



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #13-09-ELI

(This Policy Directive Replaces PD #09-37-ELI)

DETERMINING QUALIFIED ALIEN STATUS FOR BATTERED/ABUSED NONCITIZENS AND PRUCOL ELIGIBILITY

Date: April 18, 2013	Subtopic(s): Alien Eligibility, Domestic Violence
AUDIENCE	The instructions in this policy directive are for Job Center staff. They are informational for all other persons.
REVISIONS TO THE ORIGINAL DIRECTIVE	<p>This policy directive is being revised to inform staff that:</p> <ul style="list-style-type: none"> • rules regarding the use of certain Alien Citizenship Indicator (ACI) Codes have been updated. • domestic violence documents should not be scanned into the case record and the actual shelter address where the client is currently residing must not be entered in POS. • if documentation is submitted which is not listed on the PRUCOL Eligibility Desk Aid (W-205JJ), a clearance from the FIA Call Center is needed. • a Lawful Permanent Resident (LPR) cannot be sent to a vendor unless he/she has a Social Security Number (SSN) and a green card. • a Human Trafficking Victim (HTV) who cannot provide proof of having applied for a SSN can sign a Declaration of Application For Social Security Number (EXP-83H) as proof that he/she filed for a SSN.
POLICY	Under certain conditions, a noncitizen who has been battered or subjected to extreme cruelty in the United States by a spouse or parent who is either a United States citizen or an LPR, or a member of the spouse's or parent's family living in the same household, may be considered a "qualified alien" for the purpose of receiving Federal and/or State benefits.

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*

Some noncitizens who do not meet the “qualified alien” criteria may be eligible for certain State benefits if they can be considered Permanently Residing Under the Color of Law (PRUCOL.)

BACKGROUND

As a result of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), two categories of noncitizens, “qualified alien” and “not qualified alien”, were created for the purpose of determining eligibility for Federal public benefits.

Noncitizens who do not meet the definition of “qualified alien” under Federal law may be eligible for State-funded benefits if they meet certain criteria under State laws and regulations and are otherwise eligible.

Federal benefits include Family Assistance (FA), Safety Net Federally Participating (SNFP), Emergency Assistance to Families (EAF) and Supplemental Nutrition Assistance Program (SNAP) benefits.

Noncitizens who are “qualified aliens” under Federal law may be eligible for Federal and/or State-funded public benefits, if otherwise eligible. Some qualified aliens who entered the U.S. on or after August 22, 1996, must reside in the U.S. for five years in a qualified alien status (adults and minors) before becoming eligible for Federally funded benefits.

Qualified aliens who are subject to this five-year residency requirement include:

- LPRs
- Persons granted parole by the United States Citizenship and Immigration Services (USCIS) for a period of at least one year (Parolees)
- A U.S. citizen’s or LPR’s battered spouse or battered child (depending upon the circumstances, the parent/child of the battered person)

Revised

Exception: **Qualified** minors under the age of 18 are eligible for Supplemental Nutrition Assistance Program (SNAP) benefits.

New

Note: A noncitizen who is a Federally Certified HTV and eligible for Cash Assistance (CA), Medical Assistance (MA), and SNAP, will keep his/her ACI code.

If an individual meets the criteria to be assigned more than one ACI code, choose the ACI code that affords the client the most benefits.

If a HTV has been in the status of lawfully admitted for permanent residence for at least five years, use ACI code **K** instead of ACI code **D**.

Exemption from the Five-Year Bar

Federally Funded Temporary Assistance (TA)

Qualified aliens who are parolees for at least one year, LPRs or battered persons may be exempt from the five-year bar on Federally funded CA benefits if they can demonstrate that they were physically present in the U.S. before August 22, 1996, and have remained continually present (no single absence from the U.S. for more than 30 days or aggregate absence of more than 90 days) since August 22, 1996.

If the alien is categorically Family Assistance (FA) eligible and there is proof that he/she was present in the U.S. prior to August 22, 1996, the case can be initially categorized as FA and a follow-up appointment given for him/her to provide verification of continued residence.

If the alien is unable to document continuous presence at the follow-up appointment, he/she can only receive Safety Net Assistance and State-Funded MA.

Supplemental Nutrition Assistance Program

A qualified alien who is subject to the five-year bar on Federally funded temporary assistance may be exempt from the five-year bar on SNAP benefits if he/she meets one of the following criteria:

Aliens must first have a qualified status to receive SNAP benefits.

- Can be credited with 40 qualifying quarters
- Is under the age of 18
- Is deemed disabled under SNAP rules (as described in PB #12-40-ELI)

See the Alien Eligibility Desk Aid (**LDSS-4579**) for more information.

Note: The 40 qualifying quarters criterion refers to quarters that are reported through the Social Security Administration (SSA) and includes quarters for which the earnings were covered and quarters for which the earnings were non-covered. Covered earnings are wages or self-employment income which require payment of Social Security taxes. Non-covered earnings are wages or self-employment income which do not require payment of Social Security taxes.

Note: No quarter(s) earned after December 31, 1996, may be counted in which an alien has received a Federal means-tested benefit (FA, Supplemental Security Income [SSI], SNAP benefit or Medicaid).

Noncitizens Who Could Qualify as Battered Aliens

The abusive spouse or the abusive parent must be a U.S. citizen or an LPR.

The abuse does not have to take place in the U.S. if the abuser was an employee of the U.S. government or a member of the uniformed services of the U.S. at the time of the abuse.

