



The following are answers to questions presented during the webinar. You may search or browse the [AskRegs Knowledgebase](#) for answers to any follow-up questions you may have and/or submit them as AskRegs tickets.

Question	Answer
General Citizenship Issues	
1. When mailing in citizenship or eligible noncitizen documentation, does the document need to be notarized? Does Dear Colleague Letter GEN-15-08 indicate the document must be notarized?	<p>Notarized copies are not required unless your school's policy requires that the documentation be notarized.</p> <p>Generally, students are required to present original citizenship or eligible noncitizen documents in person to the financial aid officer; however, there may be instances where a student may be unable to easily present the documentation in person, including but not limited to distance education students who rarely or never appear on campus and students who are located far from the institution during periods of nonenrollment. The institution may choose to have a written policy which allows such students to photocopy, scan, or otherwise electronically image their citizenship or immigration documents and send them to the financial aid office electronically or in paper form for processing and manual secondary confirmation (if necessary).</p> <p>If the school has such a policy, it should, but is not required to, have a process in place to ensure the student is submitting an exact copy of each document, such as a signed written statement or notarized affidavit from the student attesting that it is a true and exact copy. While a signed statement or notarized affidavit is not required, the U.S. Department of Education (ED) strongly recommends that schools use one. The attachment to GEN-15-08 provides a sample affidavit schools may choose to use. If the school chooses to use the affidavit, it must be notarized. The attachment is a sample of such an affidavit.</p> <p>Note: This is a correction to the answer given during the webinar.</p>
2. Can we accept a photo via email for purposes of documenting citizenship or eligible noncitizen status?	<p>Yes, if your school's policy allows it, you may accept a photocopy, scanned image, or otherwise electronically imaged copy of citizenship or immigration documents. They may be sent to the financial aid office electronically via email or in paper form. See GEN-15-08.</p>
3. What is considered "significantly far" when it comes to mailing in citizenship or eligible noncitizen documents?	<p>ED does not define this, intentionally leaving this flexibility to the school. Therefore, the school must exercise its own discretion to determine what it considers significantly far enough away that would prevent an individual from presenting his or her documents in person to the aid office. Remember that GEN-15-08 is intended to grant students and schools flexibility when the individual indicates he or she is unable to appear in person due to distance. That having been said, we would deem it unreasonable to expect someone to purchase plane tickets to travel to the Financial Aid Office for this purpose. Expecting other forms of long distance travel, especially for distance education students who would otherwise never visit a campus, would also be unreasonable.</p>

Question	Answer
4. At the point in which we review citizenship and eligible noncitizen documents in person, can we make copies for future audits and such?	Yes. When a student must present his or her citizenship or eligible noncitizen documents in person, the school is required to review each document for obvious signs of forgery and to keep a copy in the student's file. These documents may be photocopied for lawful purposes such as documenting eligibility for Title IV aid.
5. Please define non-institutional individual when it comes to reviewing citizenship or eligible noncitizen documents. (webinar slide 15)	Administrative capability is an institutional responsibility that cannot be delegated to another institution or its employees. In this context, it would not be appropriate for a financial aid professional (or any other employee) of another school to review and accept citizenship or eligible noncitizen documents on behalf of your school. It would be acceptable if your school has a satellite campus with a school employee, who is delegated the authority to review and notate citizenship documents to confirm their apparent authenticity for financial aid purposes.
6. If a student clearly did not have an eligible citizenship status in the fall semester, are we still required to award aid for that semester if they later become eligible in the spring? What if the student starts in August, but doesn't become a permanent resident until the beginning of the spring term in January (i.e., doesn't meet eligible noncitizen requirements before January)? Wouldn't the student only be eligible for Title IV aid starting in January for the spring term, and not retroactively for the fall term? For example, what if the student does not get a Permanent Resident Card (green card) until sometime during the spring semester?	<p>If the student meets eligibility requirements related to citizenship (including becoming an eligible noncitizen), Social Security Number, or Selective Service at any time during the award year, the student is eligible for the entire award year, and you must disburse Title IV aid from all Title IV programs for the entire award year (not just the payment period during which the student became eligible). This includes retroactively paying aid for a previously completed payment period during the same award year.</p> <p>For the Federal Pell Grant, Iraq and Afghanistan Service Grant (IASG), and Teacher Education Assistance for College and Higher Education (TEACH Grant) programs, you can only pay for classes the student completed (even with an "F" grade) during a prior payment period during the award year. If the student only completed six credits, you may only pay for six credits from these aid programs. For Direct Loans, as long as the student completed a half-time workload during the fall term, you pay the entire loan disbursement for the previous term within the academic year loan period.</p> <p>Other limitations apply when gaining Title IV eligibility under other circumstances. See pages 1-22 and 3-24 of the 2016-17 FSA Handbook.</p>
7. If a student's Permanent Resident Card expires in April, and our spring term begins in January, we can award Title IV aid for the fall term, but not for the spring term?	See question 6. As long as the eligible noncitizen documentation does not expire before the award year starts, you can award Title IV aid for the entire award year (e.g., fall and spring).
8. Since we only have to confirm citizenship once during award year, if we confirm in August for the upcoming award year, and the student's documentation expires in December, prior to our second disbursement, are we required to review new documentation before making the second disbursement?	No, you do not need to obtain new documentation before making the second (or any subsequent) Title IV disbursements. According to guidance NASFAA received from ED after the webinar aired, if you collect unexpired documentation during the award year, that unexpired documentation applies to the entire award year, and you do not need to check again before making any subsequent disbursements within that same award year. This is true even if the documentation expires during the award year before any subsequent disbursements take place. The student should be instructed to begin the process of obtaining new documentation for future award years.

