

**STATEMENT OF LAWFUL PRESENCE & ELIGIBILITY
TO RECEIVE PUBLIC BENEFITS**

Directions

1. Applicants who are natural persons (i.e., individuals) must complete the information requested below.
 - Sections 1, 2 and 4 are for all applicants.
 - Section 3 is for applicants who are not U.S. citizens or U.S. nationals.
2. The applicant must provide a copy (front and back, if any) of one or more documents from the attached “List of Evidence of Eligibility and Lawful Presence.”

SECTION 1 – APPLICANT INFORMATION

Name (Print): _____

Birthdate: _____
 Month Day Year

Grant or other benefit applying for: _____

SECTION 2 – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a U.S. citizen or national? (check one) Yes ___ No ___

If “Yes,” state where you were born:

City _____ State (or equivalent) _____ Country or Territory _____

*If you are a U.S. citizen or national, skip section 3 and go to section 4.
If you are not a U.S. citizen or national, complete both sections 3 and 4.*

SECTION 3 – ALIEN STATUS DECLARATION

Complete section 3 only if you are not a U.S. citizen or national.

Indicate your status by checking one of the 15 boxes.

“Qualified Alien” Status (8 U.S.C. §§ 1611(a), 1621(a)(1), 1641(b) and (c))

- 1. Lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- 2. Granted asylum under INA § 208.
- 3. Refugee admitted to the United States under INA § 207.
- 4. Paroled into the United States for at least one year under INA § 212(d)(5).
- 5. Deportation currently withheld under INA § 241(b)(3) or former § 243(h).

- 6. Granted conditional entry under INA § 203(a)(7), as in effect prior to April 1, 1980.
- 7. Cuban or Haitian entrant, as defined in the Refugee Education Assistance Act of 1980, § 501(e).
- 8. Person who is, or whose child or child’s parent is, a “battered alien” or an alien subjected to extreme cruelty in the United States and who qualifies under 8 U.S.C. § 1641(c).
- 9. Granted nonimmigrant status under section 101(a)(15)(T) of the INA (human trafficking) or who has a pending application that sets forth a prima facie case for eligibility for such nonimmigrant status.
- 10. From Iraq or Afghanistan and granted special immigrant status under INA § 101(a)(27).
See 8 U.S.C. §§ 1101 (Afghanistan) & 1157 (Iraq) (resettlement support).
- 11. Citizen or national of Ukraine or a related person paroled into the United States as described in Public Law 117-128, § 401 (May 21, 2022).

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 12. Nonimmigrant under the INA. Nonimmigrants are persons who have temporary status for a specific purpose.
(Not applicable to federally funded public benefits)

Alien Paroled into the United States For Less Than One Year (8 U.S.C. § 1621(a)(3))

- 13. Paroled into the United States for less than one year under INA § 212(d)(5).
(Not applicable to federally funded public benefits)

Citizen of Freely Associated State (8 U.S.C. §§ 1611(c)(2)(A) and 1621(c)(2)(A))

- 14. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia] *(Applicable to contracts only; this category is not applicable to grants.)*

Otherwise Lawfully Present (A.R.S. §§ 1-501 & 1-502)

- 15. A person not described in categories 1–14 who is otherwise lawfully present in the United States. **PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act makes individuals who fall into this category ineligible for Quality First Scholarships despite being lawfully present in the United States.** *See 8 U.S.C. §§ 1611(a) & 1621(a).*

SECTION 4 – DECLARATION

I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge and that the document(s) submitted demonstrating eligibility and lawful presence are true.

