

# Citizenship

## CHAPTER 2

*A student has to be a citizen or eligible noncitizen to receive 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 immigration documents that you may have to collect to make sure that the student meets this requirement.*

### ELIGIBLE CATEGORIES

A student must be one of the following to be eligible to receive federal student aid:

- a U.S. citizen or national;
- a U.S. permanent resident or other eligible noncitizen; or
- a citizen of the Freely Associated States: the Federated States of Micronesia and the Republics of Palau and the Marshall Islands. These students can only receive aid from some of the FSA programs (see Citizens of the Freely Associated States section later in this chapter) and do not have an A-number/ARN.

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

The Department of Education (The Department) matches all applications with the Social Security Administration (SSA) to determine if the student is a U.S. citizen. If he provides an alien registration number (ARN) on the FAFSA, his record is also sent to DHS to check noncitizen current 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 output document. A student's citizenship status only needs to be checked once during the award year; if the status is eligible at that time, it remains so for the rest of the award year.

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

### Citizenship issues

- All applications are matched with the Social Security Administration (SSA) to determine U.S. citizenship.
- Applications that have an Alien Registration Number (ARN) are matched against Department of Homeland Security (DHS) records.
- If the DHS match fails after automated primary and secondary confirmation, the school must conduct a paper secondary confirmation (see "paper secondary confirmation" section in this chapter).

### Citizenship

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

### Contacting USCIS

To contact USCIS, see "find a USCIS office" page at <http://www.USCIS.gov/>

### Eligible noncitizen and name changes

When an eligible noncitizen student changes his or her name, the student needs to update it with SSA and DHS. For the DHS update, students can do this at a local USCIS office or by calling 1-800-375-5283. For the SSA update, see <http://ssa-custhelp.ssa.gov>

**Documenting citizenship**

34 CFR 668.33(c)

**U.S. citizen or national**

A person is a United States 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 whose only connection to the United States is through birth on American Samoa, Swains Island, or the United States Minor Outlying Islands are not U.S. citizens but are U.S. nationals, and therefore may receive FSA funds.

**Data doesn't match example**

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

**Social Security card and driver's license**

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

**Parent signature on certificate**

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

**CITIZENSHIP MATCH WITH THE SSA**

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

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

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

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

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

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

**U.S. citizenship documentation**

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

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

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

- A copy of Form FS-240 (Consular Report of Birth Abroad), FS-545 (Certificate of birth issued by a foreign service post), or DS-1350 (Certification of Report of Birth). These are State Department documents.
- A Certificate of Citizenship (N-560 or N-561) issued by USCIS to individuals who derive U.S. citizenship through a parent.
- A Certificate of Naturalization (N-550 or N-570) issued by USCIS (or, prior to 1991, a federal or state court), or through administrative naturalization after December 1990 to those who are individually naturalized.

Before you can disburse aid, the student must present original documentation that verifies he is a citizen. In this case, the C code can remain on the student's record. Unlike the case of eligible noncitizens, you don't submit the documents to the DHS or any other agency for verification, but you do need to keep a copy in the student's file. Older versions of the Certificate of Citizenship and of the Certificate of Naturalization instruct the holder not to photocopy them. The USCIS has advised the Department that these documents (and others) may be photocopied for lawful purposes such as documenting eligibility for FSA funds.

The student should also contact the Social Security Administration to update its database so the record will pass the SSA Citizenship match without delay in future years. This is not required to receive aid.

### Updating status for citizens born abroad

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

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

The student should provide his name given at birth, the date and location of birth, the parents' names, available passport information, a return address, and a daytime phone number. The signature and a copy of valid photo identification of the requester must be included. For form FS-240, the student

### Photocopying immigration docs

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

### Example: citizenship not confirmed

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

### Report of birth abroad

U.S. Department of State  
Passport Services  
Vital Records Section  
1150 Passport Services Pl  
6th Floor  
Dulles, VA 20189-1150  
(202) 485-8300

### USCIS retires red ink

[https://help.cbp.gov/app/answers/detail/a\\_id/1743/~/uscis-stamps](https://help.cbp.gov/app/answers/detail/a_id/1743/~/uscis-stamps)

On July 1, 2014, U.S. Citizenship & Immigration Services (USCIS) began using a new blue colored ink for its secure stamps. The old red ink previously used for such stamps has been retired and will no longer be used (note also that some stamps still use black ink). Customs and Border Protection (CBP) also now uses blue ink, for uses other than the admission stamp. For more information, see the URL above.



## Certifications of Report of Birth and Consular Report of Birth Abroad

[http://travel.state.gov/law/family\\_issues/birth/birth\\_593.html](http://travel.state.gov/law/family_issues/birth/birth_593.html)

To reduce vulnerability to fraud, as of January, 2011, the Consular Report of Birth Abroad (FS-240) has been redesigned and is now printed only in the United States. The previous version of the FS-240 continues to be a valid proof of U.S. citizenship. As of December 31, 2010, the State Department no longer issues Certifications of Report of Birth (DS-1350); however, all previously issued DS-1350s are still valid for proof of U.S. citizenship.