Question	Answer
9. What should we do if a parent is using someone else's Social Security Number (SSN), such as the SSN of the student's uncle?	You should have the parent correct the FAFSA, or you can correct the Institutional Student Information Record (ISIR) with the parent's actual SSN. If the parent has no SSN, then the parent can add all zeroes (000-00-0000) to the FAFSA/ISIR. If you believe there is intentional fraud, then you must report the student/parent to ED's Office of Inspector General (OIG). Guidance for reporting suspected fraud can be found on pages AVG-124 and 2-38 of the 2016–17 FSA Handbook .
10. Would reject code 17 prevent the student's parent from signing a signature page?	No. It is our understanding that reject code 17 would not prevent the student's parent from signing a signature page. Reject code 17 relates to the student; it indicates the student's citizenship status was left blank and the Social Security Administration (SSA) did not confirm the citizenship status, or the applicant reported he or she is not a citizen or eligible noncitizen. The parent does not need to be a citizen or eligible noncitizen for a student to receive Title IV aid.
11. If the executive order for Deferred Action for Childhood Arrivals (DACA) is not continued, will students whose status has not expired still be recognized?	We have no way of knowing this at this time. Executive actions can be reversed immediately by an incoming president. Whether the student's status is reversed retroactively, or remains until the expiration of the two-year period, depends entirely on the new president's actions. For more information on DACA, see Deferred Action for 'Dreamers': Advising DACA Students About Affording College .
12. Is there any other documentation (outside of the letter from Selective Service) that one can use to prove that he doesn't have to register with Selective Service if he arrived in the U.S. after the required age 26? What documentation can be used to document that a student was not required to register with Selective Service? My student says that he had to submit his I-94 when he applied for his Certificate of Naturalization.	The following is from page 1-76 of the 2016–17 FSA Handbook : <p>“If a male immigrant can show proof that he first entered the U.S. when he was past registration age, he is clearly not required to be registered, and no status information letter is needed. The student's entry documentation is enough to show whether he was required to register.</p> <p>Documentation for exempt noncitizens includes: proof of birth date on a passport, birth certificate, or U.S. driver's license or state ID; proof of immigration date into the U.S. from an entry date stamp on the I-94 form or in the passport, or a letter from the United States Citizenship and Immigration Services (USCIS) indicating the entry date; and, for those here on a valid visa who are at least 18 and less than 26 years old, a student visa form (I-20) or other valid U.S. passport visa stamp on a foreign passport with expiration date (the dates must be from entry until after the male turned 26.”</p>
U.S. Citizenship	
13. Can we use an expired U.S. Passport to document U.S citizenship? If so, can we pay all Title IV disbursements?	Yes and yes.
14. Should citizenship documents be signed to be valid (e.g., Certification of Naturalization, U.S. Passport)?	Yes, if the document requires a signature.

Question	Answer
15. Can you repeat who isn't eligible for certain aid based on being a citizen of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau? (slide 10)	Citizens of the Federated States of Micronesia and the Republic of the Marshall Islands are only eligible for Federal Pell Grants. Citizens of the Republic of Palau are only eligible for Federal Pell Grants, FSEOG, and FWS. None of these students are eligible for Direct Loans or TEACH Grants.
16. For the exceptions to citizenship based on being a citizen of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, do you enter 666 only instead of an SSN?	Yes. The student (or financial aid administrator) enters the pseudo-SSN of "666" in the SSN field on the FAFSA (or ISIR). If the student is a continuing student who has been assigned a different pseudo-SSN in the past, the student should always use that pseudo-SSN instead of the "666."
17. How come enhanced driver's licenses (EDLs) are not accepted as proof of U.S. citizenship if the individual had to document that he or she is a U.S. citizen when obtaining one?	Enhanced driver's licenses are provided by a limited number of states for identification and to permit non-air travel entry into the U.S. from Canada, Mexico, and the Caribbean. According to ED, "the Department does not allow state driver's licenses because some states require U.S. citizenship to acquire one and other states allow their residents, including noncitizens, to obtain one. It is not feasible for the U.S. Department of Education to monitor and track the legislative mandates for every state's driver's license rules (in fact, only a handful of states offer an EDL under the Western Hemisphere Travel Initiative). An enhanced driver's license may be obtained if the individual provides evidence of U.S. citizenship but at that point, the individual would have had to provide proof of U.S. citizenship (such as a passport or Certificate of Citizenship) to get a license. Thus, the individual would have had evidence of U.S. citizenship prior to even applying for a license."
18. What is a certificate of live birth?	A certificate of live birth is the first unofficial record of a person's birth. The medical community issues the certificate of live birth when an individual is born (whether in the hospital, at home, or elsewhere). This form will include basic information, including the baby's name, parents' names, doctor's names, hospital, sex, race, date of birth, and person completing the record. The certificate of live birth is then used to obtain the official record of the individual's birth—that is, the birth certificate.
19. Individuals, such as adopted foreign-born children, need to complete Form N-600 to obtain a Certificate of Citizenship (N-560 or N-561). Do they also need to provide a copy of the N-600 to document citizenship?	No. The individual only needs to provide a copy of the Certificate of Citizenship once he or she has received it. The N-600 does not make the student eligible for Title IV aid.