The following noncitizens could potentially be considered Qualified Battered Aliens:

- A noncitizen who has been battered or subjected to extreme cruelty in the U.S. by a spouse or a parent, or by a member of the spouse’s or parent’s family residing in the same household as the alien, and the spouse or parent consented or acquiesced to such battery or cruelty.
- A noncitizen whose child has been battered or subject to extreme cruelty in the U.S. by a spouse or a parent of an alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse’s or parent’s family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty, and the alien did not actively participate in such battery or cruelty.
- A noncitizen child who resides in the same household as a parent who has been battered or subjected to extreme cruelty in the U.S. by that parent’s spouse or by a member of the spouse’s family residing in the same household as the parent, and the spouse consented or acquiesced to such battery or cruelty.

Battered Aliens Without An Immigration Status

Aliens who are already in a qualified status do not need a credibility determination by the Domestic Violence Liaison (DVL).

A noncitizen who does not have an immigration status may be eligible for benefits as a qualified battered alien if he/she is married to a U.S. citizen or LPR or is the child of a battered noncitizen spouse of a U.S. citizen or LPR or is the battered child of a U.S. citizen or LPR and meets all four of the following eligibility requirements:

Four Requirements for Qualified Battered Alien Status

1. Is a credible victim of battery or has been subjected to extreme cruelty in the U.S. (If the abuser was an employee of the U.S. government or a member of the uniformed services of the U.S., the abuse would then not necessarily have to have occurred in the U.S. for the purposes of Qualified Battered Alien status.)
2. Has appropriate immigration documentation. (e.g.: I-797)
3. Is able to show a substantial connection between the need for benefits and the battery or extreme cruelty.
4. No longer resides in the same household as the abuser.

First requirement

Credible Victims of Battery or Extreme Cruelty

Credibility has been established.

Prior determination that a noncitizen is a credible victim of battery or extreme cruelty

I-360: A self-petition that an abused noncitizen files to obtain immediate relative or family sponsored immigrant classification without the knowledge or consent of his/her abuser.

Some noncitizens who apply for public benefits and assert that they were battered may already have been determined to be credible victims of domestic violence via the finding of “prima facie” eligibility of an **I-360** self-petition by the USCIS, the approval of an **I-360** self-petition by the USCIS, or the finding of a prima facie case of abuse by the Executive Office for Immigration Review (EOIR).

If an abused noncitizen files an **I-360** and she/he subsequently obtains a legal termination of the marriage or a divorce from the U.S. citizen or LPR, it will not in and of itself result in the denial of the self-petition, or in its revocation.

An **I-797** is issued by USCIS to notify applicants/petitioners of actions taken on their case. This document will indicate the kind of application/ petition that was filed and the status of same (received, approved, denied or action taken).

A noncitizen who is legally divorced or separated may apply for benefits and have an **I-797** documenting that he/she has filed an **I-360** self petition, received a prima facie determination on his/her **I-360** self-petition, or received final approval of his/her **I-360** self-petition as an abused spouse of a U.S. Citizen or LPR.

Note: “Prima facie” is not an immigration status. It is a determination by USCIS that it has initially accepted the noncitizen’s claim of domestic violence and is allowing the battered noncitizen spouse/child of a U.S. citizen or LPR to remain in the U.S. while awaiting a decision on his/her self-petition to obtain immigration relief that would allow him/her to file an application for Lawful Permanent Residence.

Noncitizens who have been determined to be credible victims of domestic violence as set forth above should present any of the following documentation:

Please see the **LDSS-4579** for a list of common documentation.

- **I-797** (Notice of Action) indicating prima facie case eligibility of an **I-360** self-petition under the Immigration and Nationality Act (INA) Section 204(a)(1)(A)(iii) or (iv) or INA Section 204(a)(1)(iii)(B)(i) or (iii) (See **Attachment A** for a sample of the **I-797**)
- **I-797** (Notice of Action) indicating approval of an **I-360** self-petition under INA Section 204(a)(1)(A)(iii) or (iv) or INA Section 204(a)(1)(iii)(B)(i) or (iii) Order from EOIR granting cancellation of removal under INA Section 240A(b) (see **Attachment B** for a sample of this order) or if the application is pending documentation, that the Court finds that he/she has a “prima facie case” for this relief.

Noncitizens who present the above documentation will have satisfied the first requirement, that they are credible victims of battery or extreme cruelty, as well as the second requirement, that they have appropriate immigration documentation.

Credibility of battery and abuse (domestic violence) needs to be established

When credibility needs to be established, the Domestic Violence Liaison (DVL) in the Domestic Violence Unit (DVU) will be responsible for credibility assessments and determinations of battery.

Noncitizen CA applicants who assert that they were battered or subjected to extreme cruelty but do not have any of the common documentation listed above will require a credibility assessment and determination of battery by the DVL. In these situations, a credibility assessment and determination of battery by the DVL are needed in order to establish eligibility as a Qualified Battered Alien. Only the DVL or other DVU designated person is empowered to make a determination of Domestic Violence in these instances.

New

Note: Domestic violence documents (i.e.: Domestic Violence Shelter Letters) should not be scanned into the case record or included in the RAU packet. The address of the DV shelter **must not** be entered into the system for safety reasons. The client can provide an alternative address (i.e.: PO Box, friend/family address, etc.) where they can be reached.

New

See PB #10-62-ELI Date of Status (DOS) For Noncitizens With Alien/Citizenship Indicator Code of B (Battered)

Note: If the qualified status of an individual with ACI code **B** changes to another qualified status, **do not** change the ACI code or date of status (DOS) in the Welfare Management System (WMS) unless the new qualified status allows the individual to receive Federal benefits immediately.

