

## Conventional Non-U.S. Citizen Documentation Requirements

### Non-Permanent Residents

- **Fannie Mae only:** Fannie Mae considers a non-permanent resident borrower legally present in the U.S. if:
  - They have a Social Security Number **and**
  - have current, verified status, which may be documented by a valid and unexpired:
    - ° Employment Authorization Document (EAD); or
    - ° Green Card;
    - ° Work Visa;
    - ° Passport with entry stamps; or
    - ° Passport with I-551 stamps
- **Freddie Mac only:** Non-Permanent Residents must provide what is stated under, "Required Documentation" in the **Acceptable Visas for Non-Permanent Residents list below** and it must be unexpired at time of close. On a case-by-case basis, alternative documentation approved by the U.S. Citizenship & Immigration Service (USCIS) may be acceptable.
  - In addition, any borrowers with non-work visas require an unexpired EAD.
  - When a borrower is not income-contributing, only proof of legal residency/presence is required (EAD card may not be needed).

### Permanent Residents

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
- Conditional Permanent Residents (e.g. spouse of US Citizen) must provide:
  - evidence of unexpired conditional Permanent Resident card
  - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

### DACA

- On a **Fannie Mae, DU-approved loan ONLY**, a borrower with Deferred Action for Childhood Arrivals (DACA) or other temporary status might be acceptable if:
  - they have a valid Social Security Number (SSN)
  - they have a valid, unexpired Employment Authorization Document (EAD), and
  - they meet the same employment/income history and continuity guidelines that applies to all borrowers.
- **Freddie Mac** - DACA recipients are ineligible (Selling Guide 5103.2)

### Other

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

### Acceptable Visas for Non-Permanent Residents

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

Visa Class	Description	Required Documentation
<b>Asylum</b>	People in the United States (U.S.) or seeking entry who are unable or unwilling to return to his/her country because of persecution or well-founded fear of persecution due to race, religion, nationality, membership in a particular social group or political opinion.	Approval of I-589 or approval of I-730, and completed I-94 (arrival/departure record)
<b>E-1</b>	International trader, his/her spouse and children. Employer sponsored.	Class E-1 Visa
<b>E-2</b>	International investor, his/her spouse and children. Employer sponsored.	Class E-2 Visa
<b>E-3</b>	Australian specialty occupation workers. Employer sponsored.	Class E-3 Visa

**Acceptable Visas for Non-Permanent Residents**

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

<b>Visa Class</b>	<b>Description</b>	<b>Required Documentation</b>
<b>E-3D</b>	Spouse or child of Australian specialty occupation professional.	Class E-3D Visa
<b>G-1</b>	Principal resident representative of recognized foreign government to international organization, staff and immediate family.	Class G-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-2</b>	Other accredited representatives of recognized foreign government to international organization, staff and immediate family.	Class G-2 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-3</b>	Those who would qualify for a G-1 or G-2 Visa except that the government of which the person is an accredited representative is not recognized de jure by the United States, or that the government of which he/she is an accredited representative is not a member of such international organization.	Class G-3 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-4</b>	International organization staff, and immediate family.	Class G-4 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-5</b>	Attendant, servant, or personal employee of G-1, through G-4 and immediate family.	Class G-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>H-1B</b>	Temporary workers in a specialty occupation, services of exceptional merit and ability relating to a Department of Defense (DOD) cooperative research and development project (H-1B2), or services as a fashion model of distinguished merit or ability (H-1B3). Employer sponsored.	Class H-1B, H-1B2, or H-1B3 Visa
<b>H-1B1</b>	Free trade agreement nonimmigrant professional from Chile or Singapore. Employer sponsored.	Class H-1B1 Visa
<b>H-2A</b>	Temporary Agricultural Worker. Employer sponsored.	Class H-2A Visa
<b>H-2B</b>	Temporary worker: skilled and unskilled. Employer sponsored.	Class H-2B Visa
<b>H-4</b>	Spouse or child of a person classified H-1B/B1/C, H-2A/B, or H-3.	Class H-4
<b>I</b>	Foreign media representatives and his/her spouse and children.	<ul style="list-style-type: none"> <li>• Class I Visa. Stamped Form I-94, Arrival/Departure Record with valid expiration date</li> <li>• Spouse/children - Class I Visa but cannot work under the I Visa</li> </ul>

