Citizen and Eligible Noncitizen Issues

Overview
- Legal authorities
- General overview
- Filling out the FAFSA
- U.S. citizens or nationals
- Eligible noncitizens
- Social Security Administration (SSA) and Department of Homeland Security (DHS) Matches
- G-845 paper secondary confirmation process
- Some things to remember
- Special cases

Legal Authorities

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Citizen and Eligible Noncitizen Issues

§484(a)(5): Citizenship Requirement

- U.S. citizen
- U.S. national
- **Permanent resident**
- Provide evidence from DHS-USCIS that they are in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident

General Overview

Filling out the FAFSA

- Q14: Are you a U.S. citizen? Mark only one.
  - Yes I am a U.S. citizen (U.S. national)¹.
  - No, but I am an eligible noncitizen².
  - No, I am not a citizen or eligible noncitizen³.
- Q15: Alien Registration Number
  - A__ __ __ __ __ __

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**Match Agreements: Overview**

- SSA Match
  - All applications are matched with SSA to determine U.S. citizenship
- DHS Matches:
  - Primary verification (DHS); Secondary confirmation (DHS Sec. Conf.)
  - A student who provides an A-Number also matched with DHS to check their current immigration status
  - Results shown on ISIR and a failed match with DHS will produce a C-code

**Relevant Match Flags on ISIR**

**General Eligibility Requirements**

- Gaining eligibility
  - A student is eligible for all Title IV aid for the entire award year, not just the payment period, in which he or she becomes eligible by meeting the requirements for citizenship (including becoming an eligible noncitizen)
  - 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
  - Parent certifies on PLUS MPN citizen or eligible noncitizen

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**U.S. Citizens or Nationals**

- All U.S. citizens are U.S. nationals, but not all nationals are citizens
- Individual who was
  - Born in the United States or its territories
  - Parent is a U.S. citizen
  - Citizenship through naturalization
- Persons born in American Samoa, CNMI, Swain’s Island, United States Minor Outlying Islands (U.S. nationals)
  - Eligible for all Title IV aid

**U.S. Citizens Documentation**

- Copy of birth certificate showing student was born in the United States or its territories
- U.S. passport (book or card)
  - Current or expired
  - Nationals will have a stamp stating “Noncitizen National”
- 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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**US Citizen Documentation**
- The USCIS has advised the Department that citizenship documents (and others) *may be photocopied* for lawful purposes such as documenting eligibility for FSA funds.
- Don’t submit the documents to the DHS or any other agency for verification.
- Keep a copy in the student’s file.
- Student should contact the SSA to update its database—something all naturalized citizens should do.
- Social Security Card or driver’s license is NOT acceptable for documenting citizenship or national status.

**Eligible Noncitizens**

- Lawful permanent residents
- Conditional residents
- Refugees
- Asylees
- Parolees (at least 1 year)
- Cuban-Haitian Entrants
- T-visa
- Battered immigrants-qualified aliens (VAWA)
- J-Treaty
- Freely Associated States

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Citizen and Eligible Noncitizen Issues

**Eligible Noncitizens Documentation**

- Varies by category
  - I-94, I-797, I-551, Travel Document
- Look in FSAHB Volume 1, Chapter 2 to determine what documents are acceptable
- Unexpired documentation

**SSA Citizenship Match**

- All students go through match with Social Security Administration (SSA) to verify U.S. citizenship status
- Match flags on CPS
  - Successful match
  - Data doesn’t match
  - Citizenship not confirmed

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Citizen and Eligible Noncitizen Issues

**Citizenship Match with SSA (cont’d)**

<table>
<thead>
<tr>
<th>SAB C Code</th>
<th>Match Flag</th>
<th>Comment Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>REJECT</td>
<td>A = U.S. citizen</td>
<td>No comment</td>
</tr>
<tr>
<td></td>
<td>Blank = Domestic born (U.S. citizen) if SSA Match Flag equals 4 (SSN, name, and date of birth match)</td>
<td>No comment</td>
</tr>
<tr>
<td></td>
<td>Blank = No match conducted if SSA Match Flag equals 8 (Record not sent to SSA)</td>
<td>Comment 196 displays when the SSA match flag equals 8 regardless of the citizenship match.</td>
</tr>
<tr>
<td>C code</td>
<td>B = Legal alien, eligible to work</td>
<td>146</td>
</tr>
<tr>
<td></td>
<td>C = Legal alien, not eligible to work</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D = Other</td>
<td></td>
</tr>
<tr>
<td></td>
<td>E = Alien, student enrolled, work authorized</td>
<td></td>
</tr>
<tr>
<td></td>
<td>F = Conditionally legalized alien</td>
<td></td>
</tr>
<tr>
<td></td>
<td>* = Foreign</td>
<td></td>
</tr>
</tbody>
</table>

