

9 FAM APPENDIX N, 300 DHS-ISSUED DOCUMENTS

(CT:VISA-1827; 04-03-2012)
(Office of Origin: CA/VO/L/R)

9 FAM APPENDIX N, 301 TRAVEL TO THE UNITED STATES WHEN THERE IS A LOST, STOLEN, OR EXPIRED PERMANENT RESIDENT CARDS (FORM I-551)

(CT:VISA-1827; 04-03-2012)

- a. This guidance establishes standard operating procedures for issuing a boarding foil to a Lawful Permanent Resident (LPR) at overseas consular sections when the LPR wishes to return to the United States but is not in possession of valid proof of LPR status.
- b. Under normal circumstances, an LPR of the United States is required to present a valid, unexpired Form I-551, Permanent Resident Card (also known as a "green card"), when seeking admission into the United States. Form I-551 is the primary evidence of an alien's status as an LPR of the United States. The bearer may use this card, in conjunction with his or her national passport, and any other necessary documentation, to board a U.S.-bound flight and apply for admission into the United States.
- c. Section 273(b) of the Immigration and Nationality Act (INA) provides that a transportation company may be subject to penalties if it allows any alien to travel to the United States without a valid passport or visa, if a visa is required under the INA or regulations. If an LPR's Form I-551 is lost, stolen, or expires while the alien is temporarily outside of the United States, a transportation company may refuse to board the alien. When the LPR presents a passport with an Alien Documentation and Identification System (ADIT) stamp indicating admission to the United States as an LPR (or adjustment to that status), the LPR may travel without a boarding foil while the ADIT stamp is valid. If the LPR does not have a valid Form I-551 or ADIT stamp, a consular officer, where there is not a DHS counter presence, may issue a secure boarding foil to facilitate the boarding of an in-status LPR on a U.S.-bound flight and the application for admission to the United States.

- d. A boarding foil may be considered by the airline as evidence of the alien's status as an LPR. It serves only to give notice to the air carrier that the U.S. Government does not intend to issue a penalty under INA Section 273(b). A boarding foil does not replace expectations for a traveler to present a valid passport or other valid travel document to CBP at the port of entry (POE).

9 FAM Appendix N, 301.1 LPRs Who Do Not Need Boarding Foils to Return to the United States

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- a. When the LPR presents a passport with an ADIT stamp indicating admission to the United States as an LPR alien (or adjustment to that status), the LPR may travel without a boarding foil during the validity of the ADIT stamp. You should be aware, however, that you may encounter passports with counterfeit ADIT stamps. Any questions on the legitimacy of an ADIT stamp should be directed to DHS.
- b. Before advising the alien or the transportation carrier that a valid ADIT stamp is sufficient evidence of probable LPR status, the consular officer should make all reasonable efforts locally to verify the alien's claimed status. This generally can be accomplished by checking immigrant visa records in the CCD and using the Person Centric Query Service (available under the Cross Applications tab in the CCD) as described below.
- c. The ADIT stamp should read:
**Upon endorsement, serves as
Temporary I-551 evidencing
Permanent Residency for one year.
[Issue Date]
[Officer]
EMPLOYMENT AUTHORIZED
Valid Until [date]**
- d. In addition, directly below the stamp and to the left, the issuing officer should have written the A-number and the class of admission.
- e. An LPR employee of the U.S. Government, civilian or military, who is outside the United States pursuant to official orders may present a valid or expired Form I-551 when applying for admission into the United States even after being absent from the United States for one year or more (8 CFR 211.1(a)(6)). In addition, the spouse or child of such employee who resided abroad while the employee was on overseas duty and who is proceeding, accompanying, or following to join within four months of the

employee returning to the United States, does not have to present a valid Form I-551. The official orders must mention that the LPR is authorized to reside and accompany the employee abroad for the specific period of time under consideration. Occasionally a transportation company will not accept the official orders to board the LPR and will request a boarding foil from the consular section. You should make every effort to accommodate this request.

