



OFFICE OF POLICY, PROCEDURES, AND TRAINING

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POLICY BULLETIN #21-61-ELI

GUIDANCE ON PROVIDING ASSISTANCE TO EVACUEES FROM AFGHANISTAN

<p>Date: November 29, 2021</p>	<p>Subtopic(s): Application, Benefits</p>
	<p><u>Purpose:</u></p> <p>The purpose of this policy bulletin is to provide guidance to staff on meeting the needs of individuals and families entering the United States (US) from Afghanistan who are applying for benefits and/or assistance through Cash Assistance (CA), the Home Energy Assistance Program (HEAP), the Supplemental Nutrition Assistance Program (SNAP), and Refugee Cash Assistance (RCA).</p> <p><u>Audience:</u></p> <p>This policy bulletin is for Job Center, HIV/AIDS Services Administration (HASA) center, Supplemental Nutrition Assistance Program (SNAP) center, and Home Energy Assistance Program (HEAP) staff. This policy bulletin is informational for all other staff.</p> <p><u>Background:</u></p> <p>Due to the US completing its withdrawal from Afghanistan and other events that are unfolding in Afghanistan, vulnerable evacuees from Afghanistan have resettled, or are in the process of resettling in the US. Many of these individuals are expected to fall into three groups: Special Immigrant Visa (SIV) holders, Special Immigrant SQ/SI Parolees, and Humanitarian Parolees.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

Afghan nationals that are SIV holders or Special Immigrant SQ/SI Parolees are generally interpreters and/or translators (or members of their families) who performed work in Afghanistan with the US Armed Forces or under the authority of the Chief of Mission for Afghanistan. In addition, the United States Citizenship and Immigration Services (USCIS) may exercise discretion to authorize humanitarian parole, on a case by case basis, for evacuees from Afghanistan with urgent humanitarian or significant public benefit reasons to come to the US for a temporary period.

Program Implications:

Eligibility for benefits

Afghan SIV Holders and Special Immigrant SQ/SI Parolees

Afghan SIV holders, including Special Immigrant (SI) Lawful Permanent Residents (LPRs) and SI Conditional Placement Residents (CPRs), or Special Immigrant SQ/SI Parolees are eligible for Family Assistance (FA), Safety Net Assistance (SNA), HEAP, and SNAP, if otherwise eligible. When determining CA, HEAP, and SNAP eligibility, these non-citizens will be coded Welfare Management System (WMS) ACI code **R**, and are eligible for federal benefits, if otherwise eligible. [GIS 17 TA/DC034](#) and [GIS 10 TA/DC005](#) include further information on Afghan SIV holders. Additionally, singles and childless couples who are Afghan SIV holders or Special Immigrant SQ/SI Parolees can be claimed to RCA. For further RCA guidance, staff may refer to [16-ADM-02](#).

Under the Afghan Allies Protection Act of 2009, Afghan SIV holders evacuating Afghanistan are being admitted to the US by the US Department of Homeland Security (DHS) as Special Immigrant (SI) Lawful Permanent Residents (LPRs). In addition, due to the recent evacuation of Afghan nationals from Afghanistan, DHS began admitting Afghan SIV holders to the US as SI Conditional Permanent Residents (CPRs). A CPR becomes an LPR after DHS removes the conditions on their LPR admission. The following Class of Admission (COA) codes, often referred to as category codes on USCIS documents, indicate SI CPR: **CQ1, CQ2, or CQ3**.

In response to Afghan nationals evacuating Afghanistan, DHS also created new COA codes for those who may qualify for SIVs, but due to the extenuating circumstances surrounding the evacuation, were unable to complete the SIV process prior to their evacuation from Afghanistan: Special Immigrant SQ/SI Parole, SQ4 or SQ5. The following is a list of common USCIS documents Afghan SIV holders and Special Immigrant SQ/SI Parolees may present:

Common Documents

- Form I-94, Arrival/Departure Record, stamped/coded with one of the following category codes: **CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9**, or stamp noting SQ/SI Parole, or stamp noting admission under Section 101(a)(27) of the Immigration and Nationality Act (INA), or
- A separate printed page, on Customs and Border Protection (CBP) letterhead, with the Form I-94, Arrival/Departure Record, and the following notation, signed and dated by a USCIS officer: Special Immigrant Status SQ/SI Parolee; Section 602(B)(1) AAPA/Section 1059(a) NDAA 2006; Date _____ USCIS officer: _____, or
- DHS/CBP or DHS/USCIS Temporary I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp, or
- Afghan passport with an immigrant visa, stamped with one of the following category codes: **CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9**, or stamp noting admission under Section 101(a)(27) of the INA, or
- Form I-551, Permanent Resident Card, with one of the following category codes: **CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9**, or
- Form I-766, Employment Authorization Document (EAD), with a C11 parolee category code, and a response from the Systematic Alien Verification for Entitlements (SAVE) system with a COA code of **SQ4** or **SQ5**, or
- Any other authoritative USCIS document indicating the Afghan national was granted a SIV or Special Immigrant SQ/SI Parole.

Afghan Humanitarian Parolees

In addition to the Afghan SIV holders and Special Immigrant SQ/SI Parolees that are detailed above, other individuals arriving from Afghanistan may be granted humanitarian parole under INA Section 212(d)(5)(A).

On September 30, 2021, the federal government began providing evacuees from Afghanistan who enter the US on humanitarian parole access to federal benefits and services through the Afghanistan Supplemental Appropriations Act, 2022. Citizens or nationals of Afghanistan, or individuals with no nationality who last resided in Afghanistan, may be eligible for benefits if they have completed DHS's background checks, their parole has not been terminated by DHS, and they were:

- (1) paroled into the US between July 31, 2021 and September 30, 2022, or
- (2) paroled into the US after September 30, 2022, and are:
 - (a) the spouse or child of an evacuee from Afghanistan paroled between July 31, 2021 and September 30, 2022, or
 - (b) the parent or legal guardian of an unaccompanied child paroled between July 31, 2021 and September 30, 2022.