**SSA Citizenship Match Flag on ISIR**

**Student Fails SSA Citizenship Match**

- A student fails SSA Citizenship Match (comment code 146)
- Ask student for proof of U.S. citizenship status
  - Must provide evidence of U.S. citizenship
- If not a citizen, they must make corrections to FAFSA and indicate appropriate box in Q14 and if eligible noncitizen answer Q15

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Citizen and Eligible Noncitizen Issues

DHS Matches:
Primary Verification &
Secondary Confirmation

• All noncitizens are provided with an alien registration number (A-Number)
• Matched with both SSA and DHS
• Match flags on CPS
  • Successful match
  • Record was not sent to DHS
• DHS has not yet confirmed the student’s noncitizen status
  • DHS will continue to check its records

Citizenship Match with DHS

DHS Primary Verification

• Primary verification match
  • Y = Citizenship confirmed
  • N = Citizenship not confirmed

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Citizen and Eligible Noncitizen Issues

**DHS Secondary Confirmation**

- Secondary confirmation match flags
  - Y = Citizenship status confirmed by DHS
  - P = Pending results of secondary confirmation
    - Wait 10 days
  - C = DHS has not yet confirmed eligible noncitizen status
    - Wait 10 days
  - N = DHS did not confirm eligible noncitizen status
    - Submit G-845
  - X = DHS did not have enough information to confirm eligible noncitizen status
    - Submit G-845

**DHS Match Flags on ISIR**

**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 – G-845
  - Didn’t pass Automated Secondary, or
  - Conflicting information

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Citizen and Eligible Noncitizen Issues

**G-845 Paper Secondary Confirmation Process**

- Use the most current form:
  - OMB No. 1615-0101; Expires 05/31/2018

- Send form within 10 days of receiving documentation to USCIS field office in your area
  - Must give students at least 30 days to produce immigration documents

  [www.uscis.gov](http://www.uscis.gov)

**Paper Secondary Confirmation - G-845**

- The Department provides a list of eligible noncitizens and documentation
- If the student provides documentation for an ineligible category, do NOT initiate G-845
- Fill out the G-845, Part 1
- Use the FSA Handbook to interpret the DHS-USCIS response

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

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Filling out the G-845
- Schools are required to fill out Part 1, basic information about the student
- “Case Verification Number” (field #3 in G-845): The 15-digit DHS verification number is printed in the match flag section of the SAR and ISIR
- Photocopy front and back side of student’s immigration document and attach to G-845
- Depending on the institution’s state send to:
  - 10 Fountain Plaza, 3rd Floor Buffalo, NY 14202
  - 300 N. Los Angeles Street, B120 Los Angeles, CA 90012

Completing the G-845
- If you don’t receive a response within 15 business days and you have sufficient documentation to make a decision, you may review eligibility status and make disbursements
- Note in student’s file USCIS exceeded time allotment and eligibility was determined without their verification
- If response received after disbursement and conflicts with data, stop future disbursements and resolve
- For those students not receiving a secondary confirmation, a paper secondary confirmation must be made the following award year

Sample G-845

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Citizen and Eligible Noncitizen Issues

Interpreting the G-845 Response

- How to interpret status verifier offices response
- Part 2 of the G-845
- Part 3 of the G-845
- If you don’t receive a response within a reasonable amount of time (15 days), contact DHS’s Case Resolution Team at (877) 469-2563 to verify that the G-845 was received
- Questions on interpretations can be sent to FSA, Washington, D.C.
  - Rene Tiongquico & Aaron Washington

Interpreting a G-845

Some Things to Remember

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Citizen and Eligible Noncitizen Issues

Ineligible Statuses
- Persons with nonimmigrant visas
- Family unity status
- Temporary residents
- Illegal aliens under the legalization program (amnesty)
- Temporary protected status
- DACA
- Withholding of removal order
- U-visas

Unnecessarily going through G-845
- See March 9, 2015 Electronic Announcement
  - Procedures to follow when adding or changing ARNs
- Schools must follow procedures when adding or correcting an ARN
- Schools must also use SAR Comment Code and Text Guide to interpret comment codes

Documenting Immigration Status in Later Award Years
- When documentation is required for each award year
  - Students in certain eligible categories may have been redesignated
- When documentation is not required for each award year
  - If the document associated with the G-845 has not expired