Question	Answer
<p>20. Can you please provide the document numbers for individuals who are adopted before entering the U.S.?</p>	<p>If the individual was adopted abroad before receiving his or her IR-3 visa (orphans) or IH-3 visa (children from Hague Convention countries). These individuals become U.S. citizens upon arrival and should receive their Certificate of Citizenship within 45 days of arrival. These individuals do not have to first receive a Permanent Resident Card and then file Form N-600 to request the Certificate of Citizenship. If such an individual does not receive the Certificate of Citizenship automatically, his or her parent must file Form N-600 to get one.</p> <p>Children who are adopted after being admitted to the U.S. with an IR-4 visa (orphans) or IH-4 visa (children from Hague Convention countries) become citizens once their adoption is full and final. These individuals will not automatically receive a Certificate of Citizenship, so their parents must file Form N-600 to get one.</p> <p>The N-600 is not acceptable for documenting U.S. citizenship. The individual must either provide a Certificate of Citizenship or documentation of permanent resident status (e.g., Permanent Resident Card).</p>
<p>21. Is a Certificate of Naturalization sufficient documentation? If “yes,” and this document was given to the student when he or she was young, why does the C-code continue to appear on that student’s aid record all four years of enrollment/application?</p>	<p>Yes, a Certificate of Naturalization (N-550 or N-570) is sufficient documentation of U.S. citizenship. We are not sure why the database match fails to confirm these individuals on a regular basis; perhaps it is because the USCIS and SSA failed to communicate the individual’s status as a naturalized citizen at some point in the past. However, if the individual fails the database match, he or she should be instructed to contact the SSA to resolve the issue for future years. If you collect a copy of the Certificate of Naturalization for one award year, you may continue to use that copy for future award years. The C-code remains on the student’s record, but you can award and disburse Title IV aid.</p>
<p>22. If a name on the Certificate of Naturalization is different from what is reported on the FAFSA, or different from other citizenship documents the student submits (i.e., a U.S. passport), do we need to resolve this discrepancy?</p>	<p>We have asked ED for clarification, which was not received prior to completing this Q&A. When we hear back from ED, we will publish a Q&A in the AskRegs Knowledgebase. In the meantime, it is our understanding that it is fairly common for an individual to change his or her name after the Certificate of Naturalization is provided. Per page 1-25 of the 2016–17 FSA Handbook, “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.” If you believe there is conflicting information, you may collect whatever documentation you deem appropriate to resolve it. This would likely need to be documentation of the name change from the SSA or DHS.</p>

Question	Answer
<p>23. If there is a baby picture on the Certificate of Naturalization, does the individual need a secondary form of ID with a recent, current picture on file?</p>	<p>According to guidance NASFAA has received from ED, this is up to the school. The Certificate of Naturalization makes the student a U.S. citizen, so the student is Title IV-eligible. It's up to the school to decide whether it will accept the Certificate of Naturalization with a baby picture or if the school wants to collect further proof of identity. For example, the school could choose to collect a current photo ID and compare it to the Certificate of Naturalization to confirm it is the same individual (photo, name, date of birth, etc.). If the school decides to require an updated Certificate of Naturalization, then the student must provide one or alternative proof of U.S. citizenship (e.g., a U.S. passport). The student also should be instructed to contact the SSA to resolve the issue for future award years.</p>
<p>Eligible Noncitizens</p>	
<p>24. When a student does not receive a DHS database match, what is the reject or C-code?</p>	<p>If the DHS database match fails, the DHS Request Flag will be set to "N" on the ISIR. The ISIR and SAR Comment Codes associated with the DHS Match for eligible noncitizens are 46, 105, 109, 141, 142, and 144. If these Comment Codes are present, the C-code will be "Y." There are no reject codes associated with the DHS match. Refer to the 2017-18 SAR Comment Codes and Text and the 2017-18 ISIR Guide.</p>
<p>25. For eligible noncitizens who fail the DHS database match and then provide documentation of eligible noncitizen status, must an institution always initiate the Form G-845 process or only when they doubt the authenticity of the documents?</p>	<p>Yes. You must always attempt manual secondary confirmation using the G-845 whenever eligible noncitizen documents must be submitted to the financial aid office due to failing the DHS database match. Remember, documents confirming U.S. citizenship (e.g., U.S. birth certificates, passports, etc.) are not sent to the USCIS using the G-845.</p>
<p>26. If a student mails in an Alien Registration Card along with a notarized statement, are we still required to do manual secondary confirmation with the G-845?</p>	<p>Yes. See question 25.</p>
<p>27. Does the Alien Registration Number (ARN or A-Number) have just numbers or do you have to list the A in the number?</p>	<p>On both the G-845 and the FAFSA, the "A" is pre-printed, so you only enter the remaining portion of the Alien Registration Number.</p>
<p>28. Is the G-845 only used to validate the documents sent (validity), or does the school use the returned document to determine eligibility?</p>	<p>The G-845 validates the authenticity of eligible noncitizen documents that you copied and sent to the USCIS. If the USCIS response indicates the documents are valid, you may rely on those documents as sufficient proof of eligible noncitizen status for Title IV purposes. In the end, if you do not receive a response from the USCIS within 15 business days, your determination will be based on the documents presented to you. See question 31.</p>