9 FAM Appendix N, 301.1-1 Eligibility for Secure Boarding Foils in Lost, Stolen, or Expired I-551 Cases

(CT:VISA-1827; 04-03-2012)

A consular officer may issue a secure boarding foil to an LPR whose Form I-551 is lost, stolen, or expired, if the alien presents a passport with an Alien Documentation and Identification System (ADIT) stamp or the consular officer is able to confirm the applicant's LPR status as explained below. The LPR must appear in person to report the lost, stolen, or expired Form I-551 and request a boarding foil.

9 FAM Appendix N, 301.2 Procedures for Issuing Boarding Foils in Lost, Stolen or Expired Form I-551 Cases

(CT:VISA-1827; 04-03-2012)

- a. You must follow the procedures below in cases involving lost, stolen, or expired Forms I-551. This guidance applies to both IV- and NIV-only posts, except as noted below.

NOTE: These procedures do NOT currently apply at posts co-located with a DHS office physically located in the Embassy or Consulate that offers public counter service (see 9 FAM Appendix N 301.5).

- b. Interview Scheduling: The LPR schedules an interview appointment using local post procedures to report his/her lost, stolen, or expired I-551 and request a boarding foil. Local procedures could include use of NIV appointment systems or GSS. Posts should determine how to schedule these appointments.
- c. Forms and Fees: On or before the day of the interview, the applicant should complete and submit pages 1-3 of the Form I-90, Application to Replace Permanent Resident Card. Note: This form is being used ONLY for consular data collection purposes. Posts should not/not collect the

filing fee or send the form to USCIS on behalf of the applicant, nor should they generate an ACRS no-fee receipt.

- d. Case Creation in NIV: Using the biographic data from the Form I-90, plus passport number and nationality, a case is created in the NIV system by manually data-entering the information. Select "LPR" as the visa class in NIV. All biodata fields must be completed, as applicable. For the address fields, enter the applicant's U.S. residence address (not the mailing address) listed on the Form I-90. "Visa type" will default to "X". Consular officers should manually choose the "no fee" option.
- e. Intake: The applicant appears in person for his or her interview bringing one photograph matching current visa photo standards (see 9 FAM 41.113 PN1.2). The photo is captured in NIV and fingerprints are collected for all LPRs age 14-79 (or 7-79 for Yemen and Mexico). Pages 1-3 of Form I-90 must be scanned into NIV. Please be sure to select "I-90" as the document type from the dropdown list.
- f. Interview: The interviewing officer must:
 - (1) Verify Identity: Request to see a valid passport, driver's license, or any other Government-issued photo I.D. Verify the applicant's identity by matching the facial image of the individual with the photograph in the passport and/or other identity documents, and in Customer Profile Management System (CPMS) via the USCIS Person Centric Query Service (PCQS) in the CCD (see 9 FAM Appendix N 301.3 below for PCQS guidance).
 - (2) Verify Status: Check the Central Index System (CIS) via PCQS to ensure that the applicant is in fact an LPR. Confirm that the information matches the applicant who is requesting a boarding foil. If no record is found in CIS, or if the information found is not conclusive, check secondary systems including CLAIMS 3, which is also in PCQS. If necessary, request additional information from local or regional CBP, USCIS or ICE office(s) to assist in determining LPR status and qualification for a boarding foil.

NOTE: Individuals granted conditional resident status must file a petition to remove the conditions of residence with USCIS or the two-year grant of status expires. If the individual seeking a boarding foil is within the two-year validity of the conditional residency status, you may issue the boarding foil. If the individual's conditional residency status has expired and he/she presents a Receipt Notice (Form I-797) from USCIS demonstrating that a petition to remove conditions of residence has been filed, you may issue a boarding foil. If the applicant does not have a Receipt

Notice and it is past the second anniversary of conditional residency status, you may NOT issue a boarding foil.