Name of document(s) provided: _____

Applicant’s Signature

Date

*** Due to Proposition 314 (2024), if the applicant is not a U.S. citizen or national, First Things First must use the federal SAVE system to verify the validity of the applicant’s documents and to verify the applicant’s eligibility for benefits.**

LIST OF EVIDENCE OF ELIGIBILITY AND LAWFUL PRESENCE

U.S. Citizen or U.S. National

- Arizona driver license issued after 1996
- Arizona nonoperating identification license
- Birth certificate or delayed birth certificate issued in any U.S. State, Territory, or Possession (unless the applicant was born to foreign diplomats), including Washington D.C., Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands (on or after November 4, 1986)
- U.S. passport (valid for at least 5 years)
- U.S. Certificate of Birth Abroad:
 - Certificate of Birth (issued by a foreign service post), Form FS-545
 - Certification of Report of Birth, Form DS-1350
 - Consular Report of Birth Abroad of a Citizen of the United States, Form FS-240
- U.S. Certificate of Citizenship, Form N-560 or Form N-561
- U.S. Certificate of Naturalization, Form N-550 or Form N-570
- Tribal Certificate of Indian Blood
- Tribal or Bureau of Indian Affairs Affidavit of Birth
- Tribal members may contact First Things First at (602) 771-5026 for additional forms of acceptable evidence.

Qualified Aliens

1. Alien Lawfully Admitted for Permanent Residence

- Foreign passport with a United States visa and unexpired temporary I-551 stamp
- Form I-94 with unexpired temporary I-551 stamp
- Permanent Resident Card or Alien Registration Receipt Card (Form I-551)

2. Asylee

- Employment Authorization Document (Form I-766) annotated "A5"
- Form I-94 annotated with stamp showing grant of asylum under § 208 of the INA

3. Refugee

- Employment Authorization Document (Form I-766) annotated "A3"
- Form I-94 annotated with stamp showing admission under § 207 of the INA
- Refugee Travel Document (Form I-571)

4. Alien Paroled into the U.S. for at Least One Year

- Form I-94 with stamp showing admission for at least one continuous year under § 212(d)(5) of the INA

5. Alien Whose Deportation or Removal Was Withheld

- Employment Authorization Document (Form I-766) annotated "A10"

6. Alien Granted Conditional Entry

- Employment Authorization Document (Form I-766) annotated "A3"
- Form I-94 with stamp showing admission under § 203(a)(7) of the INA

7. Cuban/Haitian Entrant

- Foreign passport with a United States visa and unexpired temporary I-551 stamp
- Form I-94 with code CU6 or CU7 and unexpired temporary I-551 stamp
- Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under § 212(d)(5) of the INA
- Permanent Resident Card or Alien Registration Receipt Card (Form I-551) with code CU6, CU7 or CH6

8-11. Battered Alien, Trafficking Victim, and Iraq/Afghanistan/Ukraine Entrant

Contact First Things First at (602) 771-5026 for assistance.

12. Nonimmigrant

- Form I-94 with stamp showing authorized admission as nonimmigrant under § 212(d)(5) of the INA

13. Alien Paroled into U.S. for Less than One Year

- Form I-94 with stamp showing authorized admission for less than one year under § 212(d)(5) of the INA

14. Citizen of Freely Associated State

Contact First Things First at (602) 771-5026 for assistance.

Person with a Disability

If any applicant has a disability that limits the applicant's ability to provide the required evidence of citizenship, nationality or immigration status, the applicant may contact First Things First at (602) 771-5026 for assistance.

Background on why the Statement of Lawful Presence and Eligibility to Receive Public Benefits and supporting documents are required:

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. §§ 1611 & 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive public benefits. Public benefits under the Act include grants and contracts as well as payments or assistance to an individual, household or family unit for welfare, health, disability, postsecondary education and other similar benefits. Individuals who apply for a public benefit must make a written declaration under penalty of perjury that they are eligible to receive public benefits and submit documentation establishing that eligibility.

Arizona Revised Statutes §§ 1-501, 1-502 & 1-504 require, in general, that a natural person applying for a public benefit must submit certain documentation that satisfactorily demonstrates that the applicant is lawfully present in the United States and make a declaration under penalty of perjury that the submitted documentation of lawful presence is true. In addition, due to Proposition 314 (2024), applicants who are not U.S. citizens or nationals must have their immigration status marked above and their submitted documentation verified by a government agency through the federal systematic alien verification for entitlements (SAVE) program.