



OFFICE OF POLICY, PROCEDURES, AND TRAINING

POLICY BULLETIN # 22-49-ELI

GUIDANCE ON PROVIDING ASSISTANCE TO UKRAINIANS

Date: July 20, 2022	Subtopic(s): Application, Benefits
	<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 paroled into the United States (U.S.) from Ukraine 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). Recipients of parole may be granted entry in the U.S. for a temporary period for urgent humanitarian reasons or significant public benefit.</p> <p><u>Audience:</u></p> <p>This policy bulletin is for Job Center, SNAP Center, HIV/AIDS Services Administration (HASA) Center, and HEAP staff. This policy bulletin is informational for all other staff.</p> <p><u>Background:</u></p> <p>The Additional Ukraine Supplemental Appropriations Act, 2022, was signed into law on May 21, 2022. Ukrainians that entered the U.S. as parolees became eligible for benefits and services as of May 21, 2022. Section 401 of the Act provides that Ukrainians paroled into the U.S. between February 24, 2022 and September 30, 2023 are eligible to receive federal benefits, resettlement assistance, and other benefits available to refugees.</p> <p>Additionally, on April 21, 2022, the U.S. announced a new program called Uniting for Ukraine. The Uniting for Ukraine program is one mechanism by which Ukrainians may be paroled into the U.S. However, Ukrainians may also be paroled into the U.S. outside of the Uniting for Ukraine program. The Uniting for Ukraine program provides a pathway for Ukrainians and their immediate family members who have been impacted by Russia’s invasion of Ukraine and who are outside the U.S. to come to the U.S. and stay</p>

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 send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

temporarily under parole for a period of up to two years. Ukrainians participating in Uniting for Ukraine must have a supporter/sponsor in the U.S. who agrees to provide them with financial support for the duration of their stay in the U.S.

Program Implications

Ukrainians granted parole between February 24, 2022 and September 30, 2023 are eligible for Family Assistance (FA), Safety Net Assistance (SNA), HEAP, and SNAP, if otherwise eligible. These individuals' spouses or unmarried children under the age of 21 who are paroled into the U.S. after September 30, 2023, are also eligible for these benefits. If the Ukrainian parolee is an unaccompanied child, their parents, legal guardians, or primary caregivers paroled after September 30, 2023, may also be eligible for these benefits.

These non-citizens are coded in the Welfare Management System (WMS) Alien Citizenship Indicator (ACI) with code **R**.

The Date of Status (DOS) for these Ukrainian parolees will be either May 21, 2022 or the date that the individual or family was paroled into the U.S., whichever is later. Singles and childless couples who are Ukrainian parolees can be claimed to RCA.

Ukrainian parolees are exempt from sponsor deeming requirements. Sponsor income, resources and contributions are not to be considered when determining benefit eligibility for Ukrainian parolees.

Ukrainian parolees can obtain a copy of their electronic Form I-94, Arrival/Departure Record, from the U.S. Customs and Border Protection (CBP) website at: i94.cbp.dhs.gov.

Ukrainian parolees will typically be able to provide evidence of being a Ukrainian citizen or national, or documentation to indicate their last habitual residence was in Ukraine and one of the following documents, when applying for benefits:

- Form I-94, Arrival/Departure Record, noting parole; or
- Form I-94, Arrival/Departure Record, stamped/coded with a Ukrainian Parole class of admission (COA); or
- Foreign passport with DHS/ CBP admission stamp noting "DT", or "PAR", or "Uniting for Ukraine", or "U4U", or "UHP" COA; or
- Form I-765, Employment Authorization Document (EAD) receipt notice, with a C11 category; or

- Form I-766, EAD, with a C11 category; or
- Any other authoritative USCIS document indicating Ukrainian Parole granted.

In instances where an alien number or United States Citizenship and Immigration Services (USCIS) number is not available, staff should enter the I-94 number or passport number in the alien number field in WMS. Once the Ukrainian parolee receives and provides their alien number to HRA, staff will update the alien number field in WMS with the new information.

Note: Ukrainian parolees who previously applied and were denied for SNAP under regular rules for parolees may reapply for SNAP to have their eligibility determined under the provisions of the Act from the date of reapplication. For any individual paroled into the U.S. prior to February 24, 2022, staff must refer to the Non-Citizen Eligibility Desk Aid (**LDSS-4579**).