Generally, meeting with a DVL is strictly voluntary and refusal to do so or failing to follow up on a referral does not affect an eligibility determination for FA, Safety Net Assistance (SNA), SNAP benefits and/or MA.

However, in this instance, meeting with a DVL will be a mandatory part of the eligibility process for any noncitizen seeking assistance as a qualified noncitizen based on the Domestic Violence claim.

Consequently, a failure to meet with the DVL will result in a determination that the noncitizen is not a qualified battered alien. Ineligibility for qualified battered alien status will apply to both the noncitizen and any derivative children covered by a pending/approved **I-130** petition or a pending **I-360** self-petition. In this instance, staff must explore whether the individual may be eligible for benefits under PRUCOL or may have another immigration status which would make him/her eligible for benefits.

Noncitizen applicants who present any of the immigration documents listed below and make a claim of Domestic Violence must be referred to the DVL for a credibility assessment and determination of battery:

- **I-797** indicating a pending **I-360** self-petition (without a prima facie determination) under INA Section 204(a)(1)(A)(iii) or (iv) or INA Section 204(a)(1)(iii)(B)(i) or (iii).
- **I-797** indicating a pending or approved **I-130** (Petition for Alien Relative) under INA Section 201(b)(spouse or child of a U.S. citizen) or Section 203(a)(2)(A) (spouse or child of a permanent legal resident).
- **I-94** (Arrival/Departure Record) (see **Attachment C**) coded “K3,” “K4,” “V1,” or “V2” or CR-1-7 and a pending or approved **I-130**.
- **I-688B** or **I-766** (Employment Authorization Document [EAD]) (see **Attachment D**) annotated (a)(9) or (a)(15).
- Any other USCIS document indicating that the noncitizen has a “K” or “V” Visa and a pending or approved **I-130**

“K” or “V” Visas are family-related non-immigrant Visas. “K” Visas are issued to the fiancé(e), spouse or child of a U.S. citizen. “V” Visas are issued to the spouse or child of an LPR (see **Attachment E**).

While the submission of these documents alone does not establish that a person is a credible victim of Domestic Violence, they do satisfy the second requirement that he/she have appropriate immigration documentation.

Noncitizens who are married to U.S. citizens or LPRs and who do not have an immigration status and who claim that they are victims of Domestic Violence but do not have any of the immigration documents listed above, must also be referred to the DVL for a credibility assessment and determination of battery. The DVL can make a credibility assessment and determination of battery if such documents are not available.

Appropriate Immigration Documentation

Second Requirement to Establish Qualified Battered Alien Status

Pursuant to the second requirement (see page 4) to establish qualified battered alien status, the Worker must determine whether the noncitizen has appropriate immigration documentation. This necessitates the review of all immigration documents the noncitizen has available. Any of the following immigration documents will satisfy this requirement:

Examples of appropriate immigration documents

- **I-797** indicating a pending **I-360** self-petition (without a prima facie determination) under INA Section 204(a)(1)(A)(iii) or (iv) or Section 204(a)(1)(iii)(B)(i) or (iii).
- **I-797** indicating a pending or approved **I-130** (Petition for Alien Relative) under INA Section 201(b) (spouse or a child of a U.S. citizen) or Section 203(a)(2)(A) (spouse or child of a permanent legal resident).
- **I-94** (Arrival/Departure Record) (see **Attachment C**) coded “K3,” “K4,” “V1,” or “V2” or CR-1-7 and a pending or approved **I-130**.
- **I-688B** or **I-766** (Employment Authorization Document [EAD]) (see **Attachment D**) annotated “(a)(9)” or “(a)(15).”
- Any other USCIS document indicating the alien has a “K” or “V” Visa and a pending or approved **I-130**.

See **Attachment D** for a sample of an EAD.

Lost or expired documentation

Note: Refer to the Section titled “Lost, Inaccessible or Expired Documentation” on pages 14-15 if an alien asserts that his/her immigration documentation is lost, inaccessible, or expired.

Substantial Connection

Third Requirement to Establish Qualified Battered Alien Status

Pursuant to the third requirement (see page 4) to establish qualified battered alien status, there must be a substantial connection between the abuse and the need for benefits.

This requirement will not be satisfied solely by a determination that the applicant has been subjected to battery or extreme cruelty in the U.S.. It is the responsibility of the Worker to determine whether this connection exists. A substantial connection between the abuse and the need for benefits exists when benefits are needed:

- To enable the applicant/victim and/or his/her child to become self-sufficient following separation from the abuser.
- To enable the applicant/victim and/or his/her child to escape the abuser and/or the community where the abuser lives or to ensure the safety of the applicant/victim and/or his/her child.

- Due to the loss of financial support resulting from the applicant's/victim's or his/her child's separation from the abuser.
- Because of lost income or because fear of the abuser jeopardizes the applicant's/victim's ability to care for his/her child.
- Because the applicant/victim or his/her child requires medical attention or mental health counseling or has become disabled as a result of the battery or cruelty.

This list of examples is not exhaustive, and the Worker should consider the circumstances of each case to determine whether the required substantial connection exists.

Battered Applicant No Longer Resides in the Same Household as the Abuser

Fourth Requirement
to Establish Qualified
Battered Alien Status

Pursuant to the fourth requirement (see page 4) to establish qualified battered alien status, the battered noncitizen can no longer reside in the same household as the abuser. Workers are responsible for verifying the battered noncitizen's residence just as they would for any applicant for assistance.