The Afghanistan Supplemental Appropriations Act, 2022 allows these individuals to receive benefits either through March 31, 2023 or until the end of their parole term, whichever is later.

Eligibility for benefits

If otherwise eligible, these non-citizens are eligible for FA, SNA, HEAP, and SNAP, and will be coded WMS ACI code **R**. Additionally, singles and childless couples who are Afghan humanitarian parolees can be claimed to RCA.

Common Documents

The following is a list of common USCIS documents Afghan humanitarian parolees may present:

- Form I-94, Arrival/Departure Record, noting Humanitarian Parole per INA Section 212(d)(5)(A) and reasonable evidence of being an evacuee from Afghanistan, or
- Foreign passport with DHS/CBP admission stamp, noting Operation Allies Refuge or OAR; Operation Allies Welcome or OAW; or DT, or
- Any other authoritative USCIS document indicating Afghan humanitarian parole was granted.

Attachment A, "Examples of Afghan Humanitarian Parole Stamps", provides examples of humanitarian parole stamps for evacuees from Afghanistan.

Note: These and the documents listed above are not the only forms of acceptable immigration documentation to support an Afghan humanitarian parole status.

The above guidance pertains specifically to Afghan humanitarian parolees covered under the Afghanistan Supplemental Appropriations Act, 2022. For guidance on the immigration documentation and determining eligibility for other humanitarian parolees who are not evacuees from Afghanistan, staff should refer to page four of the [LDSS-4579](#) Non-Citizen Eligibility Desk Aid.

Verifying Immigration Documentation

As a reminder, in accordance with [13-ADM-07](#), when determining TA and SNAP eligibility, staff must use the SAVE system to verify non-citizens' immigration documentation. Benefits must not be delayed, denied, reduced, or terminated pending verification of non-citizens' documentation via the SAVE system. If all other factors of eligibility have been established and the non-citizens are otherwise eligible, benefits must be granted while awaiting responses from the SAVE system.

Regardless of the immigration documentation presented by SI LPRs, the SAVE system can provide an initial verification response of LPR, except for those SI LPRs whose case involves something unusual that may require additional verification.

When staff initiate verification of the immigration documentation for SI CPRs, the SAVE system can provide an initial verification response of CPR and the COA code. Some cases may require additional verification. Additional verification responses will state "CPR", and provide the COA in the Comments to Agency field.

For immigration documentation from Afghan Special Immigrant SQ/SI Parolees, the SAVE system can provide an initial verification response of parolee with an **SQ4** or **SQ5** COA code, unless there is something unusual about the case that may require additional verification.

When verifying the immigration documentation presented by Afghan humanitarian parolees, the SAVE system will confirm the documentation by providing a "parolee" response.

Refer to [PD#18-09-SYS](#)
for SAVE information

Refer to [PB #17-49-ELI](#)
Clearance from ORIA
must be obtained

Assistance from ORIA

As there are a number of variations in the availability of documents, and because some of the situations presented will be so complex, staff must contact the Office of Refugee and Immigrant Affairs (ORIA) to get a clearance on the benefit eligibility for the applicant.

Staff must fill out the Office of Refugee and Immigrant Affairs (ORIA) Clearance Request Form (**ORIA-195**). The **ORIA-195** is a form that can either be printed out and completed manually or completed electronically through DSS eDocs. After completion, staff must save the completed PDF document on their desktop and print it. The printed document must be scanned and indexed into the electronic case record of the applicant/participant for whom the request is being made. Staff must email the completed **ORIA-195** and all supporting documents to ORIA@dss.nyc.gov.

Note: A separate **ORIA-195** is required for each individual that a clearance is being requested for. However, a single email to ORIA@dss.nyc.gov may be sent for multiple individuals on the same case.

Once ORIA receives the **ORIA-195** and documents, a review of the documents will be conducted to ascertain benefit eligibility for the non-citizen. If the documents provided and/or the clearance request is unclear, ORIA will reach out to the requestor for additional information.

Once a decision is ready, ORIA will respond with an email to the requestor, either using the ORIA Clearance Response Form (**ORIA-195a**) or in the body of the email containing the full clearance information. The requestor must scan and index the clearance into the electronic case record.

Effective Immediately

References:

[GIS 10 TA/DC005](#)

[GIS 17 TA/DC034](#)

[GIS 21 TA/DC071](#)

[13-ADM-07](#)

[16-ADM-02](#)

[19-ADM-09](#)

Related Items:

[PB #17-49-ELI](#)

[PD #18-09-SYS](#)

Attachments:

Attachment A

Examples of Afghan Humanitarian
Parole Stamps

LDSS-4579

Non-Citizen Eligibility Desk Aid

ORIA-195

Office of Refugee and Immigrant Affairs (ORIA)

