



## **The Affidavit of Lawful Presence**

**In order to receive a “Public benefit,” including Adult Education Services, State grants, or loans, Georgia law requires every applicant 18 years of age and older to complete an affidavit (sworn written statement) before a Notary Public that establishes that the applicant is lawfully present in the United States of America, in accordance with O.C.G.A. § 50-36-1(e)(1).**

**The Affidavit below must be completed in the presence of a Notary Public prior to completing the HOPE HSE Grant Application. Individuals must provide a “secure and verifiable document” from the list below to accompany their Affidavit.**

**A Notary Public is an official of integrity appointed by the state government — typically by the secretary of state — to serve the public as an impartial witness in performing a variety of official fraud-deterrent acts related to the signing of important documents.**

**Notaries are often available to customers at many businesses offering financial services, automobile title transfers, shipping services, and more. Some examples include banks, law firms or law offices, real estate firms or offices, tax preparer or accountant offices, photocopy shops, parcel shipping stores, auto tag and license service centers, colleges and universities, and libraries. We encourage applicants to seek assistance at their closest TCSG college. Colleges (Adult Ed Division of the college) have notaries on staff who can provide notary services at no charge.**

**For questions about notary requirements or services, please email [HSEGrant@tcsg.edu](mailto:HSEGrant@tcsg.edu) or call (404)679-1634 for assistance.**

**Affidavit of Lawful Presence**  
Technical College System of Georgia  
Office of Adult Education  
Last updated August 23, 2022 – Complete the form in ink

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Age: \_\_\_\_\_

By executing this affidavit under oath, as an applicant for adult education, as referenced in O.C.G.A. § 50-36-1, from the Technical College System of Georgia Adult Education Program, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) \_\_\_\_\_ I am a United States citizen.
- 2) \_\_\_\_\_ I am a legal permanent resident of the United States.
- 3) \_\_\_\_\_ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My Alien Registration Number (A-number), I-94 (Arrival-Departure Record) number, or other immigration number issued by the U.S. Department of Homeland Security or other federal immigration agency is: \_\_\_\_\_. (For verification through the SAVE program, a front and back copy of the secure and verifiable document and the supporting documentation must be attached.)

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document\*, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

\_\_\_\_\_.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (city), Georgia.

\_\_\_\_\_  
Signature of Applicant (in ink)

\_\_\_\_\_  
Printed Name of Applicant

\*The "List of Secure and Verifiable Documents" can be found at <http://law.ga.gov/immigration-reports>.

\*Complete if seal/stamp does not have this info

\*PRINTED NAME OF NOTARY PUBLIC:

\*My Commission Expires: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SIGNATURE OF NOTARY PUBLIC (in ink):

\_\_\_\_\_

Notary Seal or Stamp:

## Secure and Verifiable Documents under O.C.G.A. § 50-36-2

Issued February 20, 2018 by the Office of the Attorney General, Georgia

“Secure and verifiable document” means a document issued by a state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies. **The term “secure and verifiable document” SHALL NOT INCLUDE:**

- **any foreign passport (unless the passport is submitted with a valid United States Homeland Security Form I-94, I-94A, or I-94W, or other federal document specifying an alien’s lawful immigration status, or other proof of lawful presence in the United States under federal immigration law);**
- **a Matricula Consular de Alta Seguridad, matricula consular card, consular matriculation card, consular identification card, or similar identification card issued by a foreign government regardless of the holder’s immigration status.**

Only those documents approved and posted by the Georgia Attorney General pursuant to subsection (g) of the Code section shall be considered secure and verifiable documents. [O.C.G.A. § 50-36-2 (b)(3)]

The following list of secure and verifiable documents, published under the authority of O.C.G.A. § 50-36-2, contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- **An original or certified copy of a birth certificate** issued by a State, county, municipal authority, or territory of the United States bearing an official seal
- **An unexpired United States passport or passport card**
- **An unexpired United States military identification card**
- **An unexpired tribal identification card** of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- **An unexpired United States Permanent Resident Card or Alien Registration Receipt Card**
- **An unexpired Employment Authorization Document** that contains a photograph of the bearer
- **An unexpired passport issued by a foreign government**, provided that such passport is accompanied by a **US Department of Homeland Security Form I-94, I-94A, or I-94W, or other federal form** specifying an individual’s lawful immigration status or other proof of lawful presence under federal immigration law
- **An unexpired Merchant Mariner Document or Merchant Mariner Credential** issued by the US Coast Guard
- **An unexpired FAST card, NEXUS card, or SENTRI card**
- **An unexpired driver’s license issued by a Canadian government authority**
- A **Certificate of Citizenship** (Form N-560 or Form N-561) or a **Certificate of Naturalization** (Form N-550 or Form N-570) issued by the United States Department of Citizenship and Immigration Services (USCIS)
- **Certification of Report of Birth** (Form DS-1350), a **Certification of Birth Abroad** (Form FS-545), or a **Consular Report of Birth Abroad** (Form FS-240) issued by the United States Department of State

For a more detailed listing of these secure and verifiable documents, including citations, refer to the “List of Secure and Verifiable Documents” posted on the Attorney General of Georgia website at <http://law.ga.gov/immigration-reports>.