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 AN OFFICE OF THE U.S. DEPARTMENT OF EDUCATION

## Working with the Eligible Non-Citizen: Citizenship Documentation and Beyond

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2013 CASFAA Conference

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### Agenda

- Basic Eligibility
- US Citizen/National
- DHS matching
- Eligible non-citizens
- Ineligible statuses
- Immigrant Visas
- G-845
- Resident Alien/Green Cards
- ISIR
- Resources

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### Basic Eligibility

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

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### Basic Eligibility

All applications are matched with the SSA to determine U.S. citizenship

- Applications that have an ARN are matched against DHS records
- If the DHS match fails after automated primary and secondary confirmation, the school must collect documentation and conduct manual third-step confirmation

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### General Eligibility Information

- 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.

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### US Citizen or National



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### US Citizen or National

- All U.S. citizens are considered to be U.S. nationals, but not all nationals are citizens.
- Birth
  - Born in the 50 states, DC, Puerto Rico, US Virgin Islands, Guam and Northern Mariana Islands
  - Born abroad to parent who are US citizens
- Naturalization
- Persons whose only connection to the United States is through birth on American Samoa, Swain's Island, or the United States Minor Outlying Islands are not U.S. citizens but are nationals and therefore may receive FSA funds

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### US Citizen Documentation

- 34 CFR 668.33(d)
- Copy of Birth Certificate
- US Passport (current *or* expired)
  - Nationals will have a stamp stating "Noncitizen National"
- State Department issued "passport card"
- 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).
- Certificate of Citizenship (N-560 or N-561)
- Certificate of Naturalization (N-550 or N-570),

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### Eligibility Citizens of Freely Associated States

- Federated States of Micronesia and the republics of Palau and the Marshall Islands
  - Pell grants
  - No loans
- Palau citizens
  - Also FWS and FSEOG through 2012-2013



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**Eligibility**  
**Citizens of Freely Associated States**

- FAFSA data
  - Check eligible noncitizens
  - Leave the A-Number item blank.
  - If the student doesn't have an SSN:
    - 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. (EA dated October 7, 2011).
  - Since they do not have an A-Number, the 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.

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**Eligibility**  
**Citizens of Freely Associated States**

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

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**DHS Matching**  
**Citizens of Freely Associated States**

- Primary
  - MI, FSM and Palau citizens will not pass DHS match.
    - Not required to provide proof, but institution may request documentation if necessary

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### Eligible Non-Citizens




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### Eligible Noncitizens Statuses

- Conditional Resident Aliens
  - Eligible if documentation is not expired
    - “Upon endorsement serves as temporary I-551 evidencing permanent residence for 1 year.”
  - I-551 Conditional expires in 2 yrs instead of 10
- Refugees
  - Status continues unless revoked or permanent residency is granted

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### Eligible Noncitizens Statuses

- Parolees
  - Document stating parole status that is not expired
- Cuban-Haitian Immigrants
  - Valid even if expiration date has passed
- Conditional Entrants
  - Ended March 31, 1980

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### Permanent Residency

- Green Card Through Family :
  - an immediate relative of a U.S. citizen, *this includes spouses, unmarried children under the age of 21, and parents of U.S. citizen petitioners 21 or older*
  - a family member of a U.S. citizen fitting into a preference category, *this includes unmarried sons or daughters over the age of 21, married children of any age, and brothers and sisters of U.S. citizen petitioners 21 or older*

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### Permanent Residency

- Green Card Through Family :
  - a family member of a green card holder, *this includes spouses and unmarried children of the sponsoring green card holder*
  - a member of a special category, *this can include battered spouse or child (VAWA), a K nonimmigrant, a person born to a foreign diplomat in the United States, a V nonimmigrant or a widow(er) of a U.S. Citizen*

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### Eligible Noncitizens Statuses

- Victims of Human Trafficking
  - HHS rather than DHS does certification
  - Review certification or eligibility letter from HHS and contact HHS for validity
  - Note date/time/results of call and retain copy of letter
  - Review yearly
  - “T” Visa is for spouse, child, parent of victim. Contact with HHS also required

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### Eligible Noncitizens Statuses

- Battered immigrants-qualified aliens
  - Victims of domestic violence by their U.S. citizen or permanent resident spouses.
  - VAWA
  - Will not pass DHS match
  - If approved by USCIS – Form I-797
    - Separate form for children: eligible for FSA
    - May have an expiration date
    - As long as expiration date has not passed, may rely on initial Form each year but must have student provide a written/dated statement confirming status.