Social Security Numbers (SSN) for Ukrainians Granted Parole or Temporary Protected Status (TPS)

Ukrainians granted parole are eligible to apply for discretionary employment authorization from USCIS, and individuals granted TPS may also have employment authorization. Non-citizens with employment authorization are able to receive an SSN and may have been provided one by the Social Security Administration.

Note: Due to excessive backlogs, Ukrainian parolees are unlikely to have a work permit at the time of application for benefits and/or assistance. Ukrainian parolees may have applied for an SSN but have not yet received the card because of the backlogs.

Staff are reminded to follow the guidance included in [PD #16-20-ELI](#): “Social Security Numbers for Noncitizens”, when determining eligibility for non-citizens who have not received employment authorization from USCIS.

Ukrainians Granted TPS

OTDA recognizes non-citizens with TPS as Permanently Residing Under Color of Law (PRUCOL) for the purposes of SNA eligibility. If otherwise eligible, non-citizens with TPS can receive SNA. When determining eligibility, these non-citizens will be coded with WMS ACI code **O**. Further guidance can be found in [GIS 18 TA/DC042](#) and on the **LDSS-4579**. Non-citizens granted TPS are ineligible for FA, SNAP, and HEAP, unless in some other qualifying non-citizen status.

The following is a list of USCIS documents that may be presented to staff by Ukrainians, to verify they were granted TPS:

- Form I-766, EAD, with a category code of A12, or
- Form I-797, Notice of Action, that shows the approval of an EAD with a category code of A12, or
- Form I-797, Notice of Action, indicating the approval of Form I-821, Application for Temporary Protected Status, or
- Any other authoritative USCIS document indicating TPS granted.

For information from USCIS regarding TPS, staff may visit: <https://www.uscis.gov/humanitarian/temporary-protected-status>, or call the USCIS TPS Hotline at: (202) 272-1533.

For non-citizens who may need assistance with acquiring TPS, staff may refer those non-citizens to the New York State Office for New Americans (ONA), which provides free services to all non-citizens in New York State. Staff may provide non-citizens with the ONA Hotline: 1-800-566-7636.

Refer to [HRA-PB-2022-003](#)

SAVE Clearance

As a condition of eligibility, any applicant/participant household that has members applying for or in receipt of assistance who are not U.S. citizens, may be asked to provide documentation of their immigration status granted by USCIS, the Executive Office for Immigrant Review (EOIR), or any other part of the federal immigration agency. Documentation provided must be verified using the SAVE system.

The SAVE Program provides Federal, State, and City agencies with access to an internet-based system, known as the SAVE system, to obtain verification of immigration status information for non-citizen applicants/participants. The immigration status information obtained from the SAVE system may verify that a person has an application pending, the current immigration status as seen on their documents, that their immigration status has changed, or that they have no current immigration status.

As a reminder, in accordance with [13-ADM-07](#), when determining CA eligibility, staff must use the SAVE system to verify a non-citizen's immigration documentation. Benefits must not be delayed, denied, reduced, or terminated, pending verification of a non-citizen's documentation through 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.

Based upon information from the Ukrainian parolee's Form I-94, Arrival/Departure Record, or other documentation used to verify parole status, the SAVE system will provide an initial verification response of Parolee with a Ukrainian Parole COA or a general parole COA such as DT or PAR.

The initial response may also include employment authorization information if the parolee has an EAD. Additional verification may be required in limited circumstances, such as when the applicant information submitted by HRA does not match federal immigration records.

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 22 TA/DC059](#)

[GIS 18 TA/DC042](#)

[GIS 16 TA/DC053](#)

[13-ADM-07](#)

[07-INF-01](#)

Related Items:

[HRA-PB-2022-003](#)

[PD #16-20-ELI](#)

Attachments:

LDSS-4579	Non-Citizen Eligibility Desk Aid (Rev. 10/21)
ORIA-195	Office of Refugee and Immigrant Affairs (ORIA) Clearance Request Form (Rev. 10/6/20)
ORIA-195a	ORIA Clearance Response Form (Rev. 10/6/20)