## 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](http://www.uscis.gov), or see the State Department's intercountry adoption website at <http://adoption.state.gov/>.

also has to include the original form (to exchange it) or a signed, notarized affidavit that the original was destroyed or lost. The FS-240 is \$50 for each copy. Payment should be sent in the form of a check or money order (do not send cash or foreign checks) payable to "Department of State." It will take four to eight weeks to receive the form. For more information, the Vital Records Section can be reached at (202) 485-8300.

If the student is over 18 and the birth wasn't registered, she can file a self-petition for a "Certificate of Citizenship" at any local USCIS office (Form N-600).

## NONCITIZEN MATCH WITH THE DHS

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

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

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

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

▼ *Record was not sent to DHS.* The match won't be attempted if the student left the citizenship question blank (comment code 068), if she said she was an eligible noncitizen but provided either no ARN or an illegible or invalid one (code 142), or if she changed her response to the citizenship question or changed her 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 her to provide the school with documentation of her eligibility. Compare the document with the SAR/ISIR to determine the appropriate action. If you or the student corrects the ARN and resubmits it so that the match can be conducted, and her eligibility is confirmed, the C code will not appear on the new ISIR. If a correction is not required, the C code will remain, but you should put documentation in the student's file as proof that her record is correct.



Note that students who are citizens of the Marshall Islands, the Federated States of Micronesia, and Palau won't pass the DHS match because they don't have ARNs to report. While these students aren't required to provide proof of their eligible noncitizen status, you may request their citizenship documentation and copy it for their record if necessary (they may also have employment authorization documents which may be verified against DHS databases to confirm current immigration status).

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

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

A correction made while the DHS is conducting the automated secondary confirmation will start the process over, i.e., the correction will be sent through primary confirmation. Though unlikely, if the new primary confirmation match yields a "Y," the transaction can be used to award aid. The new transaction will 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.

### ARN corrections & additions



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

If the student indicated U.S. citizen or national on the FAFSA, but provides an eligible noncitizen document, correct question 14 on the ISIR to "Eligible Noncitizen" and enter the ARN in question 15. This correction will tell CPS to send the record to the DHS Primary match (for the first time). Ignore comment code 146 on the current ISIR. Wait for the DHS Match flags on the student's next ISIR to determine whether a G-845 is necessary. If the ARN on the ISIR does not match the ARN on the student's document, correct the ARN in field 15. 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 a G-845 form unless the DHS Match flags on the resulting ISIR indicate that a G-845 is necessary.

### DHS Automated secondary confirmation match flags and comment codes

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

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

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

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

### Do not complete a G-845 without evidence of eligible noncitizen status



E-Announcement Mar 9, 2015

When you add or change a student's ARN, do not complete a G-845; wait for a revised ISIR. If a student doesn't provide evidence that they are an eligible noncitizen, DO NOT complete a G-845 form for that student, unless you have conflicting documentation. See eligible noncitizens and documentation section in this chapter.

## Conditions requiring secondary confirmation

34 CFR 668.133(a)

## School policies and procedures on secondary confirmation

34 CFR 668.134–135

## New G-845 form

USCIS has released a new version of the G-845. You will be able to use the new form for secondary confirmation. See the form later in this chapter.

## Sending the G-845 to the USCIS

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

## Help

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

## I-94 website

<https://i94.cbp.dhs.gov/i94/request.html>

The I-94 regulations and process have not changed. Customs and Border Protection (CBP) still creates admission records, however this is now done electronically. The I-94 website allows travellers (and schools, if the traveller grants permission) to access admission records online, and serves to replace paper I-94s going forward (the website contains records from April 2011 to present). Legacy paper I-94s are also still valid and in use.

## PAPER SECONDARY CONFIRMATION (G-845)

If the student didn’t pass automated secondary confirmation or if you have conflicting information about his immigration status after receiving a match result, you must use paper secondary confirmation. The student must give you unexpired documentation that shows he is an eligible noncitizen. If you determine the evidence is not convincing, he isn’t eligible for FSA funds, and you don’t have to complete and send a G-845. But if the documentation appears to demonstrate that he is an eligible noncitizen, you must submit it to the USCIS (in the DHS) to confirm it is valid. One exception to this applies to victims of human trafficking, as noted later in this chapter.