Question	Answer
29. If we have sent out a G-845 to the USCIS office, but a subsequent ISIR comes in with a cleared citizenship C-code, can we cancel or satisfy the requirement, or do we have to wait for the G-845 to be received?	The cleared C-code means the student is Title IV-eligible, so you do not need to wait for the G-845 results in order to make Title IV aid disbursements. However, you should review the G-845 results when it is returned from the USCIS to make sure you do not have conflicting information. In the unlikely event that the G-845 results in conflicting information with the ISIR, you must collect additional documentation of eligible noncitizen status to resolve the conflict, or all Title IV aid must be returned by the student (except for FWS wages already earned). If you need to collect additional documentation of eligible noncitizen status, you would need to resubmit the G-845 for confirmation of the new documentation.
30. After we receive the eligible noncitizen documentation from the student or parent, do we have 10 business days or 10 calendar days to submit these documents to the USCIS? (slide 33)	You must submit the G-845 along with the eligible noncitizen documents to the USCIS within 10 business days of receiving the documents.
31. Should you call the resolution number before making a determination after 15 business days?	If you do not receive a USCIS response to the G-845 within 15 business days, ED recommends that you call DHS's Case Resolution Team at 1-877-469-2563 to make sure the G-845 was received. Do not submit a duplicate G-845 unless the Case Resolution Team requests it.
32. What if you receive the G-845 back after 15 business days and you already have disbursed aid, but the student is not eligible? You indicated that the school is not liable for aid it disbursed based upon a judgment it made when it did not receive a G-845 response within 15 days, but I'm hearing that a subsequent "ineligible" response would require school to return funds?	<p>The following is from page 1-38 of the 2016–17 FSA Handbook:</p> <p>“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.</p> <p>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.”</p>
33. If we do the G-845 process and get different eligibility responses for different aid years (eligible noncitizen one year, not eligible the next aid year), and according to the student their status has not changed, do we have any recourse for consideration?	If this really happens (i.e., it is not a hypothetical), you should contact your ED School Participation Team for guidance on how to proceed. School Participation Team contact information may be found at www.eligcert.ed.gov .

Question	Answer
<p>34. Regarding the question of using a green card to document citizenship, is this to say that green cards can be used for verification of citizenship and as eligible permanent residents? We have never used a green card to verify U.S. citizenship.</p>	<p>A “green card” is either a Permanent Resident Card or Resident Alien Card (I-551), or an Alien Registration Receipt Card (I-151). A green card can only be used to document eligible noncitizen status. It is not documentation of U.S. citizenship.</p>
<p>35. When a student submits the I-94 printout, do we assume this documentation is accurate or are we supposed to check a specific date to ensure it is not expired? For example, we received an I-94 printout with an admit until date of D/S.</p>	<p>The I-94 website and printout serve the same purpose as the I-94 Arrival-Departure Record card, and it must have an unexpired “Admit Until” date with the applicable Title-IV eligible status notations explained in Volume 1, Chapter 2 of the <i>FSA Handbook</i>. For example, to be Title IV-eligible, the I-94 card or printout must be notated “Processed for I-551” or “Temporary Form I-551”, indicating the individual is applying for lawful permanent status. An I-94 could also carry notations for other statuses which are not Title IV-eligible, such as J-1 or J-2 Exchange Visitors Visas or F-1, F-2, or M-1 Student Visas. If the I-94 contains these types of nonimmigrant visa notations, then the student is not eligible for Title IV funds. The “D/S” means duration of status; this must be associated with a Title IV-eligible status and not a nonimmigrant visa type.</p>
<p>36. You mentioned that a C-code will still exist for a Jay Treaty person even if we have the documentation mentioned on slide 46? If that is the case, would they be eligible for Title IV aid?</p>	<p>Yes. The Jay Treaty student is Title IV-eligible without being an eligible noncitizen. These students are not required to have an Alien Registration Number or eligible noncitizen documentation to be Title IV-eligible. If the student does happen to have these (meaning he or she also has become an eligible noncitizen), then you must first attempt manual secondary confirmation with the G-845 process. If the student fails paper secondary confirmation, he or she can still be Title IV-eligible by providing one or more of the following:</p> <ul style="list-style-type: none"> • 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; or • Identification form a recognized Native American provincial or territorial organization. <p>The C-code will remain on the student’s record, but you may continue to award and disburse Title IV aid for the student.</p>
<p>37. Is a CDIB card sufficient for proof of 50% Native American blood for Jay Treaty students?</p>	<p>The Jay Treaty only covers individuals who are at least 50% Native American blood AND were born in Canada. If the card indicates both of these things, then it could be acceptable. However, most copies of CDIB that we can find online do not confirm where the individual was born, nor the percentage of Native American blood. There appear to be many different versions with varying application forms, so we recommend only using the four alternatives listed in question 36, which indicate both sufficient blood percentage and Canadian birth.</p>