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 ¹	Safety Net Assistance (SNA)	Family Assistance (FA)	Supplemental Nutrition Assistance Program (SNAP)
Lawful Permanent Resident (LPR) <u>without</u> 40 Qualifying Quarters	K	<p><u>I-551 Permanent Resident Card</u>; workers must check category code;²</p> <p>or</p> <p>Temporary <u>I-551</u> stamp in foreign passport or on <u>I-94 Arrival/Departure Record</u>;</p> <p>or</p> <p>Immigrant visa with the notation "upon endorsement serves as temporary <u>I-551</u> permanent resident for one year;"</p> <p>or</p> <p><u>I-797 Notice of Action</u> indicating approval of an <u>I-485</u> Application to Register Permanent Residence or Adjust Status;</p> <p>or</p> <p><u>I-327 Permit to Reenter the United States</u>;</p> <p>or</p> <p><u>I-181 Memorandum of Creation of Record of Lawful Permanent Residence</u> with approval stamp;</p> <p>or</p> <p>Any other authoritative document that identifies the non-citizen³ as an LPR.</p>	<p>DOS is the date status was obtained</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(f)(2)-(7)];</p> <p>or</p> <p>In a qualified status and under age 18;</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>
LPR with 40 Qualifying Quarters	S	<p>Proof of 40 qualifying quarters⁴</p> <p>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>	<p>DOS is the date status was obtained</p>			<p>Yes</p>

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.

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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)
<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 SO/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, CO1, CO2, CO3, 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>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><u>I-766 Employment Authorization Card</u> coded: A3 or A03;</p> <p>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 "SO/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>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 (SO/SI) Parolee: Section 602(B)(1) AAPA/Section 1059(a) NDAA 2006: Date: ____ USCIS Officer: ____</p> <p><u>I-797 Notice of Action</u> indicating approval of an I-730 "Refugee;"</p> <p>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>or</p> <p><u>I-766 Employment Authorization Card</u> coded: A5 or A05;</p> <p>or</p> <p><u>I-94 Arrival/Departure Record</u> stamped: "Granted asylum under Section 208 of the INA;"</p> <p><u>I-797 Notice of Action</u> indicating approval of an I-730 "Asylee;"</p> <p>Grant letter from the USCIS Asylum Office;</p> <p>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.

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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><u>Qualified Battered Non-Citizen</u>⁷ 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><u>I-551 Permanent Resident Card</u> 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><u>I-766 Employment Authorization Card</u> coded: A09, A15 or C31;</p> <p>or</p> <p><u>I-94 Arrival/Departure Record</u> coded: K3, K4, V1, V2 or CR -1-7 and a pending or approved I-130;</p> <p>or</p> <p><u>I-797 Notice of Action</u> indicating prima facie eligibility of an I-360 self-petition under Section 204(a)(1)(A)(ii) or (iv); or Section 204(a)(1)(B)(i) or (ii) of the INA;</p> <p>or</p> <p><u>I-797 Notice of Action</u> 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)(i) or (ii) of the INA;</p> <p>or</p> <p><u>I-797 Notice of Action</u> 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: 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>

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 noted appropriately. See GIS 19 TADDC038 "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. Do 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.

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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)
Victim of Human Trafficking *Also explore eligibility for RCA. See 16-ADM-02	D	<p><u>I-551 Permanent Resident Card</u> coded: ST0, ST6, ST7, ST8 or ST9; or <u>I-766 Employment Authorization Card</u> coded: A16 or C25; or <u>I-94 Arrival/Departure Record</u> 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 <u>I-797 Notice of Action</u> 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 <u>I-766 Employment Authorization Card</u> 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 <u>I-766 Employment Authorization Card</u> coded: A04 or C11 and <u>I-94 Arrival/Departure Record</u> indicating admitted for at least one year; or <u>I-94 Arrival/Departure Record</u> stamped: "Paroled pursuant to Section 212(d)(5)," or "parole," or "PIP" with date of entry and date of expiration indicating one year</p>	DOS is the date of certification or eligibility by OTIP See 03-ADM-01	Yes	Yes	Yes
Deportation or Removal Withheld	J	<p>Note: See Cuban/Haitian Entrant section on page 5 if non-citizen is a Cuban or Haitian national.</p>	DOS is the date status was obtained	Yes	Yes	Yes
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)	G	<p>Note: See Cuban/Haitian Entrant section on page 5 if non-citizen is a Cuban or Haitian national.</p>	DOS is the date status was obtained	Yes	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	Yes if: In a qualified status and in receipt of certain disability benefits [7 USC 2012(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
Parolee (for less than one year)	T	<p>Note: See Cuban/Haitian Entrant section on page 5 if non-citizen is a Cuban or Haitian national.</p>	DOS is left blank	Yes	No	No