## Eligible noncitizens and documentation

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

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

Permanent residents may also present an Arrival/Departure Record (CBP Form I-94) or the Departure Record (Form I-94A, which is used at land border ports of entry) with the endorsement “Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until \_\_\_\_\_. Employment Authorized.” **Under certain circumstances, the I-94 will no longer be issued to students who are not refugees, asylees, or parolees. Students without I-94 documentation may have their status confirmed by a Customs and Border Protection (CBP) stamp, showing class of admission and date admitted, on their passport, although an I-551 is preferable, if available.** 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 United States 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, she should update the I-551 with the USCIS. Permanent residents are expected to get a new picture and be fingerprinted at the age of 14. But you can submit the documents to USCIS and pay a student who has an I-551 with a baby picture as long as you can confirm that it belongs to the student. You can do this by comparing the I-551 to a current photo ID that has the student's name, date of birth, and signature. The current ID must also be consistent with any identifying information in the student's file.

A student who has an approved application for permanent residence on file with the USCIS and who is waiting for a permanent resident card should have an I-797 Approval Notice from USCIS indicating such, 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 FSA funds.

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

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

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

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

- **Refugee** status continues unless revoked by DHS or until lawful permanent resident status is granted, which refugees apply for after one year (although they may remain in refugee status much longer). They may have a Form I-94 or I-94A annotated with a stamp showing admission under Section 207 of the Immigration and Nationality Act (INA). They may also have the old Refugee Travel Document (Form I-571) or the newer U.S. Travel Document annotated with "Refugee Travel Document Form I-571 (Rev. 9-2-03)." **Refugees** are given indefinite employment authorization.

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

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

### Asylees abroad and eligibility

Asylees who leave the U.S. for an extended amount of time without USCIS approval forfeit their current immigration status, so it may thus be difficult for them to be considered an eligible non-citizen for FSA purposes.

### Documentation for Cuban-Haitian entrants

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

- **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. Persons granted asylum in the United States are authorized for indefinite employment.
- **Persons paroled into the U.S. for at least one year** must provide evidence (such as having filed a valid permanent resident application) from the DHS that they are in the U.S. for other than a temporary purpose and intend to become a citizen or permanent resident. Their documentation must have a stamp indicating that the student has been paroled into the United States for at least one year, with a date that has not expired (federal student aid cannot be disbursed after the document has expired).
- **Cuban-Haitian entrants** as defined by Section 501(e) of the Refugee Education Assistance Act (REAA) of 1980. All Cuban-Haitian entrants are potentially eligible for Federal Student Aid. **Under certain circumstances, the I-94 will no longer be issued to students who are not refugees, asylees, or parolees. Students without I-94 documentation may have their status confirmed by a Customs and Border Patrol (CBP) stamp, showing class of admission and date admitted or paroled on their passport.** Note that a document showing that the holder is a Cuban-Haitian entrant is valid even if the expiration date has passed.
- **Conditional entrants** are refugees who entered the United States under the seventh preference category of P.L. 89-236 or whose status was adjusted to lawful permanent resident alien under that category. They had to have entered the U.S. prior to the enactment of the Refugee Act of 1980. Students may have an I-94 with a stamp displaying “Section 203(a)(7)” and indicating that the person was admitted to the United States as a conditional entrant. Because the predecessor of the DHS stopped using this category after March 31, 1980, you should not disburse FSA funds if the student has an I-94 with conditional entrant status granted after that date.

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

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



- **Victims of human trafficking** have the same eligibility for federal benefits as refugees under the Victims of Trafficking and Violence Protection Act (VTVPA), though the Department of Health and Human Services (HHS), rather than the DHS, is responsible for certifying this status. Because of this, these students will not pass the DHS match, and the normal paper secondary confirmation does not apply. These individuals may have an I-94 with a T1, T2, T3, or T COA 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 of Refugee Resettlement at 1-866-401-5510, as noted on the letter, to verify its validity and confirm that the eligibility has not expired. You must note the date, time, and results of the call and retain a copy of the letter. If the student applies for federal student aid in a subsequent year at your school, you must call again to ensure that the student's status is still in force.

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

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

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

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

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

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### **Victims of human trafficking**

DCL GEN-06-09

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### **Battered immigrants-qualified aliens**

DCL GEN-10-07

the age of majority, their eligibility for aid continues as well. In some cases, a dependent child can petition for battered immigrant status; the I-797 would then indicate a self-petitioning child of a U.S.C. or L.P.R.

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

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### VAWA verification

U.S. Citizenship and Immigration  
Services  
10 Fountain Plaza, 3rd Floor  
Buffalo, NY 14202  
Attn: Immigration Status Verification  
Unit

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

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

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

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

If documentation is lost or expired or if you are unclear about it, submit a completed G-845 form and attach a copy of the document(s). Check "Box 9L—Other" of the form and specify "VAWA verification" and submit the items to USCIS. The student's eligibility for aid will be based on the result of the submission.

### ***Jay Treaty***

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 United States. This is based on the Jay Treaty of 1794 and subsequent court decisions. Such individuals are not subject to the legal restrictions typically imposed on aliens by the DHS, are not required to obtain documentation from the DHS, and are considered “lawfully admitted for permanent residence.” They also are permitted to have an SSN, which they must enter on the FAFSA.