Workers should consider any evidence supporting the claim of non-residence with the batterer including, but not limited to, any of the following:

- Proof of residence in a Domestic Violence or homeless shelter
- Order of protection requiring the abuser to stay away from the applicant
- Civil order evicting the batterer from the applicant's residence
- Employment records
- Utility receipts
- School records
- Hospital or medical records
- Statement from a friend or relative stating the noncitizen victim is staying with him/her

Once the noncitizen has been determined to be a credible victim of Domestic Violence by the DVL, the Worker **must not** contact the batterer for verification of living arrangements or any other eligibility factor.

See **Attachment G** for examples which illustrate whether or not an individual is eligible for benefits as a Qualified Battered Alien.

Derived Qualified Status for Children of Battered Noncitizens

Children of qualified battered aliens

If a battered noncitizen who files an **I-360** self-petition and is determined credible by a DVL, has unmarried foreign-born children under 21 years of age, his/her children will derive their benefit eligibility from their parent, and will also be considered qualified aliens.

Derived Qualified Status for Parents of Battered Noncitizen Children

An **I-360** self-petition may be submitted for a foreign-born child who has been subjected to battery or extreme cruelty in the U.S.. The parent of that child can be included on the same **I-360** petition. The parent derives his/her qualified status from the child. If the child is determined to be a qualified battered alien, his/her parent is also a qualified alien.

Permanently Residing Under the Color of Law (PRUCOL)

In any instance where a noncitizen is deemed not qualified, the possibility of providing assistance under the PRUCOL category must be explored.

This includes noncitizens married to U.S. citizens or LPRs, who do not have an immigration status and make a claim of DV under circumstances that require a credibility assessment by a DVL but don't comply or are deemed not credible by the DVL.

Noncitizens are considered to be PRUCOL if their presence in the U.S. is officially determined by USCIS as legitimate, and USCIS is allowing them to reside in the country for an indefinite period of time. PRUCOL is neither an immigration status nor an immigration law term, but a public benefit eligibility category.

Prior to PRWORA, immigrants who were considered PRUCOL were eligible for a number of Federal programs, including Medicaid, SSI and Aid to Families with Dependent Children.

Noncitizens eligible for public benefits under the PRUCOL category can only receive SNA. They are not eligible for FA, SNFP, EAF or SNAP benefits.

PRWORA created new eligibility criteria for aliens to receive Federal benefits which excludes aliens now considered to be PRUCOL. The PRUCOL category continues to be used by the New York State Office of Temporary and Disability Assistance (OTDA) to determine certain aliens' eligibility for SNA.

Noncitizens who meet OTDA PRUCOL criteria and who may be eligible for SNA benefits include, but are not limited to:

- Aliens residing in the United States pursuant to an order of Supervision under Section 241(a) (3) of the INA. The **W-205JJ** should be referenced for a list of documents that these aliens may provide to determine PRUCOL eligibility.

These aliens have been found to be deportable. However, certain factors exist which make it unlikely that USCIS would enforce their departure. Factors include: age, physical condition, humanitarian concerns, and the availability of a country to accept the deportee. USCIS requires periodic reports from these aliens. USCIS will initiate action to remove the alien if the factors preventing deportation are eliminated.

- Aliens residing in the United States under a cancellation of removal order pursuant to Section 240A of the INA.

These aliens have been found to be deportable, but USCIS has deferred deportation indefinitely for humanitarian reasons or because the aliens have met several factors including a period of continuous residence. Documents submitted may include a letter/order from the immigration judge and an **I-94** with employment authorized for one year. The **W-205JJ** should be referenced for a list of other documents that these aliens may provide to determine PRUCOL eligibility.

- Aliens granted deferred action status pursuant to USCIS operating instructions.
- Aliens who demonstrate that they entered the U.S. and have continuously resided in the United States since January 1, 1972, pursuant to Section 249 of the INA.
- Aliens with unexpired “K3”, “K4” or “V1” or “V2” Visas. K and V Visas are granted for family unity purposes.

In certain instances, USCIS allows a spouse of a U.S. citizen or LPR and his/her dependent children to enter and reside in the U.S. while their **I-130** petition is pending or approved, they are waiting for an immigrant visa number to become available, or their **I-485** (Application for Adjustment to Permanent Residence) is pending.

Revised

- Aliens granted a “U” Visa.

“U” Visa status may be granted to an alien and his/her family members when the applicant for such a Visa has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity. The criminal activity must have violated the laws of the U.S., its territories or possessions and the applicant must:

- possess information concerning the criminal activity of which he/she has been a victim.
- help Federal, State or local law enforcement or prosecutor in the investigation and prosecution of the criminal activity.

See PB #13-30-ELI
Revisions To The
PRUCOL Eligibility Desk
Aid (**W-205JJ**)

Acceptable documentation for aliens granted “U” Visa can be found on the **W-205JJ**.

New

Note: If documentation is submitted and the status of the alien does not fit in any of the other categories listed on the **W-205JJ**, the Worker must contact the FIA Call Center which will contact the Office of Temporary Disability Assistance (OTDA) to determine if the alien is eligible for PRUCOL status.

- Aliens granted “S” Visa status.

“S” Visa status may be granted to aliens who possess critical and reliable information concerning criminal organizations/enterprises or terrorist enterprises and:

- are willing to supply or have supplied such information to Federal/State law enforcement and courts.
- whose presence in the U.S. is determined by the U.S. Attorney General and in some instances by the Secretary of State, to be essential to the success of an authorized criminal investigation.