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)
Cuban/Haitian Entrant *Also explore eligibility for RCA. See 16-ADM-02	H	<p>I-551 Permanent Resident Card or Temporary I-551 stamp in foreign passport coded: CU6, CU7, CH6, HA6 or HB6; or I-94 Arrival/Departure Record stamped: "Cuban/Haitian Entrant (status pending)" or coded CU6, CU7, HF, HP0, HP1 or HPD; or Any other document from the USCIS indicating parole under the Haitian Family Reunification Parole Program (HFRP) coded "HF"; or Reasonable evidence of being a Cuban or Haitian national (citizen) and one of the following: I-766 Employment Authorization Card coded: C8, C08, or C11; or I-766 Employment Authorization Card coded: C18 (Order of Supervision) with additional documentation to support previous or current parole status into the U.S.; or I-94 Arrival/Departure Record stamped: "Form I-589 filed;" or 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 or I-797C Notice of Action confirming USCIS's receipt of the non-citizen's Form I-589 (Application for Asylum and Withholding of Removal); or 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>		Yes	Yes	Yes
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, unmarried surviving spouse, or unmarried dependent child if such spouse or dependent child is also a qualified non-citizen	M	<p>Proof of qualified non-citizen status and 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>	DOS is the date status was obtained	Yes	Yes	Yes

⁹Exception: 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.

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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)
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	V	Proof of qualified non-citizen status and DD Form 214 Discharge Certificate 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.	DOS is the date status was obtained	Yes	Yes	Yes
North American Indian born in Canada	C	<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	N/A	Yes	Yes	Yes
Member of federally recognized tribe born outside U.S.	C	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 <u>I-766 Employment Authorization Card</u> coded: A08;	N/A	Yes	Yes	Yes
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)	O	<u>I-94 Arrival/Departure Record</u> stamped: CFAMIS "DS" (Duration of Status), D/S; or, CFANPAL "DS" (Duration of Status), D/S	DOS is left blank	Yes	No	No
Continuous entry and residence in the U.S. prior to January 1, 1972	O	<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	DOS is left blank	Yes	No	No