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### Eligible Noncitizens Documentation

- Permanent Resident Card I-551 (since 1997)
- Resident Alien Card I0551 (before 1997)
- I-94 or I-94A
  - Includes endorsement “209a (or 209b) pending. Employment Authorized.”
  - Includes A number and an expiration date

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### Eligible Noncitizens Documentation

- MRIV (holder’s passport)
  - “UPON ENDORSEMENT SERVES AS TEMPORARY I-551 EVIDENCING PERMANENT RESIDENCE FOR 1 YEAR”
- United States Travel Document which replaced the Reentry Permit (Form I-327) and the Refugee Travel Document (Form I-571).
  - 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).”
- Approved application
  - Needs I-94

***\*Pending Application for permanent residence is NOT sufficient\****

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### Ineligible Statuses

- Persons with non-immigrant visas: More than 20 types!
- Family Unity Status
  - Relief from deportation
- Temporary Residents
  - Live/work under Legalization or Special Agriculture Worker program
- Illegal aliens under amnesty program
  - Allowed to work, but not eligible for aid until approved
- Students with "Temporary Protected Status" on I-94
  - ***\*Do not submit ineligible document status for paper secondary confirmation\****

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### Immigrant Visas

- More than 20 Non-immigrant visas
  - SIV : Special Immigrant Visa
  - DV: Diversity Visa
  - F-X: Family
    - F-1 unmarried sons/daughters of US Citizens/permanent residents
    - F-2 Spouses/children of perm res; unmarried sons/daughters 21 and older
    - F-3 Married sons and daughters of US Citizens
    - F-4 Brothers/Sisters of US Citizens

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### DHS Matching

- Primary
  - Results show on ISIR
- Automated Secondary
  - Not yet confirmed
  - Wait at least 5 but no more than 15 days for response
- Paper Secondary
  - Didn't pass Automated, or
  - Conflicting information

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### Paper Secondary Confirmation G-845

- Use the most current form:
  - OMB No. 1615-0101; Expires 01/31/2015
- Send form within 10 days of receiving documentation to USCIS field office in your area

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### Paper Secondary G-845

- Conditions requiring secondary confirmation
  - 34 CFR 668.133(a)
- School policies and procedures on secondary confirmation
  - 34 CFR 668.134–135
- Requires *unexpired* documentation
  - Examine, copy and keep!

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### Completing the G-845

- Fill in top half of form
  - Include 15 digit verification number from ISIR/FAA Information section
- Photocopy front *and* back sides of documentation
- Document mailing
- If you don't receive a response within a reasonable amount of time, contact DHS's Case Resolution Team at (877) 469-2563 to verify that the G-845 was received.

\* REMEMBER: Receipt of G-845 does not constitute eligibility for Federal Student Aid\*

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### DHS Secondary Confirmation

**DHS Secondary Confirmation Match Flag**  
 The DHS Secondary Confirmation Match Flag is the result from DHS's confirmation that an applicant failed primary confirmation of U.S. citizenship status.

ISIR Value	Value Printed on ISIR	Description
C	DHS has not yet confirmed eligible noncitizen status	DHS has not yet confirmed eligible noncitizen status
N	DHS did not confirm eligible noncitizen status	DHS did not confirm eligible noncitizen status
P	Pending results of secondary confirmation	Pending results of secondary confirmation
X	DHS did not have enough information to confirm eligible noncitizen status	DHS did not have enough information to confirm eligible noncitizen status
Y	Citizenship status confirmed by DHS	Citizenship status confirmed by DHS

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### DHS Verification Number

**DHS Verification Number**  
 The DHS Verification Number is a 15-digit confirmation number that the DHS returns when an applicant provides his or her Alien Registration Number (ARN) and a match with DHS is conducted. The FAA **must** enter this number on the G-845 form when manual Secondary Confirmation is necessary. If the DHS Verification Number is blank and DHS verification is needed, the FAA should add the student's ARN to the FAFSA and submit a correction. A comment is returned on the resulting ISIR.

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### G-845 Secondary Confirmation

- Before sending copies of documentation to DHS, the school should confirm that the student identifiers on the ISIR are accurate, especially the Alien Registration Number and Date of Birth. If application data is incorrect, submit corrections to CPS instead of Paper Secondary Confirmation.
- Be sure to enter the student's 15 digit DHS Verification Number on the G-845 form. It can be found in the Match Flags section of the ISIR.
- In all cases, if a school does not receive a response to a paper Secondary Confirmation request within 15 days, student is eligible for aid if documentation appears to support claim of eligible noncitizen.

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**Kindly complete an evaluation....**

<http://s.zoomerang.com/s/VirginiaHagins>

Paper format also available



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