Aliens granted “S” Visas may be assigned one of the following category codes: “S5,” “S6” or “S7.”

- Permanent non-immigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and Marshall Islands or Palau).

In any instance in which the battered/abused noncitizen is deemed not qualified, the possibility of providing assistance under PRUCOL must be explored.

Battered aliens who do not meet the qualified alien criteria may receive assistance under the PRUCOL category if they meet one of the following criteria and are otherwise eligible:

- They are the spouse or child of a U.S. citizen and have an unexpired “K” Visa, and a Systematic Alien Verification for Entitlements (SAVE) Program clearance, **I-797** receipt, or any other USCIS document indicates that an **I-130** application is pending or approved.
- They are the spouse or child of an LPR and have an unexpired “V” Visa, and a SAVE clearance, **I-797** receipt, or any other USCIS document which indicates that an **I-130** application is pending or approved.
- They are the spouse or child of a U.S. citizen or LPR and have an unexpired K3, K4, V1 or V2 Visa and they make a claim of domestic violence but do not go to the DVL or are determined to be non-credible by the DVL, and a SAVE clearance, **I-797** receipt, or any other USCIS document indicates that an **I-360** petition is pending.
- They have another immigration status that is recognized as PRUCOL for CA eligibility.

Note: If an expired “K” or “V” Visa is submitted, then proof that an **I-539** (Application to Extend/Change Nonimmigrant Status) must be provided as well as a SAVE clearance, **I-797** receipt, or any other authoritative USCIS document that indicates that an **I-130** application is pending or approved in order for the alien to be considered PRUCOL eligible.

Social Security Numbers (SSNs)

See PD #12-22-ELI
Social Security Numbers
for Noncitizens

Noncitizens who do not have an SSN will be referred to the Social Security Administration (SSA) to apply for one, only after they have been determined otherwise eligible for assistance.

This means that the noncitizen has complied with all other eligibility requirements and, pending the SSN application, has been otherwise determined eligible for CA and/or SNAP benefits.

The noncitizen’s application for assistance, however, cannot be accepted for recurring benefits until he/she provides verification of having applied for an SSN.

Lost, Inaccessible or Expired Documentation

See PD #07-30-ELI.

When a noncitizen has lost, inaccessible, or expired immigration documents and applies for assistance, the lack of immigration documents should not delay an eligibility determination.

A clearance from SAVE must be obtained for every **adult and/or minor** noncitizen who applies for benefits.

If a noncitizen knows his/her alien registration number, his/her immigration status for qualified aliens can be obtained through the mandatory SAVE clearance. If the client does not have immigration documents and does not know his/her alien number, a SAVE clearance must be completed by entering zeros in the alien number field in SAVE.

See PD #13-17-ELI

The clearance can be used temporarily in place of the documents. For SNAP benefits, noncitizens without immigration documents for whom the SAVE clearance indicates a qualified status have six months to provide a replacement immigration document for continuing eligibility.

New

Note: The LPR must be engaged even if his/her documents are expired. The vendor can assist in obtaining updated documentation so that he/she can look for work. However, the LPR cannot be sent to the vendor if he/she does not have a SSN and a green card.

SAVE clearances are part of the eligibility verification process.

In addition to, but not in lieu of, conducting a SAVE clearance, information on the current status of an individual's applications/petitions filed with USCIS may be obtained through the USCIS online database. However, a 13-digit application receipt number is needed to utilize this database (see **Attachment H** for USCIS screenshots of the online database).

When the documentation to verify the noncitizen's current status is expired and neither the SAVE system nor USCIS database can help in obtaining verification of the noncitizen's current status or the noncitizen claims the documentation is lost, refer to **Attachment I** to determine how to proceed.

Note: In general, if a qualified battered alien applicant has a lost or inaccessible **I-130** petition, he/she could file an **I-360** self-petition to obtain immediate relative or family sponsored immigrant classification (see **Attachment I**).

Alien/Immigrant LiaisonSee PB #08-32-OPE

Regulations governing noncitizen eligibility for receipt of public benefits are complex. In order to ensure that applications for CA, MA and/or SNAP benefits submitted by this population are appropriately processed, each Job Center has specially trained staff. Designated Specialized JOS/Workers are responsible to assess the eligibility for CA, MA and SNAP of LPRs who have less than five years in a qualified status, qualified battered aliens and individuals who are PRUCOL. AJOS I Immigrant Liaisons supervise Specialized JOS/Workers and sign off on immigrant cases with the exception of those which involve Qualified Battered Aliens and persons who are PRUCOL. AJOS II Immigrant Liaisons (or Center Directors' Designees) are responsible for signing off on cases which involve Qualified Battered Aliens and persons who are PRUCOL.

If the Specialized JOS/Worker and/or Immigrant Liaison Supervisor need(s) additional guidance or instruction to make an immigrant eligibility determination, he/she should contact the AJOS II Immigrant Liaison (or Center Director's Designee).

If the AJOS II Immigrant Liaison (or Center Director's Designee) cannot make the determination, he/she should contact the New York City Human Resources Administration's Office of Refugee and Immigrant Affairs (ORIA) at (212) 331-4550 or by email at dworetskyj@hra.nyc.gov for additional guidance.

New

Special Eligibility Actions and Budgeting Procedures

Refer to pgs. 95-119 and pgs. 145-174 of the NYS WMS AOG for information and examples on registering and splitting multi-suffix cases involving legal noncitizens.