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)
Subject to an Order of Supervision	0	<p><u>I-766 Employment Authorization Card</u> coded: C18; or <u>I-220B Order of Supervision</u>; or Any other authoritative document indicating an Order of Supervision 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 Order from the EOIR granting cancellation of removal; or Any other document from the EOIR indicating cancellation of removal granted <u>I-766 Employment Authorization Card</u> coded: C14 or C33; or <u>I-797 Notice of Action</u> 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
Cancellation of Removal	0	<p><u>I-766 Employment Authorization Card</u> coded: A19 or A20; or <u>I-94 Arrival/Departure Record</u> stamped: U1, U2, U3, U4, or U5; or <u>I-797 Notice of Action</u> indicating that a petition for "U" nonimmigrant status was approved; or Any other document from the USCIS indicating "U" nonimmigrant status <u>I-766 Employment Authorization Card</u> coded: C21; or <u>I-94 Arrival/Departure Record</u> stamped: S5, S6, or S7; or Any other document from the USCIS indicating "S" visa status <u>I-766 Employment Authorization Card</u> coded: A9, A09, A14, or A15; or <u>I-94 Arrival/Departure Record</u> stamped: K3, K4, V1, V2, or V3; or Unexpired "K3," "K4," or "V" visa in passport 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
Deferred Action Status	0	<p><u>I-766 Employment Authorization Card</u> coded: A19 or A20; or <u>I-94 Arrival/Departure Record</u> stamped: U1, U2, U3, U4, or U5; or <u>I-797 Notice of Action</u> indicating that a petition for "U" nonimmigrant status was approved; or Any other document from the USCIS indicating "U" nonimmigrant status <u>I-766 Employment Authorization Card</u> coded: C21; or <u>I-94 Arrival/Departure Record</u> stamped: S5, S6, or S7; or Any other document from the USCIS indicating "S" visa status <u>I-766 Employment Authorization Card</u> coded: A9, A09, A14, or A15; or <u>I-94 Arrival/Departure Record</u> stamped: K3, K4, V1, V2, or V3; or Unexpired "K3," "K4," or "V" visa in passport 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
"U" Visa	0	<p><u>I-766 Employment Authorization Card</u> coded: A19 or A20; or <u>I-94 Arrival/Departure Record</u> stamped: U1, U2, U3, U4, or U5; or <u>I-797 Notice of Action</u> indicating that a petition for "U" nonimmigrant status was approved; or Any other document from the USCIS indicating "U" nonimmigrant status <u>I-766 Employment Authorization Card</u> coded: C21; or <u>I-94 Arrival/Departure Record</u> stamped: S5, S6, or S7; or Any other document from the USCIS indicating "S" visa status <u>I-766 Employment Authorization Card</u> coded: A9, A09, A14, or A15; or <u>I-94 Arrival/Departure Record</u> stamped: K3, K4, V1, V2, or V3; or Unexpired "K3," "K4," or "V" visa in passport 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
"S" Visa	0	<p><u>I-766 Employment Authorization Card</u> coded: A19 or A20; or <u>I-94 Arrival/Departure Record</u> stamped: U1, U2, U3, U4, or U5; or <u>I-797 Notice of Action</u> indicating that a petition for "U" nonimmigrant status was approved; or Any other document from the USCIS indicating "U" nonimmigrant status <u>I-766 Employment Authorization Card</u> coded: C21; or <u>I-94 Arrival/Departure Record</u> stamped: S5, S6, or S7; or Any other document from the USCIS indicating "S" visa status <u>I-766 Employment Authorization Card</u> coded: A9, A09, A14, or A15; or <u>I-94 Arrival/Departure Record</u> stamped: K3, K4, V1, V2, or V3; or Unexpired "K3," "K4," or "V" visa in passport 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
"K3" or "K4" or "V" Visa Granted Under the Legal Immigration Family Equity Act (LIFE Act)	0	<p><u>I-766 Employment Authorization Card</u> coded: A19 or A20; or <u>I-94 Arrival/Departure Record</u> stamped: U1, U2, U3, U4, or U5; or <u>I-797 Notice of Action</u> indicating that a petition for "U" nonimmigrant status was approved; or Any other document from the USCIS indicating "U" nonimmigrant status <u>I-766 Employment Authorization Card</u> coded: C21; or <u>I-94 Arrival/Departure Record</u> stamped: S5, S6, or S7; or Any other document from the USCIS indicating "S" visa status <u>I-766 Employment Authorization Card</u> coded: A9, A09, A14, or A15; or <u>I-94 Arrival/Departure Record</u> stamped: K3, K4, V1, V2, or V3; or Unexpired "K3," "K4," or "V" visa in passport 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 TADCO48 "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)	0	<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	0	<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	0	<u>I-766 Employment Authorization Card</u> coded: A11	DOS is left blank	Yes	No	No
Special Immigrant Juvenile (SIJ)	0	<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	0	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: First: _____ Last: _____ Alias if any: _____ Male <input type="radio"/> Female <input type="radio"/>	WMS case#: _____ USCIS #: _____	Date of Birth: _____ Social Security number: _____
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Document information	Immigration document/Form title & number	Category Code	Required Additional information
	Permanent Resident Card (Green Card) form I-551: Yes <input type="radio"/> No <input type="radio"/>	e.g.: FX2, IR6, R8-6, CU-7, C09, CR6	Expiration date (if any) _____
	Employment Authorization Card form I-766 or I-688B: Yes <input type="radio"/> No <input type="radio"/>	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)"])
	USCIS Notice of Action or Notice of receipt form I-797: Yes <input type="radio"/> No <input type="radio"/>	Receipt number: Starts with: MSC, ESC, LIN + 10 digits _____	
	SAVE Clearance (515WX) Requested: Yes <input type="radio"/> No <input type="radio"/> Scanned and Indexed: Yes <input type="radio"/> No <input type="radio"/> ----- SSA 40 Quarters match Yes <input type="radio"/> No <input type="radio"/>	Class of admission (COA) as well as any description of the client's immigration status indicated in SAVE: COA (e.g. IR6, IR0, CR6) _____ Date of Entry: _____ 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:	SAMPLE
Next steps <ul style="list-style-type: none"><input type="checkbox"/> Scan and index clearance response form into HRA Viewer<input type="checkbox"/> SAVE Request to SAVE Liaison (Form W-515X)<input type="checkbox"/> Conduct SSA 40 Quarters match check<input type="checkbox"/> Recall Client to provide immigration documents - scan and index all sides and pages of documents<input type="checkbox"/> Supervisor submit Form W-200B to FIA Call Center to change ACI code<input type="checkbox"/> Supervisor submit Inter-agency DOS and DEC transmittal Form (MAP-648M) TO SDOH<input type="checkbox"/> Request SAVE Result from SAVE Liaison<input type="checkbox"/> Refer Client to ActionNYC hotline 800-354-0365<input type="checkbox"/> Other _____	

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