**Acceptable Visas for Non-Permanent Residents**

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

<b>Visa Class</b>	<b>Description</b>	<b>Required Documentation</b>
<b>K-1</b>	Fiancé/fiancée of a U.S. citizen.	Class K-1 Visa and evidence of Form I-485 (Application to Register Permanent Resident Status) filed
<b>K-3</b>	Spouse of a U.S. Citizen.	Class K-3 Visa and evidence of Form I-485 (Application to Register Permanent Resident Status) filed
<b>L-1A</b>	Enables a U.S. employer (or foreign company) to transfer an executive or manager from one of its affiliated foreign offices to one of its offices in the United States (or for a foreign company to establish one). Employer sponsored.	Class L-1A Visa
<b>L-1B</b>	Enables a U.S. employer (or foreign company) to transfer an employee with specialized knowledge from one of its affiliated foreign offices to one of its offices in the United States (or for a foreign country to establish one). Employer sponsored.	Class L-1B Visa
<b>L-2</b>	Spouse or child L-1.	Class L-2 Visa
<b>NATO-1</b>	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family.	<ul style="list-style-type: none"> <li>• Class NATO-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-1 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-2</b>	Other representatives of member State, dependents of members of a force entering in accordance with the provisions of the NATO Status-of-Forces agreement, and members of such a Force if issued visas.	<ul style="list-style-type: none"> <li>• Class NATO-2 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-2 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-3</b>	Official clerical staff accompanying a representative of member state NATO and immediate family.	<ul style="list-style-type: none"> <li>• Class NATO-3 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-3 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-4</b>	Official of NATO other than those qualified as NATO-1 and immediate family.	<ul style="list-style-type: none"> <li>• Class NATO-4 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-4 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-5</b>	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family.	<ul style="list-style-type: none"> <li>• Class NATO-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-5 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-6</b>	Member of a civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement, attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty, and their dependents.	<ul style="list-style-type: none"> <li>• Class NATO-6 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Spouse/Child - Class NATO-6 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
<b>NATO-7</b>	Servant, or other personal employee of NATO-1 through NATO-6 classes or immediate family.	<ul style="list-style-type: none"> <li>• Class NATO-7 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>• Can only reapply outside of the United States</li> </ul>