- (3) **Verify Time Outside the United States and No Abandonment of LPR Status:** Determine that the applicant has not been absent from the United States for one continuous year or more. Request to see a passport showing pertinent entry and exit stamps and and/or airline tickets that show when the applicant departed the United States. You must also run a check of entry/exit records through ADIS (see 9 FAM Appendix N 301.4 below). If the individual has filed an application to abandon LPR status (Form I-407) or has been outside the United States continuously for one year or more, you may not issue the applicant a boarding foil. The applicant may be eligible to apply for an SB-1 visa.

NOTE: If the alien has been outside the United States for a year or more and did not obtain a Reentry Permit, the alien has lost LPR status, would not be eligible for a boarding foil, and would need to apply for a visa to return to the United States.

- (4) **Secondary Evidence:** If PCQS and ADIS do not confirm LPR status, but the applicant insists that he or she is an LPR and can present convincing secondary evidence of LPR status, you can accept this evidence, but must refer the case to your local or regional CBP, USCIS, or ICE office(s) for additional consideration as to whether a boarding foil is appropriate. The secondary evidence presented by the alien must demonstrate that he or she:
 - (a) Was an LPR at the time of departure from the United States;
 - (b) Maintains a residence in the United States;
 - (c) At the time of departure, intended to return to the United States; and
 - (d) Has not been outside the United States for a year or more.
- (5) **Lost or Stolen Form I-551:** Generally, an applicant requesting a boarding foil to replace a Form I-551 that was lost or stolen must present a police report (if applicable and available) documenting when the Form I-551 was lost or stolen.
- (6) **Run Checks:** Run all regular visa screening checks, including IDENT, IAFIS, FR, and CLASS in NIV. Post must forward any applicable adverse information returned by these checks to the local or regional CBP, USCIS, or ICE office(s) and await a response

before proceeding. Post should refuse the case using refusal code "GLPR" (a new code that has been added) while awaiting a response from USCIS. GLPR is a new Category 2 refusal code only to be used for the LPR visa class. The GLPR code should be used for cases of pending documents, awaiting a response from DHS or awaiting other information from the applicant.

- g. Case Notes and Scanning: The interviewing officer must make case notes related to the interview, any documentation collected, and results of PCQS and ADIS searches. All relevant documents should be scanned into the case in NIV, including the Form I-90.
- h. Issuance: If post is able to verify the LPR status of the alien (independently or through DHS), verify through entry/exit information and ADIS that the alien has not been outside the United States for a year or more, and that the applicant is otherwise qualified, then post may issue the alien temporary proof of status in the form of a boarding foil.
- (1) The boarding foil may be valid for no more than 30 days, single entry, unless other emergent circumstances exist. The foil must be annotated as follows:
- "NOT A VISA. BEARER IS A LAWFUL PERMANENT RESIDENT OF THE UNITED STATES AND MAY BE BOARDED WITHOUT TRANSPORTATION CARRIER LIABILITY. A#"**
- Note: This annotation may be selected from the dropdown of standard annotations available in NIV, as long as the A# is filled in as well.
- (2) Return pages 1-3 of Form I-90 to the applicant. Post must advise the alien that he or she is required to have his or her permanent resident card in his or her possession at all times and must file an application for replacement card (Form I-90) with USCIS immediately upon return to the United States. Form I-90 filing instructions are available on USCIS' Web site.
- (3) When placing an LPR boarding foil in the passport, make sure to Cancel Without Prejudice (CWOP) any prior U.S. visa foils that may be present in the alien's passport, to avoid confusion at the Port of Entry concerning the alien's status.
- i. Refusal: If you are not convinced that the alien is entitled to a boarding foil, do not issue it. It is up to the alien to demonstrate his or her eligibility for this service given all of the facts and circumstances. No written decision is required in cases where the applicant is refused this

service. The case should be refused using refusal code "RLPR" in NIV. RLPR is a new refusal code and should be used when a final decision is made to refuse issuance of a boarding foil to the applicant (the adjudicator is not convinced that the alien is entitled to a boarding foil.)