Workers are urged to reference the New York State (NYS) Welfare Management System (WMS) Authorization of Grants (AOG) Manual for examples which illustrate how to register and split multi-suffix cases involving legal noncitizens. These examples provide guidance for understanding situations in which a case has an individual who is eligible for SNA and State-funded Medicaid but there are other individuals on the case who are entitled to Federal benefits.

For example:

A father who is an LPR residing in the U.S. more than five years has a wife and 15 year old child (also LPRs) who joined him in the U.S. just two years ago. In this scenario, the father is eligible for FA and SNAP benefits since he meets the five year criteria and the child is eligible for SNAP benefits because he/she is under the age of eighteen. However, because the wife and child have less than five years in the U.S., they are only eligible for CA under SNA. This would result in a multi-suffix case.

Refer to the Public Assistance Budgeting Manual.

When a budget is needed for a multi-suffix case involving legal noncitizens with income in the household, the Public Assistance Budgeting Manual should be referenced for instructions on how to complete the budget.

Additional Support

There are several supports in place to further assist Job Center staff to correctly process these cases. POS has been programmed to support the instructions outlined in this directive.

Additionally, Workers should reference the **LDSS-4579** for a list of qualified statuses and benefits that noncitizens may be eligible for. A Guide to Selected U.S. Travel and Identity Documents (**Attachment J**), published by USCIS, provides helpful information concerning various immigration documents issued by USCIS.

REQUIRED ACTION

When a JOS/Worker learns during an interview that an individual is a noncitizen who is not an LPR with five or more years in that status, the Worker must suspend the interview and alert his/her supervisor. The supervisor will transfer the case to the Immigrant Liaison Supervisor, who will then transfer the case to the Specialized JOS/Worker.

Refer to PB #06-08-ELI regarding registering all members of the filing unit in WMS.

The Specialized JOS/Worker must conduct the eligibility interview and ensure that the applicant (and each member of the applying household) is placed in **AP** (Applying) status for every program he/she is applying for or is mandated to apply for, based on the household filing unit.

New

Note: Even if it appears that a member of the household is not eligible for SNAP benefits, he/she must be in **AP** status for SNAP processing if the household is applying for CA and SNAP benefits.

Specialized JOS/Worker identifies that a noncitizen is potentially a Qualified Battered Alien or PRUCOL

Prior to completing the interview and before issuing any emergency benefits, if the Specialized JOS/Worker identifies a noncitizen on the case who is potentially eligible under the Qualified Battered Alien status or PRUCOL, he/she must alert the AJOS II Immigrant Liaison (or Center Director’s Designee). The Specialized JOS/Worker together with the AJOS II (or Center Director’s Designee) will conduct the interview to assess whether the noncitizen meets the Qualified Battered Alien criteria or is eligible under PRUCOL criteria for public benefits.

Making a Domestic Violence (DV) referral

For noncitizens who are married to U.S. citizens or LPRs and who do not have an immigration status and who claim that they are victims of Domestic Violence but do not have any immigration documents (see page 6), a referral must be made to the DVL for a credibility assessment and determination of battery.

Noncitizens who have a qualified status and make a claim of DV do not require a credibility assessment.

Once the case is registered in POS, POS will auto-post Action Code **991C** (Special Assessment Needed) after completion of the Alien Checklist. The Worker must initiate the Employment Plan (EP) which will auto-post Action Code **991I** (Unique Appointment/Referral Code) in NYCWAY.

The Special Assessment Letter (**W-103D**) will be generated. When this referral is made, the applicant will be advised that he/she should provide the DVL with all proof of battery/abuse that he/she may have.

For DV purposes, these individuals will be treated the same as any U.S. citizen making a DV Claim.

The following NYCWAY codes indicate the outcome of the DV credibility assessment and determination of battery:

- **931G** (Appointment Kept/DV Issues) – Applicant (and any foreign-born children) is a credible victim of domestic violence. If this code is entered by the DVL, the Worker needs to complete the determination of qualified status. If the noncitizen meets the qualified criteria, the application should continue to be processed as per current procedure.
- **931J** (Appointment Kept/No DV issues) – Applicant (and any foreign-born children) is not a credible victim of Domestic Violence. If this code is entered by the DVL, the Worker needs to determine if the noncitizen is eligible for SNA under PRUCOL.
- **931K** (Individual Failed to Report) – If this code is entered by the DVL, the Worker needs to determine if the noncitizen is eligible for SNA under PRUCOL.

Outcome of the DVL referral

The DVL is responsible only for determining if the noncitizen is a credible victim of battery or extreme cruelty and can only consider battery and extreme cruelty that occurred in the U.S. in making a determination that the alien is a credible victim.

Job Center staff will be responsible for determining whether or not a noncitizen who has been determined to be a credible victim of Domestic Violence by the DVL meets the other three requirements and is thus a Qualified Battered Alien.

If the abuser was an employee of the U.S. government or a member of the uniformed services of the U.S., the abuse would then not necessarily have to have occurred in the U.S. for the purposes of qualified battered alien status.

If the noncitizen claims the abuser was an employee of the U.S. government or a member of the uniformed services of the U.S. and the abuse occurred outside the U.S., the Specialized JOS/Worker should contact ORIA at (212) 331-4550 or by email at dworetskyj@hra.nyc.gov for assistance.

Note: Although a DVL may find an individual to be credible, unless a full waiver is granted, the noncitizen must still be referred to the proper employment activities. If the noncitizen does not have a Social Security Number (SSN) and/or employment authorization, they can only be referred to WEP or the Training Assessment Group (TAG) if they are in an approved program.