Students who may be eligible for FSA funds under Section 289 of the INA and who have a valid ARN should enter that on the FAFSA and indicate they are eligible noncitizens. If they fail the DHS match, they should submit their documentation with the G-845 form to DHS. If they fail paper secondary confirmation, they can still be considered eligible if they meet the documentation requirements below for students without an ARN.

Jay Treaty students who don’t have a valid ARN should enter “A999999999” in that field on the FAFSA and report that they are eligible noncitizens. They will fail the match, and a comment 144 will be printed 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 FSA funds.

### ***Ineligible statuses and documents***

- **Persons with nonimmigrant visas** include those with work visas, students, visitors, and foreign government officials. Someone with a nonimmigrant visa isn’t eligible for FSA funds unless she has a Form I-94 with one of the endorsements given in the eligible document section. Nonimmigrant visas include (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 a G series Visa (pertaining to international organizations). Someone who has only a “Notice of Approval to Apply for Permanent Residence (I-171 or I-464)” cannot receive FSA funds. The State Department publishes a list of nonimmigrant visas at: <http://www.state.gov/documents/organization/87170.pdf>.

- **Family unity status** individuals have been granted relief from deportation under the Family Unity Program. They may present an approved Form I-817, Application for Family Unity Benefits. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Temporary residents** are allowed to live and work in the U.S. under the Legalization or Special Agricultural Worker program. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Illegal aliens under the legalization (also called the amnesty) program** established by the Immigration Reform and Control Act of 1986 (IRCA). These individuals were given documentation that allowed them to work while their application for permanent resident status was being processed, but they aren't eligible for aid unless their application was approved. Documents they might have in the interim are the Employment Authorization Card (Form I-688A), or the Employment Authorization Documents (Form I-688B or the I-766). None of these documents qualifies a student for FSA aid.
- **Students with “Temporary Protected Status”** stamped on their I-94 forms. This is used for persons who are from countries that are in upheaval, but the status differs significantly from refugee or asylee because it provides no conversion to permanent resident status. These students are not eligible for FSA funds.
- **The Deferred Action for Childhood Arrivals (DACA)** status is conferred by the USCIS office in the Department of Homeland Security. While students granted DACA are normally assigned a Social Security number, they are not eligible for Title IV aid. However, DACA status students may still 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 Social Security number and answer the “Are you a U.S. citizen?” question as “No, I am not a citizen or eligible noncitizen.” After submitting the FAFSA, the student should check with the school's financial aid office to see what types of financial aid they may be eligible to receive.
- **Students with a “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 his or her life or freedom. This status is similar to asylee, but provides no pathway to permanent resident status. These students are not eligible for FSA funds.
- **“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 United States for a continuous period of at least three years after the date of admission given on their U-Visa.



Once LPR status has been granted, the holder of LPR status becomes a qualified alien under the PRWORA (see above), and thus potentially eligible for Title IV funds (assuming they meet all other eligibility requirements, for example, being enrolled as a regular student in an eligible program, having a high-school diploma or its recognized equivalent, having a , etc). 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. In addition to institutional aid, there may be scholarships, private funding, and state aid available to them. The website [www.studentaid.gov](http://www.studentaid.gov) contains information to help students search for possible scholarships and other resources.

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

### ***Using the G-845 for paper secondary confirmation***



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

To complete the G-845, fill in each item on the top half of the form (beginning on the next page of the Handbook, see "The G-845, Part 1"). **You should write the 15-digit DHS verification number that is printed in the match flag section of the SAR and ISIR in field number three, "Case Verification Number," on the G-845 form. Paper G-845 requests without this number may be returned unprocessed.** Also, at the bottom of box nine, write "SSN" in the space marked "Other (Specify)" and the student's SSN in the space next to it. You must write your name as the submitting official in box 11 and your school's name as the submitting agency in box 12. Enter the DHS field office in the blanks under the "Attn: USCIS SAVE Program Status Verification Office" line (in the upper left-hand corner of Part 1) and your school's name and address in the "From" space (just below the "to" space) in the left column of page 1 of the G-845.

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

### **The ARN on the FAFSA and the DHS verification number**

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

### **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](http://www.uscis.gov/green-card/other-ways-get-green-card/green-card-victim-crime-u-nonimmigrant).

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**G-845 form response**

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

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**Status not confirmed example**

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

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**Procedures when ineligibility is determined after disbursement**

34 CFR 668.136(c)

Noncitizens may also present other documents, such as marriage records or court orders, that indicate the identity or United States residency of the holder. Although these documents may not serve as adequate proof of immigration status, copies of them should be submitted with the G-845, as they may be useful to the status verifier.