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Citizen and Eligible Noncitizen Issues

**Keeping Copies of Documentation**

- Required records
- Institutions must keep copies of all documentation for required timeframes related to the student's citizenship or immigration status in the student's financial aid file

**Unable to Appear in Person**

**GEN-15-08 – Citizenship and Immigration Documentation**

- Process through which a school and student can confirm student's citizenship or immigration status when student is unable to appear in person at school
- Confirmation of Eligible Noncitizen Status
  - If unable to provide original documentation (e.g. distance education), school policy may permit students to photocopy, scan, or image immigration documents, and submit electronic images or paper copies to school for confirmation
  - Subsequently, the school must initiate the paper-based secondary confirmation process using the G-845 form once confirmation documents are received from noncitizen student

**Unable to Appear in Person**

**GEN-15-08 – Citizenship and Immigration Documentation**

- Confirmation of U.S. Citizenship or U.S. National Status
  - If unable to provide original documentation (e.g. distance education), school policy may permit students to photocopy, scan, or image citizenship documents, and submit electronic images or paper copies to school for confirmation
  - NOTE: the G-845 secondary confirmation form is never used to confirm a student's status as a U.S. citizen or national

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**Citizen and Eligible Noncitizen Issues**

### Unable to Appear in Person

**GEN-15-08 – Citizenship and Immigration Documentation**

- Photocopying or Imaging
- Reproduction of these documents is lawful for limited purpose of applying for Title IV, HEA student financial assistance
- A school may provide additional guidance on how (e.g. time, place, and media) student should submit photocopies or other images of his or her documentation
- If the school chooses to allow a student to submit a hard copy or electronic image of an original document, school should have a process in place to ensure that a student is submitting an exact copy, such as an affidavit
  - a sample copy of an affidavit is attached to the DCL

### Special Cases

**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 2015-16

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# Citizen and Eligible Noncitizen Issues

## 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 use number given in previous year
  - 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
  - may request documentation if necessary

## 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

## DACA Students

- Are undocumented students eligible for Title IV aid?
- No, undocumented students are ineligible for Title IV aid.
- Can an undocumented student complete the FAFSA?
- Yes, if the student has a valid Social Security number. More importantly, students should also talk with a school financial aid official.

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Citizen and Eligible Noncitizen Issues

**U-Visas**
- U-visas are victims of crime (different from T-visa and VAWA)
- These students are not eligible for Title IV aid
- Three year continuous presence after the date of admission: may be eligible to convert to lawful permanent resident status
  - Lawful permanent resident: eligible noncitizen category
  - Once converted to LPR may be eligible for Title IV aid
- Documentation usually consists of I-797

**Battered Immigrant-Qualified Aliens**
- Also known as Violence Against Women Act (VAWA)
- Guidance in GEN-10-07
- I-797 form indicating that the case is:
  - Approved
  - Establishment of a “Prima Facie” case
  - Suspension of deportation
  - Cancellation of removal
- If school is still unclear, can opt to go through G-845 with special notation in notes box: “VAWA Verification”

**Cuban-Haitian Entrants**
- All Cuban-Haitian Entrants eligible for Title IV aid
- Can be Cuban or Haitian national
- Cuban-Haitian Entrant is a public benefits designation, not an immigration status
- Several subcategories of Cuban-Haitian Entrants

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Citizen and Eligible Noncitizen Issues

Resources

- Federal Student Aid Handbook, Volume 1, Chapter 2
- SAR Comment Codes and Text & ISIR Guide
- GEN-06-09 (T-visa); GEN-10-07 (VAWA)
- 34 CFR 668.32(d); 668.33; subpart I of Part 668
- www.uscis.gov
- www.ice.gov
- ED Office of Inspector General
  - 1-800-MIS-USED
- G-845 Processing Issues:
  - DHS Case Resolution Team
    - 1-877-469-2563

Contacts

- Kansas School Participation Team
  - Main Number: 816-268-0410
  - Jim Wyant (IIS) - 816-268-0431

- Atlanta Training Officers
  - David Bartnicki – 404-974-9312

- Email – firstname.lastname@ed.gov

Training Feedback

To ensure quality training we ask all participants to please fill out an online session evaluation

• Go to http://s.zoomerang.com/s/DavidBartnicki
  • Evaluation form is specific to David Bartnicki

• This feedback tool will provide a means to educate and inform areas for improvement and support an effective process for “listening” to our customers

• Additional feedback about training can be directed to joann.borel@ed.gov

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