Question	Answer
38. Can we get a list of those visas that are not acceptable?	<p>The following is from page 1-35 of the 2016–17 FSA Handbook:</p> <p>“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.” Individuals with U-visas (crime victims) are also not Title IV-eligible until and if they convert to lawful permanent resident status.</p> <p>A list of nonimmigrant visas may be found on the State Department website at https://travel.state.gov/content/visas/en/general/all-visa-categories.html.</p>
39. Are any visas Title IV-eligible?	<p>We cannot speak to all types of immigrant visas. Generally, any eligible visa types are specifically mentioned in Volume 1, Chapter 2 of the 2016–17 FSA Handbook, such as a T-visas for a spouse, child, or parent of a trafficking victim or a Machine Readable Immigrant Visa in a foreign passport. If you have a specific question about a particular visa type, you may check the AskRegs Knowledgebase and/or submit a ticket, and we will follow-up with ED on your behalf.</p>
40. When are students with T-Visas eligible for Title IV aid?	<p>A spouse, child, or parent of a human trafficking victim can be Title IV-eligible with only a T-visa (T2 or T3). You must call the Office of Refugee Resettlement at 1-866-401-5510 to verify the validity of the T-visa before awarding Title IV aid.</p>
41. I have a student with a visa with a “CPD” category code. What type of status is that? Is the student eligible for Title IV aid?	<p>See questions 38, 39, and 40. Very few visas make a student eligible for Title IV aid, but it depends on the type of visa. It is our understanding that CPD indicates continued professional development, so it is likely associated with a nonimmigrant type of visa that is not eligible for Title IV aid, such as a student visa.</p>
42. Is an I-797 acceptable for Title IV eligibility if it is a case for <i>prima facie</i> under the Violence Against Women Act (VAWA)?	<p>Yes, but only if the I-797 indicates the individual’s petition under the VAWA has been approved or a <i>prima facie</i> case has been established. The <i>prima facie</i> case will have an expiration date (which could be extended). As long as the deadline has not expired, the person is eligible for Title IV funds. See pages 1-33 to 1-34 of the 2016–17 FSA Handbook.</p>

Question	Answer
<p>43. We got confirmation from DHS that they answered question 5: applicant has an application for I-485. I spoke with the student, and she claims that she is getting her green card because she is a victim of domestic violence. Is this student eligible for Title IV aid?</p>	<p>It depends on whether the student has submitted a petition under the VAWA. If the student has not submitted a petition under the VAWA, the I-485 simply means the individual has submitted an application for lawful permanent resident status. An application that is in process does not qualify the student for Title IV aid. Such a student must wait until the application is approved and he or she has obtained the eligible noncitizen document necessary to become Title IV-eligible (e.g., the Permanent Resident Card).</p> <p>If the student has submitted a petition as a victim of domestic violence under the VAWA, he or she may become Title IV-eligible by providing the alternative documentation outlined starting on page 1-33 of the 2016–17 FSA Handbook.</p>
<p>44. What is a parolee?</p>	<p>There are numerous types of parolees, so there is no one set definition in the context of the USCIS. The key for Title IV purposes is whether someone who has been designated by the USCIS as a parolee is in the U.S. for more than a year with the intent of becoming a permanent resident. See question 45.</p>
<p>45. Can you describe the difference between an Employment Authorization Card that indicates "Advanced Parole" versus an I-94 stamped with Parolee (codes AS1, AS2, or AS3)?</p>	<p>Advance parole is issued solely to authorize the temporary parole of a person into the U.S. The document may be accepted by a transportation company (airlines) instead of a visa as an authorization to travel to the U.S. Advance parole status is temporary and does not carry with it the expectation of permanent residence for over a year, so it is not Title IV-eligible. A parolee with code AS1, AS2, or AS3 carries that status under the Immigration and Nationality Act (INA) and can be Title IV-eligible if he or she is paroled into the U.S. for at least one year AND intends to become a permanent resident. These individuals "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...", in accordance with page 1-32 of the 2016-17 FSA Handbook.</p>
<p>46. I received a response from DHS reflecting that the student is paroled and is also a Cuban-Haitian Entrant. Is it possible to be considered both a parolee and a Cuban-Haitian Entrant?</p>	<p>Yes. Both statuses make the student Title IV-eligible if he or she meets either of the documentation requirements listed on page 1-32 of the 2016-17 FSA Handbook.</p>
<p>47. If a student indicates that she is applying for asylee status, but it has not yet been granted, is there any status/document that might make her an eligible noncitizen?</p>	<p>No. An application for asylee status does not make a student eligible for Title IV aid. The student must wait until she has an I-94 or I-94A with a stamp showing admission under Section 208 of the INA. The student could also present a U.S. Travel Document (I-571) to become Title IV-eligible.</p>