- (1) Posts may advise refused applicants that they can either reapply in the event that they can provide stronger proof of their LPR status, or that they can contact the nearest USCIS office. A CLOK Deletion request must be sent for an RLPR refusal if the applicant later re-applies and is issued a boarding foil.
 - (2) If the boarding foil is not issued because the alien has been outside the United States for more than one year, and the alien appears to qualify for a SB-1 visa, then the applicant can be referred to the IV unit (see 9 FAM 42.22), after refusing the case with "RLPR" in NIV.
- j. Referral to USCIS: If you are unable to reach a decision about an alien's LPR status through PCQS or secondary evidence provided by the alien, you must contact your local or regional CBP, USCIS, or ICE office(s). Provide the background information on the case, including any derogatory information, and ask your local or regional CBP or USCIS office to run the appropriate checks and review the case to make a determination on LPR status. You must GLPR refuse the case while you await a response before providing the alien with DHS' final decision on the case. If DHS confirms status, then follow above steps for issuing the boarding foil after overcoming the GLPR refusal code. If DHS does not confirm status, then the boarding foil should not be issued.

9 FAM Appendix N, 301.3 Using PCQS to Verify Previous Issuance of a Permanent Resident Card

(CT:VISA-1827; 04-03-2012)

- a. In the absence of a valid ADIT stamp in the passport, you may issue a boarding foil without referral to your local or regional CBP, USCIS, or ICE office(s) for verification if appropriate checks are run in the USCIS Person Centric Query Service (PCQS) in the CCD.
- b. You must verify the alien's LPR status using PCQS, which is available under the Cross Applications tab in the CCD. Using the PCQS, you must run a check through the Central Index System (CIS) and Customer Profile Management System (CPMS) to ensure that the subject is in fact an LPR of the United States.
- c. Entry of the alien's name and date of birth (DOB), or preferably the A

number, into PCQS should give you access to the alien's record in the CIS and CPMS, which will include a photograph of the alien (in the CPMS record) and information about of the alien's Form I-551. You must be able to confirm that the alien applying for the boarding foil had previously been issued a Form I-551 and had not lost LPR status. An indication of loss of LPR status would be a deportation record in CLASS or in CIS. If there are no deportation records in CLASS or CIS, nor any record that the applicant voluntarily relinquished LPR status, you must then determine how long the alien has been outside the United States by using ADIS and the guidance below.

9 FAM Appendix N, 301.4 Using ADIS to Verify Date of Departure of Alien from the United States

(CT:VISA-1827; 04-03-2012)

The DHS Arrival Departure Information System (ADIS) contains records of aliens' arrivals and departures to and from the United States by air. You must use ADIS to determine when the alien last departed the United States. To check ADIS, use the Send ADIS Request report in the CCD under the Cross Applications tab, or you may use the "Alt+O" shortcut function from the NIV Print Authorization Window. If there is no record in ADIS of the alien's last departure from the United States, other evidence, such as airplane tickets, may be considered. (Note: If the CCD ADIS report does not provide results, you should request that the Fraud Prevention Unit (FPU) conduct further research in post's standalone version of ADIS, which allows a more flexible search. End note.) If the alien has been outside the United States for a year or more and did not obtain a Reentry Permit, then the alien has lost LPR status, is not eligible for a boarding foil, and must apply for a visa to return to the United States.

9 FAM Appendix N, 301.5 Procedures for DHS Co-located Posts

(CT:VISA-1827; 04-03-2012)

Any posts co-located with a DHS (CBP, USCIS, or ICE) office located in the Embassy or Consulate that offers public counter service as defined in 9 FAM Appendix N 100, should NOT perform services for lost, stolen, or expired green card cases. The DHS presence must be in the same city as the consular section and meet the 9 FAM Appendix N 100 requirements for work to be directed to DHS. DHS is responsible for the full and complete processing of these cases and any applicants for this service must be referred to them.