A status verifier at the district USCIS office will search the student's record to confirm his immigration status, complete the "USCIS Response" section, and send the G-845 back to your office, generally within 21 federal working days of receipt. We recommend that you document any mailings to the USCIS and, if you haven't heard back on a G-845 within 15 days, that you call DHS's Case Resolution Team at 1-(877)-469-2563 to make sure the G-845 was received (note: the Case Resolution Team and its contact information are available to SAVE registered agencies only. Do not give this number to students or anyone not authorized to submit the G-845). See [www.uscis.gov/save](http://www.uscis.gov/save) for contact and other information. Do not send a duplicate G-845 unless the Case Resolution Team asks you to do so. If you don't receive a response from the USCIS after at least 15 business days from the date you sent the G-845, if you have sufficient documentation to make a decision, and if you have no information that conflicts with the student's documents or claimed status, you should review his file and determine whether he meets the eligible noncitizen requirements. If he does meet the requirements, make any disbursement for which he is eligible and note in his file that USCIS exceeded the time allotment and that noncitizen eligibility was determined without their verification.

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

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 paper secondary confirmation. This assumes that you had no other conflicting information prior to making the disbursement and had reviewed the available documentation and concluded that the student was otherwise eligible.

### ***The G-845, Part 1: Information from the Registered Agency*** (the section you fill out)

All schools using the G-845 to verify information for Title IV eligibility purposes are considered Registered Agencies. The previous G-845 form expired on January 31, 2015, but may still be used until August 14th, 2015. We describe in this chapter the contents of the revised G-845. Most of the items in this section are the same as the old form and are self-explanatory. The wording/numbering of some questions in Part 1 have changed, but the meanings correspond to the similar questions in Section A of the old G-845.

Put your school's name in the "from" field in Part 1 as you've done in the past. Under Applicant Information, "Immigration Document Number" has spaces to enter three numbers, the student's Alien Registration Number (ARN), I-94 (Arrival-Departure Record) Number, or other immigration number (if the other two are unavailable). Only one of these three needs to be entered, with the ARN being preferred, if available. In field 3, "Case Verification Number," enter the student's 15-digit DHS Verification Number. This number is found in the Match Flag section of the student's ISIR. Always leave fields 6 and 10 blank. In field 9, you must check "Education Grant/Loan/Work Study." Field 16 is an optional field for you to provide comments.

### ***The G-845, Part 2: USCIS Responses***

The status verifier will mark one or more of the checkboxes on the G-845. The following list explains whether checking a box means the student is eligible. Note that Section B has been revamped on the new G-845. Although the numbering and wording of some items has changed, the meaning has not changed. In reviewing the completed G-845, bear in mind that it reflects the student's most recent status with the USCIS and may show a different status than the documentation presented by the student. In this case, you should verify that both documents identify the same person. If they do, the status on the G-845 should be used since it is more current.

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

1. **"Lawful Permanent Resident alien of the United States"** A student with this status is eligible for FSA funds.
2. **"Conditional Permanent Resident of the United States"** A student with this status is eligible for FSA funds.
3. **"Applicant is employment authorized in the United States as indicated"** This indicates the expiration date or that there is no expiration. Employment authorization alone/by itself doesn't make the student eligible for FSA funds. Unless some eligible status is also checked or the student can provide other documentation that can be confirmed by the USCIS, the student isn't eligible for aid.

### **When a student provides new documentation**

If you have received a completed G-845 for a student who was determined not to be an eligible noncitizen, but later he or she provides an updated immigration document, do not complete a new G-845 form. First, make a correction to verify name or date of birth/DOB on the student's FAFSA. This will resend the record to DHS for initial and secondary verification. If an eligible noncitizen code is not returned (in the usual time frame) on the resulting transaction, complete a new G-845 using the DHS verification number provided on the new transaction.

Making a correction on a student's record with an "N" primary verification match flag and a "C," "X," or "N" secondary verification match flag will produce a new ISIR with a new DHS verification number. This new number can be used if DHS is unable to process a student's G-845 due to problems in the SAVE system.

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### Determining eligibility if USCIS response is late

34 CFR 668.136(b)

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### Lack of response example