Question	Answer
Parent PLUS	
48. Can a parent with a green card apply for, and be granted, the parent PLUS Loan?	Yes. Along with U.S. citizens and U.S nationals, eligible noncitizens may borrow PLUS Loans (parent PLUS and graduate PLUS). A U.S. permanent resident with a Permanent Resident Card, Resident Alien Card, or Alien Registration Receipt Card (green card) is an eligible noncitizen and is, therefore, eligible to borrow a PLUS.
49. Would you clarify that a parent borrower is able to self-certify that he or she is an eligible noncitizen and documentation is not required to originate a PLUS loan? How do we look them up in the National Student Loan Data System (NSLDS) without an SSN?	<p>You are not required to confirm a parent's citizenship or eligible noncitizen status before originating or disbursing a parent PLUS. This is relatively recent guidance NASFAA has received from ED. The parent self-certifies his or her status as a U.S. citizen, U.S. national, or eligible noncitizen (with an A-Number) during the online PLUS application via StudentLoans.gov and on the Master Promissory Note (MPN). Therefore, the school is not required to confirm the parent's citizenship, nor collect citizenship documentation, unless there is conflicting information and some reason to question the validity of the parent's application. Simply being an eligible noncitizen is not conflicting information by itself.</p> <p>You do not need to look them up in NSLDS for any reason.</p>
50. Do both parents have to be noncitizens in order for the student to be eligible for the additional Direct Unsubsidized Loan funds?	It is our understanding that a parent's noncitizen status would be considered an allowable exceptional circumstance for approving additional Direct Unsubsidized Loan funds without first applying for a parent PLUS, but only if both parents are noncitizens and ineligible for a PLUS. If the school is aware and has documentation that both parents are noncitizens, both parents are not eligible to borrow. Therefore, additional unsubsidized loan funds would be available to the student.
51. If one parent is a citizen, and one parent is a noncitizen, and we have a signed statement from the noncitizen parent, is the citizen parent required to complete the PLUS application before we can award additional Direct Unsubsidized Loan funds?	Yes. See question 50. It is our understanding that the parent who is a citizen would need to apply for and be denied a PLUS before an additional Direct Unsubsidized Loan can be approved for the student.
52. If a student's parents are unmarried, and the parent who is applying for a PLUS is a noncitizen (and we have documentation), is the student eligible for additional Direct Unsubsidized Loan funds, or must the noncustodial parent also be a noncitizen?	See questions 50 and 51. As the school is aware that one parent is a noncitizen, an initial PLUS application should not be accepted from the noncitizen parent based on the prior knowledge of citizenship. 34 CFR 668.2 states a noncitizen is ineligible for borrowing. Thus, the appropriate avenue is for the other parent to submit the initial PLUS application, as his or her eligibility is unknown. Custody of the student is not a requirement for a PLUS application. If the school is not aware of the noncustodial parent's citizenship status, there is no requirement that the school certify citizenship status prior to PLUS loan origination.