Clearance Request Form

ORIA-195a

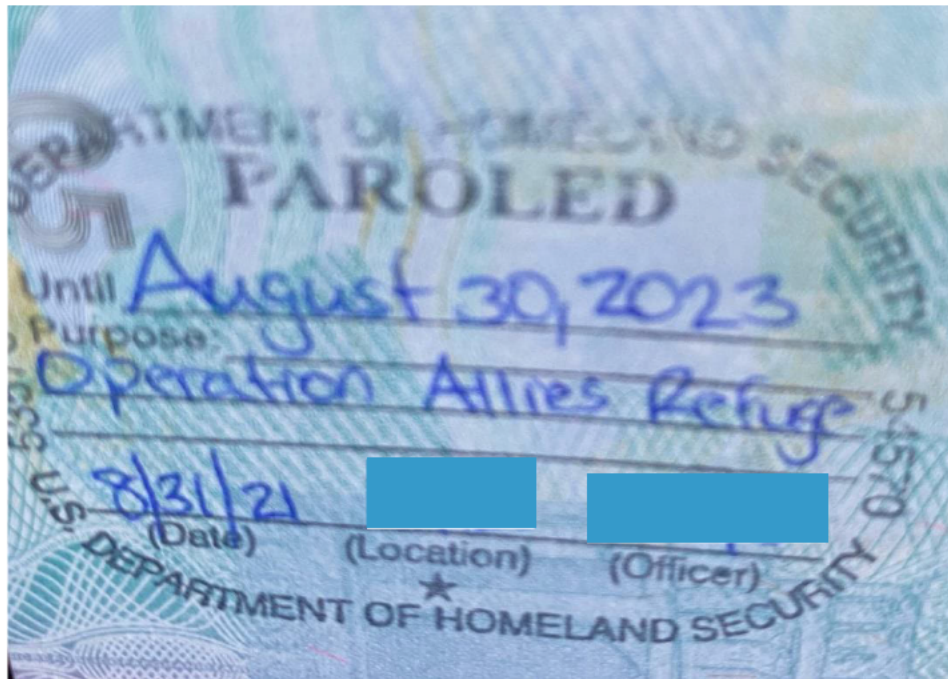
ORIA Clearance Response Form

Attachment A

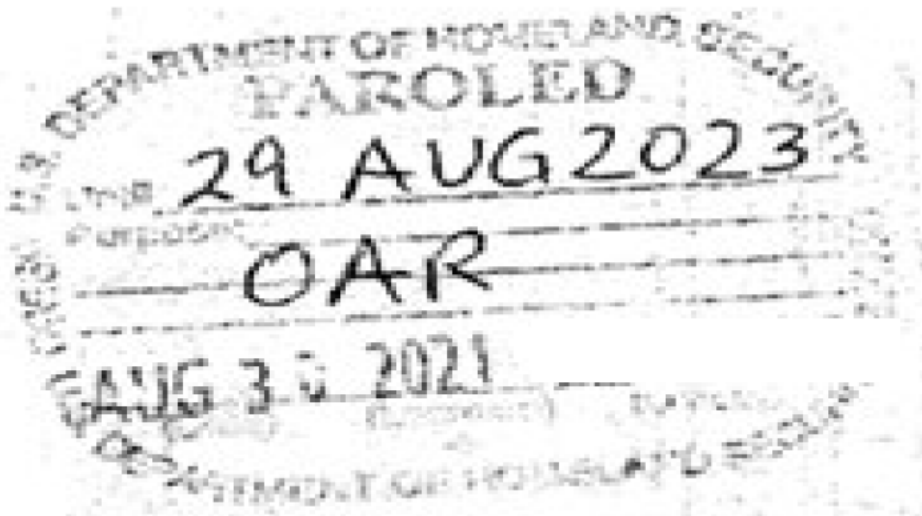
Attachment: Examples of Afghan Humanitarian Parole Stamps

Note: These are not the only forms of acceptable immigration documentation to support Afghan humanitarian parole status.

Example 1:



Example 2:



IMPORTANT! This desk aid does not include every form of acceptable documentation to support a non-citizen status that would be satisfactory for benefit eligibility. If an individual presents a document not listed below, follow your social services district policies/procedures for further guidance.

Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes ¹	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
Lawful Permanent Resident (LPR) without 40 Qualifying Quarters	K	<p>I-551 Permanent Resident Card: workers must check category code;² or Temporary I-551 stamp in foreign passport or on I-94 Arrival/Departure Record; or Immigrant visa with the notation “upon endorsement serves as temporary I-551 permanent resident for one year;” or I-797 Notice of Action indicating approval of an I-485 Application to Register Permanent Residence or Adjust Status; or I-327 Permit to Reenter the United States; or I-181 Memorandum of Creation of Record of Lawful Permanent Residence with approval stamp; or Any other authoritative document that identifies the non-citizen³ as an LPR</p>	DOS is the date status was obtained	Yes	<p>Yes if: Entered the U.S. on or after 8/22/96, and after five years in U.S. in a qualified status; or Entered the U.S. before 8/22/96, have continuously resided in the U.S., and are in a qualified status</p>	<p>Yes if: In a qualified status and in receipt of certain disability benefits [7 USC 2012(j)(2)-(7)]; or In a qualified status and under age 18; or After five years in U.S. in a qualified status; or Currently in a qualified status and was age 65 or older on 8/22/96 and was lawfully residing in the U.S. on that date</p>
LPR with 40 Qualifying Quarters	S	<p>Same LPR documentation as above and Proof of 40 qualifying quarters⁴ Note: No quarters earned after 12/31/96 may be counted in which a non-citizen has received a federal means-tested public benefit, including but not limited to FA, SSI and SNAP.</p>	DOS is the date status was obtained			Yes

¹The Date of Status (DOS) field in the Welfare Management System (WMS) identifies the date a non-citizen obtained qualified status, which is indicated by the appropriate Alien Citizenship Indicator (ACI) code, and is used to calculate when a qualified non-citizen reaches five years in a qualified status and then becomes eligible for federally funded assistance, if otherwise eligible. Non-citizens that are considered Permanently Residing Under Color of Law (PRUCOL) are not qualified non-citizens, therefore, their time in a status that is considered PRUCOL does not count towards the five years. For non-citizens that are PRUCOL, the DOS field is left blank. If a non-citizen who is PRUCOL later adjusts to a qualified status, the date that the qualified status is obtained is the date that is entered in the DOS field.