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

4. **“Applicant is not employment authorized in the United States”**  
This block is checked when an alien's status prohibits employment in the United States. Students with this status aren't eligible for aid. Citizenship and Immigration Services will initial and stamp the front of the G-845 in the signature block.
5. **“Applicant has an application pending for the following USCIS benefit:”** A pending application for an immigration status doesn't by itself make the student eligible for FSA funds; he must have an eligible status checked on the form or provide other documentation of an eligible status.
6. **“Applicant was granted asylum or refugee status in the United States”** A student with this status is eligible for FSA funds.
7. **“Applicant was paroled into the United States under Section 212 of the Immigration and Nationality Act (INA)”** The student is eligible for aid if paroled into the U.S. for one year or more and if he has evidence from the DHS (such as having filed a valid permanent resident application) that he is in the U.S. for other than a temporary purpose and intends to become a citizen or permanent resident. If, for example, the start date was September 22, 2015, and the end date was September 21, 2016, the parole period would be for one year.
8. **“Conditional entrant of the United States”** A student with this status is eligible for FSA funds if they are in the United States for other than a temporary purpose.
9. **“Nonimmigrant (specify type or class and expiration date)”**  
Nonimmigrants are not eligible for FSA funds.
10. **“U.S. citizen”** Because the verification request is used to check the status of immigrants, this box should be infrequently checked, and you should not see this in the financial aid office because, as explained earlier in the chapter, you would have reviewed the student's documentation, and if it showed him to be a U.S. citizen, you would not have submitted it to the USCIS.
11. **“Cuban/Haitian entrant of the United States”** A student with this status is eligible for FSA funds.
12. **“American Indian born in Canada to whom the provisions of INA 289 apply”** These students are eligible for FSA funds if their documentation supporting their status is adequate; for details, see the Jay Treaty section earlier in this chapter.



13. **“Mexican Born Member of the Texas or Oklahoma Band of Kickapoo Indians”** If box 13 is checked, the financial aid administrator must contact U.S. Department of Education staff by emailing either Aaron Washington (Aaron.Washington@ed.gov) or Rene Tiongquico (Rene.Tiongquico@ed.gov).
14. **“Deferred Action for Childhood Arrivals (DACA)”** A student in this status is ineligible for FSA funds, but may be eligible for State or private aid. See DACA section earlier in this chapter in Ineligible Statuses and Documents section. Additionally, the Department provides information about DACA students in the “Financial Aid for Undocumented Students” factsheet, which is available on [StudentAid.gov](http://StudentAid.gov).
15. **“Temporary Protected Status (TPS)”** A student in this status is ineligible for FSA funds.
16. **“Deferred Action Status”** DHS has prosecutorial discretion to not pursue the removal of a person from the United States. Unless some eligible status is also checked or the student can provide other documentation that can be confirmed by DHS-USCIS, the student is ineligible for FSA funds.
17. **“VAWA Self-Petitioner”** See GEN-10-07. If 17.a is checked, the financial aid administrator must contact U.S. Department of Education staff by emailing either Aaron Washington (Aaron.Washington@ed.gov) or Rene Tiongquico (Rene.Tiongquico@ed.gov). If 17.b is checked, the student is eligible for federal student aid.
18. **“Withholding of Removal”** A student with a withholding of removal status is ineligible for FSA funds.
19. **“USCIS is searching indices for further information”** This block is checked if the USCIS is withholding judgment, pending further investigation on the status or validity of documentation. This statement doesn’t imply that the applicant is an illegal alien or the holder of fraudulent documentation. Benefits shouldn’t be denied on the basis of this statement.
20. **“This document is not valid because it appears to be: (check all that apply) A. Expired, B. Altered, or C. 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.

***The G-845, Part 3: (USCIS Comments)***

Only DHS-USCIS SAVE status verifiers complete this information, and the student's eligibility for federal student aid will be based on the DHS-USCIS response in Part 2, and if other action needs to be taken, Part 3 will also be completed.

1. **“Unable to process request without an original consent of disclosure statement signed by the applicant. Resubmit request.”**  
Ignore this comment; it does not apply to FSA applicants.
2. **“No determination can be made because insufficient information was submitted. Obtain a copy of the applicant's most recently issued immigration document. Submit a new request.”**  
Resubmit the G-845, this time with any pertinent data from the alien registration document (you've probably already submitted all available data, but in case you have not, do so). If the student has already submitted all available data, they are considered ineligible.
3. **“No determination can be made without seeing both sides of the applicant's immigration document.”** Resubmit the G-845 with copies of both sides of each document.
4. **“Copy provided of applicant's immigration document is illegible.”** Resubmit the G-845 with higher quality copies of the original documentation.
5. **“Unable to verify status based on the document provided.”** If this is checked, DHS-USCIS was not able to verify the student's status based on the documentation provided. The student must contact the appropriate agency, i.e., USCIS, Immigration and Customs Enforcement (ICE), or Customs and Border Protection (CBP) to correct their records.

***Student rights***

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

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

- a SAR or ISIR indicating that the student meets the requirements for federal student aid;
- a USCIS determination of an eligible immigration status in response to a request for secondary confirmation; or

- immigration status documents submitted by the student, if the USCIS did not respond in a timely fashion.

