

Job Aid to Assist in Determining the Eligibility of Qualified Aliens

The following guidance provides basic instructions to assist in determining the eligibility of qualified aliens for the Single Family Housing Guaranteed Loan Program (SFHGLP). This may not be a comprehensive list. The approved lender is responsible for verifying the accuracy of documents provided when determining the applicant's eligibility. All supporting documentation to verify the applicant's eligibility must be retained in the lender's permanent loan file. Additional information can be located in Chapter 8 of [Handbook-1-3555](#). Information is subject to change to ensure compliance with all Federal Laws and Executive Orders.

What Do I Need to Do?

Lenders must obtain valid documentation from the applicant to verify their qualified alien status for eligibility. The following documentation options serve as evidence of qualified alien status:

1. **USCIS Form I-551, "Green Card,"** issued by USCIS to permanent or conditional residents as proof of their lawful status in the U.S.
2. **USCIS Form I-766, "Employment Authorization Document"** annotated as:
 - A3: Refugees;
 - A5: Asylees (individuals granted asylum); or
 - A10: Individuals granted withholding of deportation or removal.
3. **USCIS Form I-571, "Refugee Travel Document."**
4. **USCIS Form I-94, "Arrival-Departure Record"** with one of the following annotations:
 - Section 207, Admitted as Refugee;
 - Section 208, Asylum;
 - Section 243(h), Deportation stayed by Attorney General;
 - Section 212(d)(5) of the INA, Parolees (as permitted by law);
 - Section 203(a)(7) of the INA, Conditional Entry; or
 - Compact of Free Association Act (see #9 for additional information).
5. If **Form I-94** lacks annotations, it can still serve as sufficient evidence if accompanied by:
 - A final court decision granting asylum (if no appeal is taken);
 - A letter from a USCIS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from a USCIS district director granting asylum (if application was filed before October 1, 1990);
 - A court decision granting withholding of deportation; or
 - A letter from an asylum officer granting withholding or deportation (if application was filed on or after October 1, 1990).

6. **Receipt from USCIS** which indicates that an application for a replacement document of one of the specified categories has been submitted and the supporting documentation has been verified to confirm the applicant's eligibility.

Refer to the following link for examples of each of these documents: <https://www.uscis.gov/>.

Additional Information on Unique Eligible Statuses

7. **Native Americans born in Canada** may also be eligible as lawfully admitted for permanent residence. The documentation described above may be unavailable. To establish the applicants are qualified aliens, the Native American should provide all the following documentation:
 - A letter from their Native American tribe stating that the alien has at least 50 percent Native American or Aboriginal blood (also referred to as the blood quantum);
 - Their Canadian "Certificate of Indian Status Card" with a red stripe along the top;
 - Their birth certificate;
 - If a Haudenosaunee, their Red I.D. Card;
 - If an Inuit, an Inuit enrollment card from one of the regional Inuit lands claim agreements;
 - Their social security card issued by the U.S. Social Security Administration; and
 - Their Canadian or United States driver's license.
8. **Citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau** must provide proof of citizenship, such as a valid passport or birth certificate issued by one of the these Freely Associated States and Form I-94 which reflects their admission under the Compact of Free Association Act of 1985.

Frequently Asked Questions (FAQ)

- **Will SFHGLP issue a Loan Note Guarantee (LNG) for Conditional Commitments issued prior to the waiver rescission date of March 18, 2025 for Non-US citizen applicants approved under the Non-Citizen Waiver?**

Yes, USDA will issue the Loan Note Guarantee if the Conditional Commitment was issued prior to March 18, 2025 and all conditions have been fulfilled. Applications that did not receive a Conditional Commitment prior to March 18, 2025 must meet the current eligibility requirements.
- **My applicant was originally approved under the Non-Citizen Waiver and now wants to refinance their existing guaranteed loan. Are they eligible to refinance even if they don't meet the new requirements?**

Yes, the applicant remains eligible to refinance their existing guaranteed loan.