If documentation is submitted and the status of the alien does not fit in any of the other categories listed on the **W-205JJ**, the Worker must contact the FIA Call Center which will contact the Office of Temporary Disability Assistance to determine if the alien meets PRUCOL status.

Once the Specialized JOS/Worker and the AJOS II (or Center Director's Designee) have reviewed the case for eligibility under Qualified Battered Alien or PRUCOL criteria, the AJOS II (or Center Director's Designee) must enter a case comment in POS that he/she has made the alien eligibility determination.

Noncitizens without Social Security Numbers (SSN's)

See PD #12-22-ELI
Social Security Numbers
for Noncitizens

Only after they have been determined eligible for assistance, will noncitizens without a SSN be referred to the Social Security Administration (SSA) to apply for one.

A referral to the SSA must be completed for each individual in the household who is in need of an SSN.

There are two forms which are used when making referrals to the SSA. They are the:

- Noncitizen Referral to SSA for a Social Security Number Application (for noncitizens eligible for FA, SNFP, SNAP benefits, and Federally funded MA) (see **Attachment F-1**); and
- Noncitizen Referral to SSA for a Social Security Number Application (for noncitizens eligible for SNA [SNCA and Safety Net Non-Cash] and State-funded MA only) (see **Attachment F-2**).

For example:

A qualified battered alien spouse of a U.S. citizen and her two noncitizen children (under the age of 18) apply for assistance on March 1, 2013.

She indicates that she entered the country with a “K” Visa on January 23, 2010. The Agency confirms her qualified battered alien status and determines that she and her two noncitizen children are eligible to receive CA as qualified aliens. Her five-year count in qualified status begins on March 1, 2013 (the date the Agency determined her to be eligible as a qualified battered alien); therefore, she can receive SNCA for herself and her children.

Anyone eligible for SNA is automatically eligible for State funded MA.

Since she and the children entered the U.S. after August 22, 1996, they are subject to the five-year ban on Federal benefits. She cannot receive SNAP benefits for herself, as she does not meet any of the SNAP alien eligibility criteria.

However, since her children are under the age of 18 and in qualified status, they could receive SNAP benefits (which are Federally funded). Neither the mother nor the children has an SSN.

In the example presented, three separate referrals to the SSA must be prepared.

See PD #12-22-ELI
Social Security Numbers
for Noncitizens.
New

Each person—the mother and the two children—needs to apply for an SSN. All requested information, including the gender and date of birth, should be provided for each person. The Worker must print the appropriate referral form(s) from POS (see **Attachment F-1** and **Attachment F-2**) for each noncitizen applicant without an SSN. The Worker should give these documents to the applicant to take to the SSA in order to apply for the needed Social Security Numbers.

After the Noncitizen Referral to SSA for a Social Security Number Application has been printed and signed, the Worker will give the original to the applicant and retain a copy to be scanned and indexed into the electronic case record. The Worker must inform the applicant that he/she must provide the SSA with original documents showing his/her age, identity, lawful alien status, and any permission to work in the United States.

Noncitizens who do not have an immigration status recognized by SSA and are not eligible for Federal benefits may be denied an SSN if they do not have an Employment Authorization Document (**I-766**). However, as a condition of eligibility, they still must apply for an SSN.

Revised

If a noncitizen who has been determined to be a qualified battered alien (ACI code **B**), Federally Certified HTV (ACI Code **D**), LPR with less than 5 years in status (ACI codes **K** or **S**), or PRUCOL (ACI code **O**), cannot obtain a receipt for the application of an SSN or a letter of denial for an SSN from the SSA, the Worker must print a Declaration of Application for Social Security Number (**EXP-83H**). A signed **EXP-83H** will serve as an acceptable attestation that an application for an SSN was filed.

Noncitizens who are otherwise eligible for CA and who are denied an SSN by the SSA solely due to immigration status can only receive SNA.

The Specialized JOS/Worker can then proceed with processing the case including conducting the screening for eligibility for expedited processing of the applicant's SNAP application.

Processing the SNAP Case Eligibility Determination

If an applicant is deemed eligible for SNAP benefits, issuance of the benefits cannot be delayed for compliance with any referrals that are made on behalf of the applicant.

Determine the applicant's SNAP eligibility within the five-day expedited time frame. If the applicant (household) is determined eligible for SNAP benefits, prepare the issuance of benefits as per current procedure.

Battered noncitizens must meet SNAP eligibility criteria to receive SNAP benefits. For CA/SNAP cases with U.S. citizens and noncitizens, ensure that a multi-suffix case is established for CA if not all household members qualify for the same category of assistance.

Note: All noncitizens must meet or appear to meet the SNAP alien eligibility rules (see **LDSS-4579**) to qualify for expedited SNAP benefits. A household that is eligible for expedited SNAP service may receive an initial expedited issuance pending verification of alien status. However, the household cannot receive more than the initial expedited issuance until all verification has been received. Once verification has been received, a regular certification period should be assigned to the household.

Refer to [PB #09-105-SYS](#) for more information on input of the correct date in elements **389** and **347** of the TAD.

If the battered alien is pending a credibility assessment by the DVL, the JOS/Worker must not delay the issuance of SNAP benefits, under the expedited SNAP criteria, for any remaining eligible household members including their immigrant children. Noncitizens who are determined ineligible for SNAP benefits but claim a no-food situation, must be provided an immediate needs grant, single-issuance code **44**.