Question	Answer
53. If the parent cannot self-certify noncitizen status by using the MPN and PLUS request process online, does the parent need to obtain documentation in order to process Direct Unsubsidized Loan funds for student?	If the parent is a noncitizen, you must collect some other form of documentation that the parent is unable to borrow a PLUS based on that status. This can be a letter or email self-certifying he or she is a noncitizen, or it can be copies of foreign citizenship documents. Be careful not to go overboard in your attempts to collect documentation that is not required.
54. A foreign address on the PLUS MPN and to originate the loan is okay, but it's not okay for COD to run credit, correct?	A pending credit decision is returned when there is a discrepancy between the borrower information that is submitted and the borrower information that is available at the credit bureau. Student Loan Support will contact the borrower to resolve the discrepancy. Foreign addresses will also cause a pending credit decision to be returned. If the pending decision is the result of a foreign address, the most recent U.S. address will be requested.
Verification	
55. Does foreign income earned by a spouse and foreign income taxes filed need to be reported on the FAFSA as untaxed income?	If the spouse had income that was taxed in the foreign country and not included on a joint U.S. IRS tax return, he or she reports that taxable income on the FAFSA in the same manner as a U.S. citizen reports taxable income (e.g., adjusted gross income) from an IRS tax return. Likewise, taxes paid in a foreign country would also be reported as taxes paid on the FAFSA. This may require combining the spouse's taxable foreign income and taxes paid with the student's taxable income and taxes paid. The spouse's foreign income earned from work (wages) would be reported as income earned from work on the FAFSA in the same manner. Untaxed foreign income would be reported as other untaxed income on the FAFSA. Just be sure you are not duplicating income and taxes paid if these amounts are already included on a joint IRS tax return.
56. Can an individual who has an Individual Taxpayer Identification Number (ITIN) and files a 1040 tax return, get a Tax Return Transcript?	Yes. In order to request a Tax Return Transcript, the individual must either have an SSN or an ITIN. The tax transcript request may be made using the "Get Transcript Online" or "Get Transcript by Mail" services on the IRS website . Individuals who are unable to submit a request online, for whatever reason, must submit a request by mail using IRS Form 4506-T or 4506T-EZ.
57. You indicated the 4506-T was available online. Are you saying students/parents can submit the request online rather than mailing it?	You can obtain the 4506-T or 4506T-EZ form from the IRS website (Form 4506-T, Request for Transcript of Tax Return), but you must mail or fax the form to the IRS to receive a tax transcript by mail. Refer to the form for instructions.
58. Can an eligible noncitizen use the IRS Data Retrieval Tool (IRS DRT)?	Certain eligible noncitizens can get SSNs. The individual must have a valid SSN in order to use the IRS DRT.
59. Is ED considering having more functionality with the IRS DRT where it can confirm whether or not the student actually filed taxes?	Yes, ED has indicated that it is considering this functionality, but it is not likely to be implemented before the 2018–19 award year.

Question	Answer
<p>60. A parent states she worked “under the table” and disclosed that she earned above the income threshold for filing taxes. She then states she made a mistake. What is the next course of action?</p>	<p>If you believe there is conflicting information, you must cease processing the student’s federal student aid application until that conflicting information is resolved to your satisfaction. You can require whatever documentation you deem appropriate to resolve the conflict. At a minimum, we recommend that you collect a written statement signed by the parent indicating the amount of her income for the tax year, as well as have her provide an IRS Verification of Non-Filing Letter. If you believe she should have filed taxes, then you cannot proceed with the student’s aid application until a tax return is filed and the resulting tax transcript is provided to the school.</p> <p>If you suspect fraud, then you must report the case to ED’s Office of Inspector General (OIG). Guidance for reporting suspected fraud can be found on pages AVG-124 and 2-38 of the 2016–17 FSA Handbook.</p>
<p>61. Can students or parents be separated on the FAFSA if their relationship is broken but they are still residing in the same location?</p>	<p>If the parents of a dependent student are informally or legally separated but still living in the same household, they list “Married or remarried” (not “Divorced or separated”) on the FAFSA. If the student’s parents are divorced and still living together, they indicate “Unmarried and both parents living together” on the FAFSA. See page 10 of the paper FAFSA instructions for other definitions related to the parents’ marital status on the FAFSA.</p> <p>If the student is separated at the time the FAFSA is filed, the student files the FAFSA as “I am separated,” and does not include the spouse’s information even if the spouse is still living in the same household. This difference in treatment is statutory.</p>
<p>62. When one parent files taxes as head of household and one parent is undocumented, can't the undocumented individual apply for an ITIN to file taxes with his or her spouse in order to comply with tax law and become "verifiable?"</p>	<p>The following is from page 22 of IRS Publication 17:</p> <p>“Nonresident alien or dual-status alien. Generally, a married couple cannot file a joint return if either one is a nonresident alien at any time during the tax year. However, if one spouse was a nonresident alien or dual-status alien who was married to a U.S. citizen or resident alien at the end of the year, the spouses can choose to file a joint return. If you do file a joint return, you and your spouse are both treated as U.S. residents for the entire tax year. See chapter 1 of Pub. 519.”</p> <p>Any additional tax filing questions related to such a scenario should be referred directly to a tax expert or IRS representative.</p>
<p>63. Wouldn't the application for an ITIN be an indicator that the undocumented parent was a nontax filer (i.e., the parent cannot file without an ITIN)?</p>	<p>Not necessarily. The purpose of the ITIN is to file taxes without an SSN. It is more likely that an application for an ITIN is an indicator that the individual is a tax filer. An individual who is not filing taxes usually would not go through the process of obtaining an ITIN.</p>