The Date Entered Country (DEC) field in WMS indicates when the non-citizen physically entered the United States (U.S.). This is necessary so as not to deny federal benefits to certain qualified non-citizens who entered the U.S. prior to August 22, 1996 but have been in a qualified status for less than five years.

²Workers must check the “Category” code on the documentation provided to make the correct eligibility determination for federal benefits (FA, SNAP). This code is used to describe the category that was used to admit a non-citizen to the U.S. as a permanent resident. It is located on the front side of the I-551 Permanent Resident Card next to the cardholder’s A-number. This field is also known as a class of admission (COA), as seen on the Systematic Alien Verification for Entitlements (SAVE) report. As illustrated on this desk aid, certain non-citizens who have an I-551 Permanent Resident Card, often referred to as a “green card,” may not be subject to the “five-year bar” on federal benefits depending on the category code on the I-551.

Additionally, it is essential that the category codes included in the qualified battered non-citizen section on page 3 of the desk aid are identified. This is because, for qualified battered non-citizens, the DOS is often prior to the “Resident Since” date on the I-551 Permanent Resident Card.

³As used in this desk aid, the term “non-citizen” means a person who is not a citizen or national of the U.S. The term “qualified non-citizen” means a person who is a “qualified alien” as that term is defined in 8 U.S.C. §1641.

Note: Individuals born in certain territories of the U.S. are U.S. citizens at birth. These include: Puerto Rico, U.S. Virgin Islands, Guam, Commonwealth of the Northern Mariana Islands, and the Panama Canal Zone (if born between 2/26/1904 and 10/1/1979). In addition, individuals who are born outside of the U.S. may be U.S. citizens at birth if one or both parents were U.S. citizens at their time of birth. Districts must verify citizenship status for these individuals. Individuals who are not U.S. citizens at birth may become U.S. citizens through naturalization. Naturalization is the conferring of U.S. citizenship after birth by any means whatsoever. Individuals born in American Samoa or Swains Island are nationals of the U.S. and for purposes of benefit eligibility should be treated as citizens, ACI code “C.”

⁴40 qualifying quarters as defined under Title II of the Social Security Act, or can be credited with such qualifying quarters. An LPR may earn qualifying quarters by working, or may be credited with qualifying quarters from a parent, stepparent, or adoptive parent for any quarter earned prior to the LPR turning 18 years old. An LPR may also be credited with quarters earned by a spouse during their marriage. A widow or widower retains credit for all qualifying quarters earned by a deceased spouse during the marriage. When a marriage ends in divorce, however, any quarters earned by the spouse during the marriage are forfeited.

IMPORTANT! This desk aid does not include every form of acceptable documentation to support a non-citizen status that would be satisfactory for benefit eligibility. If an individual presents a document not listed below, follow your social services district policies/procedures for further guidance.

Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
<ul style="list-style-type: none"> • Refugee • Conditional Entrant (A status granted to Refugees prior to 1980) • Iraqi or Afghan Special Immigrant Visa Holder (SIV) or SQ/SI Parolee • Afghan Humanitarian Parolee⁵ • Amerasian Immigrant • Certain Hmong or Highland Laotian <p>*Also explore eligibility for Refugee Cash Assistance (RCA). See 16-ADM-02</p>	R	<p><u>I-551 Permanent Resident Card, or I-94 Arrival/Departure Record or Passport</u> stamped/coded: AM1, AM2, AM3, AM6, AM7, AM8, AR1, AR6, R8-6, RE1, RE2, RE3, RE4, RE5, RE6, RE7, RE8, RE9, CQ1, CQ2, CQ3, SI-1, SI-2, SI-3, SI-6, SI-7, SI-8, SI-9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8 or SQ9;</p> <p style="text-align: center;">or</p> <p>Department of Homeland Security (DHS)/Customs and Border Protection (CBP) or DHS/United States Citizenship and Immigration Services (USCIS) Temporary I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp;</p> <p style="text-align: center;">or</p> <p><u>I-766 Employment Authorization Card</u> coded: A3 or A03;</p> <p style="text-align: center;">or</p> <p><u>I-94 Arrival/Departure Record or Passport</u> stamped/coded: “admitted under Section 207 or 203(a)(7) (as in effect prior to 4/1/80) of the Immigration and Nationality Act (INA),” or “Refugee,” or Iraq or Afghanistan national stamped: “admitted under Section 101(a)(27) of the INA;” or “SQ/SI parole,” or evacuees from Afghanistan with one of the following stamps: “Humanitarian Parole per INA Section 212(d)(5)(A),” or DHS/CBP stamp noting Operation Allies Refuge or “OAR,” or DHS/CBP admission stamp noting Operation Allies Welcome or “OAW,” or DHS/CBP admission stamp noting “DT;”</p> <p style="text-align: center;">or</p> <p><u>I-94 Arrival/Departure Record</u> with a separate, printed page on CBP letterhead, and the following notation, signed and dated by a USCIS officer: Special Immigrant Status (SQ/SI) Parolee; Section 602(B)(1) AAPA/Section 1059(a) NDAA 2006; Date: ____ USCIS Officer: ____</p> <p style="text-align: center;">or</p> <p><u>I-797 Notice of Action</u> indicating approval of an I-730 “Refugee;”</p> <p style="text-align: center;">or</p> <p><u>I-571 Refugee Travel Document</u></p>	DOS is the date the non-citizen entered the U.S.	Yes	Yes	Yes
<p>Asylum Granted⁶</p> <p>*Also explore eligibility for RCA. See 16-ADM-02</p>	A	<p><u>I-551 Permanent Resident Card</u> coded: AS1, AS2, AS3, AS6, AS7, or AS8;</p> <p style="text-align: center;">or</p> <p><u>I-766 Employment Authorization Card</u> coded: A5 or A05;</p> <p style="text-align: center;">or</p> <p><u>I-94 Arrival/Departure Record</u> stamped: “Granted asylum under Section 208 of the INA;”</p> <p style="text-align: center;">or</p> <p><u>I-797 Notice of Action</u> indicating approval of an I-730 “Asylee;”</p> <p style="text-align: center;">or</p> <p>Grant letter from the USCIS Asylum Office;</p> <p style="text-align: center;">or</p> <p>Order of an immigration judge granting asylum</p>	DOS is the date status was obtained	Yes	Yes	Yes

⁵ Afghan Humanitarian Parolees shall be eligible for certain benefits until March 31, 2023, or the end of the individual's parole term, whichever is later.