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

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

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

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







**Part 2. USCIS Responses (continued)**

- [illegible]

### Part 3. USCIS Comments

USCIS Stamp

## CITIZENS OF THE FREELY ASSOCIATED STATES

Students who are citizens of the Freely Associated States—the Federated States of Micronesia and the republics of Palau and the Marshall Islands—are eligible for Pell Grants (citizens of Palau are also eligible for FWS and FSEOG; see the margin note) but are not eligible for FSA loans. They should indicate on the FAFSA that they are eligible noncitizens and leave the ARN item blank. If the student doesn't have an SSN, he enters 666 and ED will give him a number to use, or if he was given a number in the previous year, he should use that (for a more extensive discussion of SSNs, see Chapter 4 of this volume). Such students must continue to use the same ED-assigned SSN due to Pell Lifetime Eligibility Used (LEU) rules. Because he isn't giving an ARN, his application won't go through the DHS match. As long as his file contains consistent information on his citizenship, you aren't required to collect documentation.

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

## DOCUMENTING IMMIGRATION STATUS IN LATER AWARD YEARS

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

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

You must also document the eligible noncitizen status each award year for a conditional permanent resident, a refugee, a Cuban-Haitian entrant, or a person granted asylum. Students in any of these categories may have been redesignated to permanent-resident status or may have had their statuses revoked. You will have to send the documents for secondary confirmation if the student's status isn't confirmed through the USCIS match. You don't have to document a student's eligible noncitizen status in subsequent award years if you've documented that the student is a U.S. citizen or national, is a citizen of the Freely Associated States, or has a Form I-551 or I-151.

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

## The Freely Associated States

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

34 CFR 600.2

## Pseudo-SSNs for Pacific Islanders and the FAFSA

Electronic Announcement Nov 20, 2013  
For more details on SSNs for Citizens of the Freely Associated States, see Chapter 4 of this volume.

## No FSEOG and FWS

The Compact of Free Association Amendments Act of 2003, or the Compact Act, eliminates eligibility for citizens of the Republic of the Marshall Islands (RMI) and the Federated States of Micronesia (FSM) for FSEOG and FWS funds. To mitigate this loss, the Compact Act authorizes Supplemental Education Grants (SEGs) that may be awarded to the FSM and RMI. For more information, students of the FSM and RMI should contact their local education authority. Also under the Compact Act, students who are citizens of the Republic of Palau will continue to be eligible for FWS and FSEOG through the 2015-16 award year.

## Exclusion from subsequent secondary confirmation

34 CFR 668.133(b)

## REPLACING LOST DHS DOCUMENTS

If a student can't locate his official USCIS documentation, the student must request that the documents be replaced because noncitizens who are 18 years and older must have immigration documentation in their possession at all times while in the United States. Requests for replacement documents should be made to the 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 [www.uscis.gov](http://www.uscis.gov). A temporary I-94 may be issued while the replacement documents are pending.

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

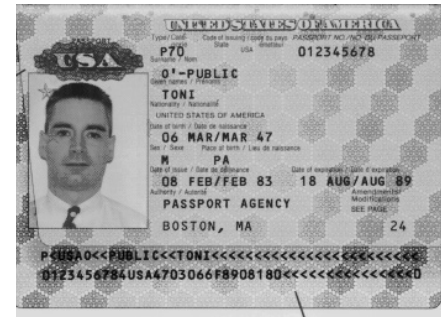


**CITIZEN NOT BORN IN U.S./NONCITIZEN NATIONAL**

## U.S. Passport

*Can be used to document citizenship for citizen born abroad.*

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



### *U.S. Passport Card*

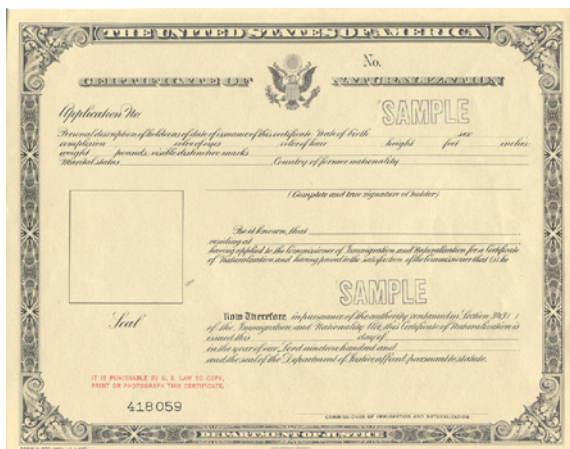
*This resembles a credit card in size and form. Though it cannot be used for international air travel, it is, like the passport book, proof of U.S. citizenship.*

## Certificate of 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.*



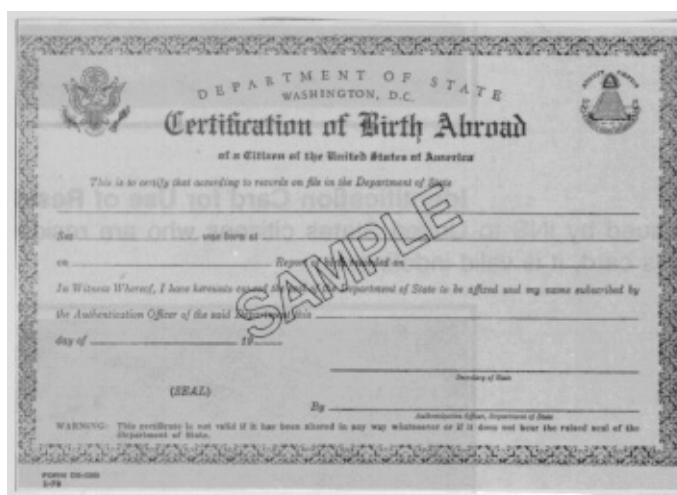
**Certificate of Naturalization**  
The Certificate of Naturalization is issued to naturalized U.S. citizens.