**Acceptable Visas for Non-Permanent Residents**

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

<b>Visa Class</b>	<b>Description</b>	<b>Required Documentation</b>
<b>O-1</b>	An individual who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who has a demonstrated record of extraordinary achievement in the motion picture or television industry and has been recognized nationally or internationally for those achievements. Sponsored.	Class O-1 Visa
<b>O-2</b>	Individuals who will accompany an O-1, artist or athlete, to assist in a specific event or performance. Sponsored.	Class O-2 Visa
<b>O-3</b>	Spouse/child of O-1 or O-2.	• Class O-3 Visa but cannot apply for EAD, no income can be used to qualify
<b>P-1A</b>	Individual athlete and essential support personnel. Sponsored.	Class P-1A Visa
<b>P-1A</b>	Team athlete and essential support personnel. Sponsored.	Class P-1A Visa
<b>P-1B</b>	Member of an entertainment group and essential support personnel. Sponsored.	Class P-1B Visa
<b>P-2</b>	Artist and entertainers in reciprocal exchange programs and essential support personnel. Sponsored.	Class P-2 Visa
<b>P-3</b>	Artists and entertainers in culturally unique programs and essential support personnel. Sponsored.	Class P-3 Visa
<b>P-4</b>	Spouse or child of P-1, 2, or 3.	Class P-1, P-2, or P-3 Visa but cannot apply for EAD, no income can be used to qualify
<b>R-1</b>	Religious workers. Employer sponsored.	Class R-1 Visa
<b>R-2</b>	Spouse or child of religious workers. Employer sponsored.	Class R-2 Visa but cannot apply for an EAD so no income can be used to qualify
<b>Refugee</b>	Person outside of the U.S. who is of special humanitarian concern to the U.S. and has demonstrated they were persecuted or feared persecution due to race, religion, nationality, political opinion, or membership in a particular social group.	<ul style="list-style-type: none"> <li>•Approved I-590 with proper endorsement or approved I-730, and</li> <li>•Completed I-94 (arrival/departure record), and</li> <li>•An unexpired EAD or acceptable documentation for I-9 (Employment Eligibility Verification) approval</li> </ul> <p>Note: Specific to Refugees only. Form I-94A containing an unexpired refugee admission stamp or a computer-generated printout of Form I-94 with an admission class of "RE" can be shown to an employer as proof of permission to work while waiting for EAD and is valid for 90 days from the date of hire.</p>
<b>T-1</b>	Victim of a severe form of human trafficking.	Class T-1 Visa
<b>TN</b>	Nonimmigrant NAFTA Professional visa (only issued to citizens of Canada and Mexico) - Canada. Employer sponsored.	Class TN Visa or approval of TN non-immigrant status from a U.S. port-of-entry
<b>TN</b>	Nonimmigrant NAFTA Professional visa - (only issued to citizens of Canada and Mexico) - Mexico. Employer sponsored.	Class TN Visa

## Acceptable Visas for Non-Permanent Residents

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

Visa Class	Description	Required Documentation
<b>TD</b>	Spouse or child accompanying TN - non-Canadian or Mexican	Visa requirements vary but cannot apply for an EAD so no income
<b>TD</b>	Spouse or child accompanying TN - Canadian citizens.	<ul style="list-style-type: none"> <li>Visa not required but cannot apply for an EAD so no income can be used to qualify</li> <li>Proof of Canadian citizenship</li> <li>Proof of relationship to the TN nonimmigrant</li> </ul>
<b>TD</b>	Spouse or child accompanying TN - Mexican citizens.	Class TD Visa but cannot apply for an EAD so no income can be used to qualify
<b>V-1</b>	Spouse of an Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (Form I-130) which was filed prior to December 21, 2000, and has been pending for at least three years.	Class V-1 Visa
<b>V-2</b>	Child of a Lawful Permanent Resident (LPR) who is the principal beneficiary of a family-based visa petition (Form I-130) that was filed prior to December 21, 2000, and has been pending for at least three years.	Class V-2 Visa
<b>V-3</b>	The derivative child of a V-1 or V-2.	Class V-3 Visa

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**Non-Permanent Residents**

A borrower who is a non-permanent resident may be eligible for FHA-insured financing provided:

- The property will be the borrower's Principal Residence;
- The borrower has a valid Social Security Number, except for those employed by the World Bank, a foreign embassy, or equivalent employer identified by HUD;
- The borrower is eligible to work in the U.S. provided the borrower provides **either**:
  - An Employment Authorization Document(EAD) (USCIS Form I-766) with a full year left before expiration showing that work authorization status is current. Less than one year requires a history of renewals;
  - A USCIS Form I-94 evidencing H-1B status, and evidence of employment by the authorized H-1B employer for a minimum of one year;
  - Evidence of citizenship of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau; or
  - Evidence of being granted refugee or asylee status by the U.S. Citizenship & Immigration Service (USCIS); **and**
- The borrower satisfies the same requirements, terms and conditions as those for U.S. citizens.
  
- A borrower residing in the U.S. by virtue of refugee or asylee status granted by the USCIS must provide documentation:
  - EAD or USCIS Form I-94 indicating refugee or asylum status, **or**
  - USCIS Form I-797 notice indicating approval of a USCIS Form I-589, Application for Asylum or Withholding of Removal substantiating the refugee or asylee status.