⁶ If the non-citizen has not been granted asylum, but is an asylum applicant with employment authorization, refer to page 8 to determine SNA eligibility.

IMPORTANT! This desk aid does not include every form of acceptable documentation to support a non-citizen status that would be satisfactory for benefit eligibility. If an individual presents a document not listed below, follow your social services district policies/procedures for further guidance.

Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
<p><u>Qualified Battered Non-Citizen</u>⁷</p> <p>A U.S. citizen's or LPR's battered spouse, or child, or parent or child of such battered person, who:</p> <p>Obtains "Notice of Prima Facie" Case from the USCIS under the Violence Against Women Act (VAWA);</p> <p>or</p> <p>Has an I-360 self-petition under VAWA that is approved;</p> <p>or</p> <p>Has a pending I-360 self-petition and is determined to be a credible victim of domestic violence by the district's Domestic Violence Liaison (DVL);</p> <p>or</p> <p>Is determined to be a credible victim of domestic violence by the district's DVL with a pending or approved I-130 petition;</p> <p>or</p> <p>Has an application for VAWA cancellation of removal or suspension of deportation that has been granted or is pending and the immigration court finds that the applicant has a prima facie case for this relief</p>	<p>B</p>	<p>I-551 Permanent Resident Card coded: B11, B12, B16, B17, B20, B21, B22, B23, B24, B25, B26, B27, B28, B29, B31, B32, B33, B36, B37, B38, BX1, BX2, BX3, BX6, BX7, BX8, IB1, IB2, IB3, IB6, IB7, IB8 or Z14;</p> <p>or</p> <p>I-766 Employment Authorization Card coded: A09, A15 or C31;</p> <p>or</p> <p>I-94 Arrival/Departure Record coded: K3, K4, V1, V2 or CR -1-7 and a pending or approved I-130;</p> <p>or</p> <p>I-797 Notice of Action indicating prima facie eligibility of an I-360 self-petition under Section 204(a)(1)(A)(iii) or (iv), or Section 204(a)(1)(B)(ii) or (iii) of the INA;</p> <p>or</p> <p>I-797 Notice of Action indicating approval or pending I-360 self-petition under Section 204(a)(1)(A)(ii) or (iii) or (iv), or Section 204(a)(1)(B)(ii) or (iii) of the INA;</p> <p>or</p> <p>I-797 Notice of Action indicating approval or pending I-130 visa petition under Section 204(a)(1)(A)(i) of the INA (spouse or child of a U.S. citizen), or Section 204(a)(1)(B)(i) (spouse or child of a lawful permanent resident);</p> <p>or</p> <p>Any other document from the USCIS indicating the non-citizen has a K or V visa and a pending or approved I-130;</p> <p>or</p> <p>Order from the Executive Office of Immigration Review (EOIR) under Section 240A(b)(2) of the INA or if the application is pending documentation that the court finds that the applicant has a prima facie case for this relief</p>	<p>DOS is the date status was obtained⁸</p>	<p>Yes</p>	<p>Yes if:</p> <p>Entered the U.S. on or after 8/22/96, and after five years in U.S. in a qualified status;</p> <p>or</p> <p>Entered the U.S. before 8/22/96, have continuously resided in the U.S., and are in a qualified status</p>	<p>Yes if:</p> <p>In a qualified status and in receipt of certain disability benefits [7 USC 2012(j)(2)-(7)];</p> <p>or</p> <p>In a qualified status and under age 18;</p> <p>or</p> <p>In a qualified status and have 40 qualifying quarters;</p> <p>or</p> <p>After five years in U.S. in a qualified status;</p> <p>or</p> <p>Currently in a qualified status and was age 65 or older on 8/22/96 and was lawfully residing in the U.S. on that date</p>

⁷For non-citizens to be treated as qualified battered non-citizens, they must meet four requirements:

1. Be a credible victim of battery or extreme cruelty; and
2. Have appropriate immigration documentation; and
3. Be able to show a substantial connection between the need for benefits and the battery or extreme cruelty; and
4. No longer reside in the same household as the abuser.

Districts should refer to 06-INF-14 for additional information about qualified battered non-citizens and eligibility.

⁸In general, the DOS for TA and SNAP is when all four of the criteria in footnote 6 are met. **Exception for SNAP:** Per current United States Department of Agriculture (USDA) guidance, for non-citizens with an approved I-360; or a prima facie determination on a pending I-360; the DOS for SNAP is the date the I-360 petition was approved, or the date the prima facie determination was made by USCIS, whichever is earlier.

WMS only records one DOS. If the DOS for TA and SNAP are different, enter the earlier of the two dates in WMS so that the non-citizen can receive the federal benefits they are eligible for; the later date must be noted, and tracked manually in the case record so that the federal benefits for that benefit program are also issued appropriately. See GIS 19 TA/DC038 "SNAP and TA Date of Status (DOS) Determination for Qualified Battered Non-Citizens," for further information.

Note: Non-citizens who file for VAWA related immigration relief often later adjust their immigration status to become LPRs. The "residence since" date on the I-551 Permanent Resident Card indicates the date LPR status was obtained, not the date the non-citizen was determined to be a qualified battered non-citizen. For both TA and SNAP, use the earliest appropriate date as the DOS for benefit eligibility. If a non-citizen presents an I-551 with one of the codes noted above, review the case record, and/or ask the non-citizen if they have additional documentation, to determine if an earlier DOS would be appropriate.