A revised version of the Certificate of Naturalization (Form N-550) was created in 2010.

All previously issued certificates remain valid.

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



## CITIZEN NOT BORN IN U.S./NONCITIZEN NATIONAL PERMANENT RESIDENT/OTHER ELIGIBLE NONCITIZEN

### 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

Below, 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: [www.cbp.gov/I94](http://www.cbp.gov/I94). The website allows you to look up I-94 student data, if the student grants you permission to do so.

Departure Number: 602410985 20

Class of Admission: B2

Officer Badge Number: 04521

Date Admitted to: SEP 21 2011

Department of Homeland Security  
CBP I-94A (11/04)  
Departure Record

Family Name: RAZURA RENTERIA

First (Given) Name: SANDRA EDITH

Birth Date (Day Mo Yr): 14, 09, 78

Country of Citizenship: MEXICO

20110921 US-VISIT 20110921 MULTIPLE

See Other Side

STAPLE HERE

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

OMB No. 1551-0111  
Expiration Date: 05/31/2015

Get I-94 Information I-94 FAQ

Most Recent I-94

Admission (I-94) Record Number: 54813013030

Most Recent Date of Entry: 2015 January 05

Class of Admission: F1

Admit Until Date: D/S

Details provided on the I-94 information form:

Last Surname: GLOBAL

First (Given) Name: CITIZEN

Birth Date: 1992 January 08

Passport Number: AD002000

Country of Issuance: Tanzania

Get Travel History

Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(b).

If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

For inquiries or questions regarding your I-94, please click here.

Accessibility | Privacy Policy



*For permanent resident status, must be stamped "Processed for I-551" with expiration date or "Temporary Form I-551" with appropriate information filled in. For other eligible noncitizens, must be stamped as Refugee, Asylum Status, Conditional Entrant (before April 1, 1980), Parolee, or Cuban-Haitian Entrant.*

Departure Number

742831632 01

U.S. IMMIGRATION  
250 WAS 177

SEP 13 1991

1-94  
Departure Record

ADMITTED B-2  
UNTIL MARCH 12, 1992

ICLASSI

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.**

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**Record of Changes**

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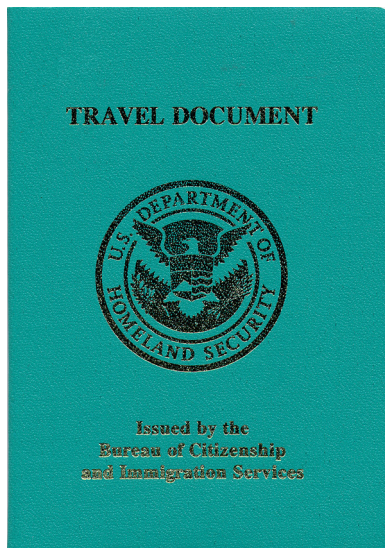
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<b>Port:</b>	<b>Departure Record</b>
<b>Date:</b>	
<b>Carrier:</b>	
<b>Flight #/Ship Name:</b>	

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



*(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 and will be annotated as described earlier in the chapter.*

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





## PERMANENT RESIDENTS

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

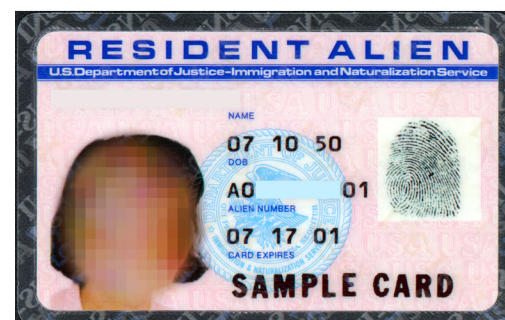
### Alien Registration Receipt Card I-151 (front and back)

Issued prior to June 1978 to permanent residents. Note: As of March 20, 1996, Form I-151 is no longer acceptable to USCIS as evidence of permanent residence, though it may be used to receive FSA funds.



### Resident Alien Card

**I-551** (two versions, front only)  
The I-551 is a revised version of the I-151. It was phased in beginning in January 1977 and was revised in 1989. The “Conditional Resident Alien Card” is identified by a “C” on the front and an expiration date on the back.



(1989)

### Permanent Resident

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

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



(1997)



(2004)



(2010)