9 FAM APPENDIX N, 302 REENTRY PERMITS

9 FAM Appendix N, 302.1 Validity of Reentry Permits

(CT:VISA-1827; 04-03-2012)

A reentry permit, Form I-327, Permit to Reenter the United States, is comparable to a passport and is issued by the Immigration and Naturalization Service. It has a maximum validity of two years (unless restricted to a shorter period) and cannot be renewed. The permit is 3-1/2" x 6-3/4" in size with a beige cover and black letters. The inside covers and all pages are printed on light green safety paper with a darker green water mark representing a map of the continental United States on each page. Pages are numbered 1 through 20, and pages 5 through 14 are left blank for visas.

9 FAM Appendix N, 302.2 Unclaimed Expired Reentry Permits

(CT:VISA-1827; 04-03-2012)

Unclaimed expired reentry permits are permits that are sent to posts, but have never been collected by the intended recipient. Consular offices should retain reentry permits that cannot be delivered or are not claimed until they are no longer valid, and then return them to the DHS issuing office. The unclaimed expired reentry permits provide DHS with information that is germane to any future dealing with the aliens, and should be part of the DHS records.

9 FAM APPENDIX N, 303 REFUGEE TRAVEL DOCUMENTS

9 FAM Appendix N, 303.1 Issuance of Refugee Travel Documents

(CT:VISA-1827; 04-03-2012)

DHS issues refugee travel documents on Form I-571, Refugee Travel Document, in implementation of Article 28 of the United Nations Convention of July 28, 1951. Form I-571 entitles refugees to return to the United States, provided such persons have not abandoned their residence, lost their

refugee status, or become excludable. In some instances, a lawful permanent resident alien may be issued a refugee travel document, but only upon surrender of any prior reentry permit.

9 FAM Appendix N, 303.2 Extra Page Insert in Refugee Travel Document

(CT:VISA-1827; 04-03-2012)

- a. The bearer of Form I-571 may personally request additional pages from any DHS office upon return to the United States or, if abroad, may mail the document directly to the DHS office having jurisdiction over the area where the alien is residing. In the latter case, the DHS will return the document to a consular office within the DHS area of responsibility for subsequent forwarding to the applicant.
- b. Consular officers may, upon request, attach extra page extension inserts into Form I-571. The extra page extension consists of an additional fourfold insert that provides eight additional pages, lettered "A" to "H", and has a tab for attachment to the main body of the document. The tab must be glued to page 14 of the document. It does not require a dry seal impression.
- c. To obtain additional inserts, consular officers should contact the DHS officer at their respective post. If there is no DHS representation at the post in question, the consular officer should contact the nearest DHS office.

9 FAM Appendix N, 303.3 Lost Refugee Travel Documents

(CT:VISA-1827; 04-03-2012)

When an alien claims to have lost Form I-571, the consular officer should send a telegram requesting verification to DHS/HQ, Washington, D.C. (ATTN: HQIAO), the appropriate district director, and the Department (ATTN: VO/F). The alien's full name, date and place of birth, and the DHS "A" number if known, must be included in the text of the telegram. Upon DHS verification of the alien's refugee status, the consular officer should issue a boarding authorization letter (see 9 FAM Appendix N, Exhibit V]. The refugee will be readmitted to the United States as a parolee, **not** as a refugee.

9 FAM APPENDIX N, 304 REPLACEMENT CERTIFICATES OF CITIZENSHIP OR NATURALIZATION

(CT:VISA-1827; 04-03-2012)

The Attorney General has authority under INA 343(b) and (d) to issue a Form N-550, Replacement Certificate of Naturalization, or Form N-645 Certification of Citizenship, in cases where the original certificate has been lost, mutilated, or destroyed, and to issue the replacement certificate under a new name when the name of any naturalized person has been changed.