NON-CITIZEN ELIGIBILITY DESK AID

IMPORTANT! This desk aid does not include every form of acceptable documentation to support a non-citizen status that would be satisfactory for benefit eligibility. If an individual presents a document not listed below, follow your social services district policies/procedures for further guidance.

Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
<p>Victim of Human Trafficking</p> <p>*Also explore eligibility for RCA. See 16-ADM-02</p>	<p>D</p>	<p>I-551 Permanent Resident Card coded: ST0, ST6, ST7, ST8 or ST9; or I-766 Employment Authorization Card coded: A16 or C25; or I-94 Arrival/Departure Record coded: T1, T2, T3, T4, T5 or T6 stating admission under Section 212(d)(5) of the INA if status granted for at least one year; or I-797 Notice of Action indicating approval of an I-914 or I-914A coded: T1, T2, T3, T4, T5 or T6; or Certification Document (for adults) or Eligibility Letter (for children) from the Administration for Children and Families (ACF), Office on Trafficking in Persons (OTIP); Must call 1-866-401-5510 for verification</p>	<p>DOS is the date of certification or eligibility by OTIP</p> <p>See 03-ADM-01</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>Deportation or Removal Withheld</p>	<p>J</p>	<p>I-766 Employment Authorization Card coded: A10; or Order from an Immigration Judge showing the date deportation was withheld under Section 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under Section 241(b)(3) of the INA</p>	<p>DOS is the date status was obtained</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>Parolee (for at least one year) (A parolee is a non-citizen who has been allowed to enter the U.S. for humanitarian or public interest reasons)</p>	<p>G</p>	<p>I-766 Employment Authorization Card coded: A04 or C11 and I-94 Arrival/Departure Record indicating admitted for at least one year; or I-94 Arrival/Departure Record stamped: "Paroled pursuant to Section 212(d)(5)," or "parole," or "PIP" with date of entry and date of expiration indicating one year</p> <p>Note: See Cuban/Haitian Entrant section on page 5 if non-citizen is a Cuban or Haitian national.</p>	<p>DOS is the date status was obtained</p>	<p>Yes</p>	<p>Yes if: Entered the U.S. on or after 8/22/96, and after five years in U.S. in a qualified status; or Entered the U.S. before 8/22/96, have continuously resided in the U.S., and are in a qualified status</p>	<p>Yes if: In a qualified status and in receipt of certain disability benefits [7 USC 2012(j)(2)-(7)]; or In a qualified status and under age 18; or In a qualified status and have 40 qualifying quarters; or After five years in U.S. in a qualified status; or Currently in a qualified status and was age 65 or older on 8/22/96 and was lawfully residing in the U.S. on that date</p>
<p>Parolee (for less than one year)</p>	<p>T</p>	<p>I-766 Employment Authorization Card coded: A04 or C11; or I-94 Arrival/Departure Record stamped: "Paroled pursuant to section 212(d)(5)," or "parole," or "PIP"</p> <p>Note: See Cuban/Haitian Entrant section on page 5 if non-citizen is a Cuban or Haitian national.</p>	<p>DOS is left blank</p>	<p>Yes</p>	<p>No</p>	<p>No</p>

NON-CITIZEN ELIGIBILITY DESK AID

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Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
<p>Cuban/Haitian Entrant</p> <p>*Also explore eligibility for RCA. See 16-ADM-02</p>	<p>H</p>	<p>I-551 Permanent Resident Card or Temporary I-551 stamp in foreign passport coded: CU6, CU7, CH6, HA6 or HB6;</p> <p style="text-align: center;">or</p> <p>I-94 Arrival/Departure Record stamped: “Cuban/Haitian Entrant (status pending)” or coded CU6, CU7, HF, HP0, HP1 or HPD;</p> <p style="text-align: center;">or</p> <p>Any other document from the USCIS indicating parole under the Haitian Family Reunification Parole Program (HFRP) coded “HF;”</p> <p style="text-align: center;">or</p> <p>Reasonable evidence of being a Cuban or Haitian national (citizen)</p> <p style="text-align: center;">and one of the following:</p> <p>I-766 Employment Authorization Card coded: C8, C08, or C11;</p> <p style="text-align: center;">or</p> <p>I-766 Employment Authorization Card coded: C18 (Order of Supervision) with additional documentation to support previous or current parole status into the U.S.;</p> <p style="text-align: center;">or</p> <p>I-94 Arrival/Departure Record stamped: “Form I-589 filed;”</p> <p style="text-align: center;">or</p> <p>I-94 Arrival/Departure Record stamped: “paroled under Section 212(d)(5) of the INA,” or “Section 212(d)(5) of the INA,” or stamp showing parole in U.S. on or after 10/10/80;⁹</p> <p style="text-align: center;">or</p> <p>I-797C Notice of Action confirming USCIS’s receipt of the non-citizen’s Form I-589 (Application for Asylum and Withholding of Removal);</p> <p style="text-align: center;">or</p> <p>Documentation issued by the DHS or the Department of Justice’s EOIR showing that the non-citizen is in removal proceedings (this includes Notice to Appear (DHS Form I-862), or Order of Supervision (DHS I-220B) if there is also evidence of parole into the U.S.)</p>	<p>DOS is the date status was obtained</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>Active Military: a qualified non-citizen who is on active duty, other than active duty for training, in the United States Armed Forces, or their spouse, unremarried surviving spouse, or unmarried dependent child if such spouse or dependent child is also a qualified non-citizen</p>	<p>M</p>	<p>Proof of qualified non-citizen status</p> <p style="text-align: center;">and</p> <p>Military Identification Card (Active) that lists an expiration date of more than one year from the date of determination. If ID card is due to expire within one year from the date of determination, use a copy of current military orders.</p>	<p>DOS is the date status was obtained</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>

⁹**Exception:** This guideline does not apply when the non-citizen was paroled solely to testify as a witness in a judicial, administrative or legislative proceeding, or when the parolee is in legal custody pending criminal prosecution.