Note: Non-Credit Qualifying Streamlines are exempt from the above requirements.

(reference: FHA Handbook 4000.1 Section II.A.1.b.ii(A)(9))

**Permanent Residents**

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
- Conditional Permanent Residents (e.g. spouse of US Citizen) must provide:
  - evidence of unexpired conditional Permanent Resident card
  - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

**DACA**

- FHA permits individuals classified under the Deferred Action for Childhood Arrivals (DACA) program with the USCIS and are legally permitted to work in the U.S. are eligible to apply for a FHA loan subject to standard FHA residency documentation requirements found in FHA Handbook 4000.1 Section II.A.1.b.ii(A)(9) and referenced above in the Non-Permanent Residents section.

**Other**

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

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**Non-Permanent Residents**

**VA** - A Veteran borrower with eligibility documented with a Certificate of Eligibility (COE) is eligible. There are no additional residency requirements.

**VA (Non-Veteran Borrower):**

- Non-Permanent Residents must provide what is stated under, "Required Documentation" in the **Acceptable Visas for Non-Permanent Residents list below** and it must be unexpired at time of close. On a case-by-case basis, alternative documentation approved by the U.S. Citizenship & Immigration Service (USCIS) may be acceptable.
  - In addition, any borrowers with non-work visas require an unexpired EAD.
  - When a borrower is not income-contributing, only proof of legal residency/presence is required (EAD card may not be needed).

**Permanent Residents**

**VA** - A Veteran borrower with eligibility documented with a Certificate of Eligibility (COE) is eligible. There are no additional residency requirements.

**VA (Non-Veteran Borrower):**

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
- Conditional Permanent Residents (e.g. spouse of US Citizen) must provide:
  - evidence of unexpired conditional Permanent Resident card
  - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

**DACA**

**VA** - Veterans with Deferred Action for Childhood Arrivals (DACA) status are eligible.

**Other**

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

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Asylum	People in the United States (U.S.) or seeking entry who are unable or unwilling to return to his/her country because of persecution or well-founded fear of persecution due to race, religion, nationality, membership in a particular social group or political opinion.	Approval of I-589 or approval of I-730, and completed I-94 (arrival/departure record)
E-1	International trader, his/her spouse and children. Employer sponsored.	Class E-1 Visa
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<b>E-3D</b>	Spouse or child of Australian specialty occupation professional.	Class E-3D Visa
<b>G-1</b>	Principal resident representative of recognized foreign government to international organization, staff and immediate family.	Class G-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-2</b>	Other accredited representatives of recognized foreign government to international organization, staff and immediate family.	Class G-2 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-3</b>	Those who would qualify for a G-1 or G-2 Visa except that the government of which the person is an accredited representative is not recognized de jure by the United States, or that the government of which he/she is an accredited representative is not a member of such international organization.	Class G-3 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-4</b>	International organization staff, and immediate family.	Class G-4 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>G-5</b>	Attendant, servant, or personal employee of G-1, through G-4 and immediate family.	Class G-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity
<b>H-1B</b>	Temporary workers in a specialty occupation, services of exceptional merit and ability relating to a Department of Defense (DOD) cooperative research and development project (H-1B2), or services as a fashion model of distinguished merit or ability (H-1B3). Employer sponsored.	Class H-1B, H-1B2, or H-1B3 Visa
<b>H-1B1</b>	Free trade agreement nonimmigrant professional from Chile or Singapore. Employer sponsored.	Class H-1B1 Visa
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K-3	Spouse of a U.S. Citizen.	Class K-3 Visa and evidence of Form I-485 (Application to Register Permanent Resident Status) filed
L-1A	Enables a U.S. employer (or foreign company) to transfer an executive or manager from one of its affiliated foreign offices to one of its offices in the United States (or for a foreign company to establish one). Employer sponsored.	Class L-1A Visa
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L-2	Spouse or child L-1.	Class L-2 Visa
NATO-1	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family.	<ul style="list-style-type: none"> <li>Class NATO-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>Spouse/Child - Class NATO-1 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
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NATO-5	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family.	<ul style="list-style-type: none"> <li>Class NATO-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>Spouse/Child - Class NATO-5 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
NATO-6	Member of a civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement, attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty, and their dependents.	<ul style="list-style-type: none"> <li>Class NATO-6 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>Spouse/Child - Class NATO-6 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify</li> </ul>
NATO-7	Servant, or other personal employee of NATO-1 through NATO-6 classes or immediate family.	<ul style="list-style-type: none"> <li>Class NATO-7 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity</li> <li>Can only reapply outside of the United States</li> </ul>