9 FAM Appendix N, 304.1 Applying at Post

(CT:VISA-1827; 04-03-2012)

DHS has authorized consular officers to assist applicants for a replacement certificate of naturalization or citizenship if the applicant is physically present in the consular district and submits Form N-565, Application for Replacement Naturalization/Citizenship Document, in person. The consular officer must forward the completed Form N-565 with the appropriate fee to the DHS Service Center having jurisdiction over the applicant's state of residence in the United States, or to the district director of the Washington, DC district for DHS action.

9 FAM Appendix N, 304.2 Applying in the United States

(CT:VISA-1827; 04-03-2012)

- a. An application for a replacement certificate of naturalization or citizenship is normally submitted in person at a DHS office in the United States where a DHS officer will conduct an interview.
- b. In cases in which the applicant will proceed abroad before the certificate can be delivered, DHS will forward the certificate to the consular post designated by the applicant. The consular officer must forward the receipt for delivery of the certificate, signed by the applicant, to the DHS office of origin.
- c. If the consular officer finds that the applicant has lost his or her U.S. citizenship, or is otherwise ineligible to receive the certificate, he or she must withhold the certificate from the applicant and return it to the originating DHS office.

9 FAM Appendix N, 304.3 When Interview is Required

(CT:VISA-1827; 04-03-2012)

When a DHS officer has not interviewed an applicant, the immigration officer will prepare and transmit the replacement certificate to the consular office designated by the applicant for delivery of the document. Along with the certificate, the DHS officer will send the application and photographs of the naturalization petition and of the certificate(s) being replaced, as an aid to the consular officer in conducting the interview. The interviewing consular officer must follow the guidelines listed below to determine the applicant's eligibility to receive the duplicate certificate.

9 FAM Appendix N, 304.3-1 Identity

(CT:VISA-1827; 04-03-2012)

The consular officer must be able to identify the applicant as the person who was naturalized and to whom the original certificate was issued. Comparing photographs and signatures and questioning the applicant regarding items in the petition for naturalization will aid in this respect.

9 FAM Appendix N, 304.3-2 Expatriation

(CT:VISA-1827; 04-03-2012)

The applicant must be questioned to determine whether citizenship has been lost since the date the applicant became a U.S. citizen. Other persons may be questioned, and records examined, if the consular officer decides such additional action is necessary to resolve the issue.

9 FAM Appendix N, 304.3-3 Disposition of Original Certificate

(CT:VISA-1827; 04-03-2012)

The consular officer must question the applicant regarding the circumstances of the claimed loss or destruction of the original certificate to ensure that the claim is not fraudulent. If DHS instructs the consular officer to obtain the original (mutilated or incorrect) certificate from the applicant, the consular officer must withhold delivery of the new certificate until the original has been surrendered.

9 FAM Appendix N, 304.4 Certificate Delivery

(CT:VISA-1827; 04-03-2012)

Only when all requirements discussed in 9 FAM Appendix N 304.3 have been satisfied may the new certificate be delivered. The applicant must execute and sign the receipt at the bottom of Form N-565, Examiner's Report, page 2 of Form N-565. The consular officer must complete the Examiner's Report and return the application and attachments to the DHS office of origin. The consular officer shall assume, and so indicate in the report, that DHS verified the applicant's naturalization at the time of application in the United States.

9 FAM Appendix N, 304.5 Denial of Application

(CT:VISA-1827; 04-03-2012)

The consular officer must deny the application if he or she finds any of the elements in 9 FAM Appendix N 304.3 lacking. If the application is denied, the officer must complete the Examiner's Report, with a supplemental report covering the reasons for the denial, and return the replacement certificate, Form N-645, the application, and attachments to the DHS office of origin.

9 FAM APPENDIX N, 305 HOW TO RECORD DEPARTURE FROM THE UNITED STATES, AFTER THE FACT

(CT:VISA-1827; 04-03-2012)

See 9 FAM Appendix N Exhibit X.