Question	Answer
<p>64. Where can we find the five conditions for being “considered unmarried” for IRS purposes and filing taxes as head of household? Where can I find the flowchart related to filing taxes as head of household?</p>	<p>The five conditions are found on page 23 of IRS Publication 17. NASFAA also has compiled tax filing flowcharts in a document called <i>General Rules for Filing Tax Returns</i>, which can be located in the AskRegs Knowledgebase. Log into the NASFAA website, click on “AskRegs,” then “Knowledgebase,” then “Online Support,” then “Downloads,” and then “More.”</p> <p>You are “considered unmarried” if you meet all five of these conditions:</p> <ol style="list-style-type: none"> 1) The tax filer files a separate return. 2) The tax filer paid more than half the costs of “keeping up a home” for the tax year. 3) The tax filer’s spouse did not live in the tax filer’s home during the last six months of the tax year. [Note: The tax filer’s spouse is considered to live in the tax filer’s home even if temporarily absent due to special circumstances—see the definition of “temporary absences (related to spouse).”] 4) The tax filer’s home was the main home of his or her child, stepchild, “adopted child,” or “foster child” for more than half the tax year. 5) The tax filer is able to claim an exemption for the child. (Note: The tax filer satisfies this condition if the only reason the tax filer cannot claim an exemption for the child is because the noncustodial parent can claim the child as an exemption.)
<p>65. For someone who has filed taxes as head of household and who has to list “married” on FAFSA if they are not separated, wouldn’t that in and of itself be conflicting information for verification purposes?</p>	<p>No. Title IV rules for filing the FAFSA and IRS rules for filing taxes are not the same, so it is not necessarily conflicting information that needs to be resolved. For Title IV purposes, you do not need to be legally separated to indicate “separated” on the FAFSA. For IRS purposes, you must be legally separated under a divorce or separate maintenance decree to be “unmarried” for tax filing purposes. State law determines whether someone is legally separated under a divorce or separate maintenance decree. You are only required to investigate these situations when you have other reasons to believe the individual either filed the FAFSA or the tax return incorrectly. Please see the May 15, 2014 Electronic Announcement, <i>Resolving Marital Status and Tax Filing Status Inconsistencies</i>.</p>
<p>66. What if you are in a state that does not have legal separation?</p>	<p>See questions 64 and 65. You are either married or “considered unmarried” for tax purposes. If you are neither “unmarried” nor “considered unmarried”, then you are married for tax purposes. If you are informally or legally separated, you are “separated” for FAFSA and Title IV purposes.</p>
<p>67. Does a dependent student need to submit an IRS Verification of Non-Filing Letter as well?</p>	<p>Yes. Beginning for the 2017–18 award year, if the student is selected for verification and did not file taxes, the student must provide an IRS Verification of Non-Filing Letter to complete verification (even if his or her income is zero on the FAFSA). If both of the dependent student’s parents did not file taxes, each parent also must provide a separate IRS Verification of Non-Filing Letter. The same is true for the independent student’s spouse.</p>

Question	Answer
68. Why would they need to submit an IRS Verification of Non-Filing Letter if they had no income?	According to ED, data from the 2014–15 award year shows that 14.46 percent of parents and 16.51 percent of students who reported on their FAFSAs that they did not file and will not file a tax return actually did. These percentages may or may not reflect individuals who had income and reported none. ED believes these percentages are substantial enough to require the IRS Verification of Non-Filing Letter from all nontax filers subject to verification beginning with the 2017–18 award year (not earlier).
69. Can the IRS Verification of Non-Filing Letter be requested online? I went to the IRS website and there's no indication that this letter can be obtained online. Can you confirm that nontax filers can obtain this letter online?	Yes, the IRS Verification of Non-Filing Letter can be requested online. Under Transcript Types and Ways to Order Them , the IRS website indicates you can view, print, and download the Non-Filing Letter using the “Get Transcript Online” feature.
70. To clarify, if a parent is living in another country and unable to provide an IRS Verification of Non-Filing Letter, the parent needs to submit a signed statement along with a screen shot of the taxing authority filing requirements?	To complete verification, the parent in this scenario would need to provide all of the following: <ul style="list-style-type: none"> • A signed and dated statement from the individual certifying he or she does not have an SSN, ITIN, or Employer Identification Number (EIN), and listing the sources and amounts of earnings, other income, and resources received for the tax year; • If applicable, a W–2 or equivalent document for each source of employment income for the tax year; and • Documentation from the taxing authority providing proof that the taxing authority does not provide a verification of nontax filing (such as a letter or document from the taxing authority or a screen capture of the taxing authority’s website).
71. We have had students try to get the Verification of Non-Filing Letter from the IRS by mail and phone; however, they were unsuccessful. What other alternatives are available to obtain this letter?	The student (or spouse or parent) would need to call or visit his or her local IRS office for instructions on how to obtain the IRS Verification of Non-Filing Letter.
72. I am not sure I understand the “taxing authority.” Is this specific to the individual or for all that reside in that country?	The taxing authority is the government agency to which the individual is (or would be) required to pay taxes, such as the IRS. This is usually based on the individual’s citizenship.