NON-CITIZEN ELIGIBILITY DESK AID

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Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
<p>Veteran: a veteran who is a qualified non-citizen and who (1) has received a discharge from the United States Armed Forces characterized as honorable and not on account of alienage, or (2) has a qualifying condition, as defined in Section 350 of the New York State Executive Law, and has received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the Armed Forces, or (3) is a discharged LGBT veteran, as defined in Section 350 of the New York State Executive Law, and has received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the Armed Forces; or their spouse, un-remarried surviving spouse, or unmarried dependent child if such spouse or dependent child is also a qualified non-citizen</p>	<p>V</p>	<p>Proof of qualified non-citizen status and <u>DD Form 214 Discharge Certificate</u> that states "Honorable." A character of discharge "Under Honorable Conditions" is not an "Honorable Discharge" for these purposes. Narrative Reason for Separation block must not state that discharge was for reason of "alienage" or lack of U.S. citizenship.</p>	<p>DOS is the date status was obtained</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>North American Indian born in Canada</p>	<p>C</p>	<p><u>I-551 Permanent Resident Card</u> coded: S13 or temporary <u>I-551</u> stamp in a Canadian passport; or <u>I-94 Arrival/Departure Record</u> stamped: S13; or <u>Tribal document</u> certifying at least 50% American Indian blood, as required by Section 289 of the INA and School records, or, a birth or baptismal certificate issued on a reservation, or, other satisfactory evidence of birth in Canada</p>	<p>N/A</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>Member of federally recognized tribe born outside U.S.</p>	<p>C</p>	<p>Membership card or other tribal document demonstrating membership in a federally recognized Indian tribe under Section 4(e) of the Indian Self-Determination and Education Assistance Act</p>	<p>N/A</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>
<p>Permanent nonimmigrant, pursuant to P.L. 99-239, as amended (applicable to citizens of the Federated States of Micronesia and Marshall Islands) or P.L. 99-658 (applicable to citizens of Palau)</p>	<p>O</p>	<p><u>I-766 Employment Authorization Card</u> coded: A08; or <u>I-94 Arrival/Departure Record</u> stamped: CFA/MIS "DS" (Duration of Status), D/S; or, CFA/PAL "DS" (Duration of Status), D/S</p>	<p>DOS is left blank</p>	<p>Yes</p>	<p>No</p>	<p>No</p>
<p>Continuous entry and residence in the U.S. prior to January 1, 1972</p>	<p>O</p>	<p><u>I-766 Employment Authorization Card</u> coded: C16; or Any other document from the EOIR or USCIS indicating Registry Application is pending; or Any documentary proof establishing entry and continuous residence</p>	<p>DOS is left blank</p>	<p>Yes</p>	<p>No</p>	<p>No</p>

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Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
Subject to an Order of Supervision	O	<p>I-766 Employment Authorization Card coded: C18; or I-220B Order of Supervision; or Any other authoritative document indicating an Order of Supervision</p> <p>Note: Cuban or Haitian nationals under an Order of Supervision are deemed to retain their Cuban-Haitian Entrant status for benefit eligibility purposes if they can document they are a national of Cuba or Haiti with a previous or current parole status into the U.S.¹⁰</p>	DOS is left blank	Yes	No	No
Cancellation of Removal	O	<p>Order from the EOIR granting cancellation of removal; or Any other document from the EOIR indicating cancellation of removal granted</p>	DOS is left blank	Yes	No	No
Deferred Action Status	O	<p>I-766 Employment Authorization Card coded: C14 or C33; or I-797 Notice of Action indicating approved “Deferred Action for Childhood Arrivals” (DACA) application; or Any document from the USCIS granting deferred action to a “U” visa applicant; or Any other document from the EOIR or USCIS indicating deferred action including any documentation that a DACA application has been approved</p>	DOS is left blank	Yes	No	No
“U” Visa	O	<p>I-766 Employment Authorization Card coded: A19 or A20; or I-94 Arrival/Departure Record stamped: U1, U2, U3, U4, or U5; or I-797 Notice of Action indicating that a petition for “U” nonimmigrant status was approved; or Any other document from the USCIS indicating “U” nonimmigrant status</p>	DOS is left blank	Yes	No	No
“S” Visa	O	<p>I-766 Employment Authorization Card coded: C21; or I-94 Arrival/Departure Record stamped: S5, S6, or S7; or Any other document from the USCIS indicating “S” visa status</p>	DOS is left blank	Yes	No	No
“K3” or “K4” or “V” Visa Granted Under the Legal Immigration Family Equity Act (LIFE Act)	O	<p>I-766 Employment Authorization Card coded: A9, A09, A14, or A15; or I-94 Arrival/Departure Record stamped: K3, K4, V1, V2, or V3; or Unexpired “K3,” “K4,” or “V” visa in passport</p> <p>Note: If an expired “K” or “V” visa is submitted, then proof that an I-539 (Application to Extend/Change Nonimmigrant Status) was filed with USCIS, and, proof that a Form I-130, I-485, or an immigrant visa application is still pending, must also be submitted.</p>	DOS is left blank	Yes	No	No

¹⁰Refer to GIS 16 TA/DC048 “Eligibility to Participate in SNAP by Certain Cuban Nationals Under an Order of Supervision,” for additional information regarding SNAP eligibility for these non-citizens.

