citizen or national. However, some students may not be able to present the documentation to the institution easily in person. Consistent with the guidance above with respect to eligible noncitizens, institutional policy 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 institution's financial aid office for the purpose of determining their eligibility for Title IV, HEA student financial assistance. Note that the paper-based secondary confirmation process associated with DHS-USCIS Form G-845 is never used to confirm a student's status as a U.S. citizen or national.

#### Accepting Photocopies or Other Images

Consistent with the guidance that reproduction of these documents is lawful if it is for the limited purpose of applying for Title IV, HEA student financial assistance, an institution may provide additional guidance, as it deems appropriate, on how (e.g. time, place, and media) a student should submit photocopies or other images of his or her immigration or citizenship documentation. If the institution chooses to allow a student to submit a hard copy or electronic image of an original document, the institution should have a process in place to ensure that a student is submitting an exact copy, such as an affidavit. We are providing a sample copy of an affidavit with this letter that schools may choose to use for this purpose.

The institution must maintain, in the student's financial aid file, copies of the documentation provided by the student, including any affidavit, and, for eligible noncitizens, the completed DHS-USCIS Form G-845.

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<sup>3</sup> Question 14 on the FAFSA® reads "Are you a U.S. Citizen?" and three answer options are given, including "Yes, I am a U.S. citizen (U.S. national)."

Additional Steps

If a student submits to an institution documentation which purports to establish his or her eligible noncitizen or U.S. citizen status, but the receiving institution has reasons to question the validity of the documents submitted, there are additional steps an institution may take.

If an institution suspects that the documents submitted are fraudulent or counterfeit, it may require the student to provide a true copy of the documentation as certified by the issuing authority. The student could visit his or her local DHS-USCIS field office to obtain a certified copy of the student's entire immigration file, or as much of it as necessary to confirm their status. The institution could also submit a copy of the suspicious document(s) during the paper-based secondary confirmation process, Form G-845, and note in the comment section of the form that they suspect the document(s) may be fraudulent.

If an institution is able to discern that a document is patently fraudulent, (e.g., does not relate to the applicant, contains misspellings, misaligned text, altered dates) the institution must deny that student Title IV, HEA student financial assistance. Also, if an institution has conflicting information about a student's immigration or citizenship status or has any reason to believe information on the FAFSA is incorrect, the institution must resolve such discrepancies before disbursing Title IV, HEA student financial assistance. Where an institution is unable to get a response from DHS-USCIS, or an institution receives an item 13 response ("USCIS is searching indices for further information") on Form G-845 from DHS-USCIS, the institution may choose to not disburse Title IV, HEA student financial assistance.

We remind institutions that if they suspect that a student or other individual has misreported information or altered documentation to obtain Title IV, HEA student financial assistance, such institutions must report those suspicions, and provide any evidence of the same to the Department's Office of Inspector General (OIG) at 1-800-MIS-USED or by visiting the OIG's Web site at <http://www2.ed.gov/about/offices/list/oig/index.html>.

If you have any questions regarding this letter, please contact Aaron Washington via e-mail at [Aaron.Washington@ed.gov](mailto:Aaron.Washington@ed.gov) and Rene Tiongquico via e-mail at [Rene.Tiongquico@ed.gov](mailto:Rene.Tiongquico@ed.gov).

Sincerely,



Lynn B. Mahaffie  
Deputy Assistant Secretary for  
Policy, Planning, and Innovation

Attachments/Enclosures:  
Sample affidavit

**CERTIFICATION OF TRUE, EXACT, AND COMPLETE COPY OF THE ORIGINAL DOCUMENTS**

This form is for the collection of DHS or other U.S. citizenship/nationality documents from students unable to present their documents in person.

I certify that I, \_\_\_\_\_, am the individual  
(Print student's full name)

signing this statement, and I am providing a copy of my documents along with a copy of a valid government-issued photo identification card bearing my portrait (or likeness).

I certify that the attached documents and government issued photo identification are the true, exact, and complete copies of the originals issued to me.

List of document(s):

<u>NAME OF VALID PHOTO ID</u>	<u>EXPIRATION DATE OF VALID PHOTO ID</u>	<u>ISSUING AUTHORITY OF VALID PHOTO ID</u>

<u>NAME OF CITIZENSHIP AND/OR IMMIGRATION DOCUMENT(S)</u>	<u>EXPIRATION DATE (IF ANY) OF CITIZENSHIP AND/OR IMMIGRATION DOCUMENT(S)</u>

I understand that providing false or misleading information or documents is punishable by fine or imprisonment and may make me liable for repayment of any funds received on the basis of the information and documents I have provided.

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Student's Signature

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Student's ID Number

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Date

\*Sign in the presence of a notary public

SAMPLE