**Acceptable Visas for Non-Permanent Residents**

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

Visa Class	Description	Required Documentation
O-1	An individual who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who has a demonstrated record of extraordinary achievement in the motion picture or television industry and has been recognized nationally or internationally for those achievements. Sponsored.	Class O-1 Visa
O-2	Individuals who will accompany an O-1, artist or athlete, to assist in a specific event or performance. Sponsored.	Class O-2 Visa
O-3	Spouse/child of O-1 or O-2.	• Class O-3 Visa but cannot apply for EAD, no income can be used to qualify
P-1A	Individual athlete and essential support personnel. Sponsored.	Class P-1A Visa
P-1A	Team athlete and essential support personnel. Sponsored.	Class P-1A Visa
P-1B	Member of an entertainment group and essential support personnel. Sponsored.	Class P-1B Visa
P-2	Artist and entertainers in reciprocal exchange programs and essential support personnel. Sponsored.	Class P-2 Visa
P-3	Artists and entertainers in culturally unique programs and essential support personnel. Sponsored.	Class P-3 Visa
P-4	Spouse or child of P-1, 2, or 3.	Class P-1, P-2, or P-3 Visa but cannot apply for EAD, no income can be used to qualify
R-1	Religious workers. Employer sponsored.	Class R-1 Visa
R-2	Spouse or child of religious workers. Employer sponsored.	Class R-2 Visa but cannot apply for an EAD so no income can be used to qualify
Refugee	Person outside of the U.S. who is of special humanitarian concern to the U.S. and has demonstrated they were persecuted or feared persecution due to race, religion, nationality, political opinion, or membership in a particular social group.	<ul style="list-style-type: none"> <li>•Approved I-590 with proper endorsement or approved I-730, and</li> <li>•Completed I-94 (arrival/departure record), and</li> <li>•An unexpired EAD or acceptable documentation for I-9 (Employment Eligibility Verification) approval</li> </ul> <p>Note: Specific to Refugees only. Form I-94A containing an unexpired refugee admission stamp or a computer-generated printout of Form I-94 with an admission class of "RE" can be shown to an employer as proof of permission to work while waiting for EAD and is valid for 90 days from the date of hire.</p>
T-1	Victim of a severe form of human trafficking.	Class T-1 Visa
TN	Nonimmigrant NAFTA Professional visa (only issued to citizens of Canada and Mexico) - Canada. Employer sponsored.	Class TN Visa or approval of TN non-immigrant status from a U.S. port-of-entry
TN	Nonimmigrant NAFTA Professional visa - (only issued to citizens of Canada and Mexico) - Mexico. Employer sponsored.	Class TN Visa