NON-CITIZEN ELIGIBILITY DESK AID

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Description of Status	WMS ACI Code	Common Documentation	WMS DOS and DEC Codes	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
Temporary Protected Status (TPS)	O	<u>I-766 Employment Authorization Card</u> coded: A12; or <u>I-797 Notice of Action</u> indicating TPS granted	DOS is left blank	Yes	No	No
Asylum Applicant with Employment Authorization	O	<u>I-766 Employment Authorization Card</u> coded: C8 or C08; or <u>I-797 Notice of Action</u> indicating Asylum application received or pending, and that the non-citizen is authorized to work in the U.S.; or Any other document from the USCIS indicating an asylum application is pending and that the non-citizen is authorized to work in the U.S. Note: Cuban or Haitian nationals who have an application for asylum pending with the USCIS and are not subject to a final, non-appealable, and legally enforceable removal order have Cuban-Haitian Entrant status for benefit eligibility purposes. See Cuban/Haitian Entrant section on page 5.	DOS is left blank	Yes	No	No
Deferred Enforced Departure	O	<u>I-766 Employment Authorization Card</u> coded: A11	DOS is left blank	Yes	No	No
Special Immigrant Juvenile (SIJ)	O	<u>I-797 Notice of Action</u> indicating approval of an I-360 petition for SIJ; or Any other USCIS or government document indicating that the non-citizen is an SIJ.	DOS is left blank	Yes	No	No
Non-citizen, not otherwise included on this desk aid, who the USCIS has officially determined is legitimately present in the U.S. and who the USCIS is allowing to reside in the country for an indefinite period of time	O	Districts must contact the Office of Temporary and Disability Assistance (OTDA) Temporary Assistance (TA) Bureau for additional guidance if the district believes they have a non-citizen that fits this description.	DOS is left blank	Yes	No	No
Other status not eligible for TA or SNAP	E	Non-citizen that is unable to provide sufficient documentation to support their inclusion in any of the above statuses.	N/A	No ¹¹		

For any questions related to TA benefit eligibility for non-citizens, please contact the OTDA TA Bureau at: otda.sm.cees.tabureau@otda.ny.gov or: (518) 474-9344.

For any questions related to SNAP benefit eligibility for non-citizens, please contact the OTDA SNAP Bureau at: otda.sm.cees.snap@otda.ny.gov or: (518) 473-1469.

¹¹If it is determined that a non-citizen is ineligible for TA and/or SNAP because of their non-citizen status, the non-citizen must be denied using the appropriate denial code (F92 - Failure to Provide Proof of Citizenship or Eligible Alien Status (TA) or F92 – Ineligible Alien (SNAP)) and ACI code "E." Use of the appropriate denial and ACI codes is necessary so that a Medicaid Separate Determination (MSD) is conducted.

OFFICE OF REFUGEE AND IMMIGRANT AFFAIRS (ORIA) CLEARANCE REQUEST FORM

ORIA@dss.nyc.gov, ORIA (212) 331-4550

1. This form should be used for noncitizen/alien clearances.
2. All documents (all pages, front & back) should be scanned and indexed.
3. Documents not listed, should be included under *OTHER* and *additional notes* if relevant.

Date:

Staff Information	Name of Staff (Last, First): _____	Center #:	Contact Tel #:
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Client Information	Name of client including alias:	WMS case#:	Date of Birth:
	First: _____	_____	_____
	Last: _____	USCIS #:	Social Security number:
	Alias if any: _____	_____	_____
	Male <input type="checkbox"/> Female <input type="checkbox"/>		

Document information	Immigration document/Form title & number	Category Code	Required Additional information
Yes <input type="checkbox"/> No <input type="checkbox"/>	Permanent Resident Card (Green Card) form I-551:	e.g.: FX2, IR6, R8-6, CU-7, C09, CR6	Expiration date (if any)
	Employment Authorization Card form I-766 or I-688B:	e.g.: A09, (a)(9), C08, (c)(8),	Category code[e.g. A05, (a)(5)] OR Provision of law (e.g. ["8 C.F.R. § 274a.12(a)(5)"])
Yes <input type="checkbox"/> No <input type="checkbox"/>	USCIS Notice of Action or Notice of receipt form I-797:	Receipt number: Starts with: MSC, ESC, LIN + 10 digits	
	SAVE Clearance (515WX)	Class of admission (COA) as well as any description of the client's immigration status indicated in SAVE:	
	Requested: Yes <input type="checkbox"/> No <input type="checkbox"/>	COA (e.g. IR6, IR0, CR6) _____	
	Scanned and Indexed: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date of Entry: _____	
	SSA 40 Quarters match Yes <input type="checkbox"/> No <input type="checkbox"/>	Date of status: _____	

Additional comments:

OFFICE OF REFUGEE AND IMMIGRANT AFFAIRS (ORIA) CLEARANCE RESPONSE FORM

ORIA@dss.nyc.gov or 212-331-4550

Date: _____

Client: Last, First	ACI Code:	WMS#: Social Security#: Date of entry: Date of status:
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Benefits client is eligible for: <input type="checkbox"/> SNAP <input type="checkbox"/> Cash <input type="checkbox"/> On-going Medicaid <input type="checkbox"/> Emergency Medicaid Notes:
<h1>SAMPLE</h1>
Next steps Scan and index clearance response form into HRA Viewer SAVE Request to SAVE Liaison (Form W-515X) Conduct SSA 40 Quarters match check Recall Client to provide immigration documents - scan and index all sides and pages of documents Supervisor submit Form W-200B to FIA Call Center to change ACI code Supervisor submit Inter-agency DOS and DEC transmittal Form (MAP-648M) TO SDOH Request SAVE Result from SAVE Liaison Refer Client to ActionNYC hotline 800-354-0365 Other _____

Center Staff: Last, First	Center #:	Contact Tel #:
ORIA Staff:		