## Acceptable Visas for Non-Permanent Residents

**Note: Non US Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.**

Visa Class	Description	Required Documentation
<b>TD</b>	Spouse or child accompanying TN - non-Canadian or Mexican	Visa requirements vary but cannot apply for an EAD so no income
<b>TD</b>	Spouse or child accompanying TN - Canadian citizens.	<ul style="list-style-type: none"> <li>Visa not required but cannot apply for an EAD so no income can be used to qualify</li> <li>Proof of Canadian citizenship</li> <li>Proof of relationship to the TN nonimmigrant</li> </ul>
<b>TD</b>	Spouse or child accompanying TN - Mexican citizens.	Class TD Visa but cannot apply for an EAD so no income can be used to qualify
<b>V-1</b>	Spouse of an Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (Form I-130) which was filed prior to December 21, 2000, and has been pending for at least three years.	Class V-1 Visa
<b>V-2</b>	Child of a Lawful Permanent Resident (LPR) who is the principal beneficiary of a family-based visa petition (Form I-130) that was filed prior to December 21, 2000, and has been pending for at least three years.	Class V-2 Visa
<b>V-3</b>	The derivative child of a V-1 or V-2.	Class V-3 Visa

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## Rural Housing (USDA) Non-U.S. Citizen Documentation Requirements

The Rural Housing Agency requires that a determination is made on whether the applicant(s) for a guaranteed loan is a U.S. citizen, a U.S. non-citizen national, or a qualified alien. Refer to Section 3555.10 for definitions of the specific terms.

Rural Housing has access to the Systematic Alien Verification for Entitlements (SAVE) Program. SAVE is administered by U.S. Citizenship and Immigration Services (USCIS), a component of the Department of Homeland Security (formerly known as INS).

Note: Lenders who utilize GUS have the ability to obtain SAVE results to validate non-citizens qualified alien status. For manual file submissions, the lender must submit the alien documentation with the complete application submission and Rural Housing will verify eligibility status via SAVE.

### Temporary Eligibility for certain U.S. Non-Citizens

Under the current USDA Rural Development Single Family Housing Guaranteed Loan Program (SFHGLP) the categories of eligible immigration statuses do not include some categories of non-U.S. citizens who are authorized to live and work in the U.S.

*The SFHGLP has announced that for a 12-month period beginning 5/2/2022, non-U.S. citizens with valid social security numbers and work authorization, as evidenced by documentation such as an Employment Authorization Document, Form I-766 (EAD), are temporarily eligible to apply for assistance. The eligibility status must be verified through the SAVE program.*

### U.S. Non-Citizen National

Generally, a U.S. non-citizen national is a person born in American Samoa or Swains Island on or after the date the U.S. acquired American Samoa or Swains Island, or a person whose parents are U.S. non-citizen nationals.

Typical evidence of the relatively uncommon status as a non-citizen national includes a birth certificate or unexpired passport. Persons who are non-citizen nationals are eligible for consideration.

### Qualified Alien

Aliens must provide acceptable evidence that they are qualified aliens. A qualified alien is defined under PRWORA (8 U.S.C. Section 1641) as:

- An alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act (INA); or
- An alien who is granted asylum under section 208 of such Act; or
- A refugee who is admitted to the United States under section 207 of such Act; or
- An alien who is paroled into the United States under section 212(d)(5) of such Act for a period of at least 1 year; or
- An alien whose deportation is being withheld under sections 243(h) or 241(b)(3) of such Act, as amended; or
- An alien who is granted conditional entry pursuant to section 203(a)(7) of such Act as in effect prior to April 1, 1980; or
- An alien who is a Cuban/Haitian Entrant as defined by section 501(e) of the Refugee Education Assistance Act of 1980; or
- An alien who has been battered or subjected to extreme cruelty under section 431 of the Immigration and Nationality Act.

The non-citizen's alien identification number with copies of any supporting documents must be obtained and maintained with the permanent case file. In all cases, non-citizens legally admitted into the U.S. will have an alien identification number. In the rare instance where a number is not available or known, the applicant should contact the USCIS.

In addition to the categories of qualified aliens described above, Native Americans born in Canada may also be eligible as lawfully admitted for permanent residence. Refer to HB-1-3555 Chapter 8.2 (F) for the specific list of documents required to establish the applicant(s) eligibility as a qualified alien.

### DACA

USDA - DACA recipients **eligibility is subject to verification from the SAVE program.**

### Other

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

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