When preparing the TAD to Accept (**AC**) the SNAP case (if all required documentation has been submitted) or Single Issue (**SI**) (if verification/documentation is missing), enter:

If a qualified battered alien does not have an Alien Registration Number, leave the alien registration field blank.

- The appropriate ACI code (e.g., **B** [Battered]) in element **382**.
- The qualified battered alien’s Alien Registration Number in element **381**.
- In the Date of Status (DOS) field (element **389**), the date the alien either entered the U.S. through a specific qualified immigration status or was granted a qualified immigration status after physically entering the U.S..

New Information.

Note: The DOS for a noncitizen with an ACI code of **B** is the date of application. Immigration documents showing the DOS are not required for an individual with ACI code **B**. If the qualified status of an individual with ACI code **B** changes to another qualified status do not change the ACI code or the DOS in WMS unless the new qualified status allows the individual to receive Federal benefits immediately.

- In the Date Entered Country (DEC) field (element **347**) the date the alien entered the U.S. legally or illegally.

Note: If the DEC is prior to August 22, 1996, documentation must be submitted verifying the alien’s presence in the U.S. prior to August 22, 1996.

If the internal clearance indicates that a noncitizen has previously applied for or was/is in receipt of MA or SNAP benefits, the case must be reviewed. If the case review indicates that qualified status was previously established, enter that same date in element **389**.

Refer to page 1.4-1 in the Worker's Guide to Codes for a complete list of Social Security Number Validation Codes.

- The appropriate Social Security Number Validation Code, such as Code **2** (SSN Applied For but Not Yet Available), Code **3** (SSN Applied For and Denied), Code **4** (SSN Not Applied For), or Code **N** (State Benefit Eligible Alien), in element **321** for every applicant who does not have an SSN.

Revised

Processing the CA Case Eligibility Determination

Once the SNAP application has been addressed, if the applicant meets requirements 2, 3, and 4 for qualified battered aliens (see page 3), continue to process the application as per standard procedure.

When referral to the DVL is required.

If the applicant is subject to a DVL credibility assessment and determination of battery pursuant to the first requirement, proceed as follows:

- Refer the applicant to the Bureau of Eligibility Verification (BEV).
- Call the DVL who covers the Job Center for an appointment, utilizing the Domestic Violence Liaison Unit Directory.
- Enter in the **Assessment – Primary Questionnaire** screen of the automated Employability Plan (EP), a “Y” for Domestic Violence.
- On the next screen, enter a “Y” to indicate that a referral is requested. Action Code **991I**, along with the seven-day Future Action Date (FAD), will be automatically posted in the NYCWAY Activity Screen for an applicant DV referral.
- Generate the Special Assessment Letter (**W-103D**), which will notify the applicant of the:
 - appointment date and time, DV social worker's name, and telephone number for any questions.
 - return appointment date and time the applicant is to return to the Job Center.
- Scan and image a copy of the **W-103D** into the case file and give the original to the applicant in a sealed envelope.

Note: Ensure that the applicant understands that the DVL is the only person qualified to assess the veracity of his/her claim of battery or extreme cruelty in the U.S. and that the veracity of that claim must be assessed as a condition of determining Qualified Battered Alien status.

Defer all other required referrals such as employment/engagement assessment, Office of Child Support Enforcement (OCSE), and Credentialed Alcohol and Substance Abuse Counselor (CASAC) until the DVU renders a decision.

For battered noncitizens who had no other qualified status when referred to the DVL, the DOS is the application date.

If the applicant complies with the DVL assessment and the DV claim is deemed credible (Code **931G** will be posted in NYCWAY) and if the other three eligibility requirements are met, consider the applicant a qualified battered noncitizen and process his/her application as per standard procedure.

If the applicant fails to keep the appointment (Code **931K** will be posted in NYCWAY) or if the DVL determines that the DV claim is not credible (Code **931J** will be posted in NYCWAY), explore eligibility for assistance under another qualified alien category or under the PRUCOL category.

If ineligible for assistance under another qualified alien category or under PRUCOL, the application for the noncitizen and the noncitizen's children, if any, must be Rejected (**RJ**) or Closed (**CL**) using **F92** (Failure to Provide Proof of Citizenship or Eligible Alien Status).

Noncitizens Deemed Eligible for CA

If the SSN has been applied for but not yet received

When the noncitizen returns with proof of having applied for an SSN, ensure that, in addition to the standard required actions necessary to enter the acceptance of the application in WMS, Social Security Validation code **2** (SSN Applied For but Not Yet Available) is entered in the **SSN Indicator** field (element **321**) of the TAD.

If the SSN is denied due to immigration status only

If the noncitizen is subsequently denied an SSN, scan/index a copy of the denial letter from the SSA into the case file. If the denial letter indicates that the noncitizen was denied an SSN only because of alien status, enter Social Security Validation code **N** (State Benefit Eligible Alien) in the **SSN Indicator** field (element **321**) of the **TAD**.

Note: Noncitizens who are otherwise eligible for CA and who are denied an SSN by the SSA solely due to immigration status may only receive SNA.

If a noncitizen is reclassified from qualified battered alien status to PRUCOL status

Revised

If ACI code **B** was assigned prior to verification in order to issue SNAP benefits, as required by the Expedited SNAP Service criteria, and if the noncitizen subsequently fails to meet the qualified noncitizen status criteria but is determined to be PRUCOL eligible, the **W-200B** must be completed, requesting to change the ACI indicator to code **O** (PRUCOL individual who is eligible for SNCA) and close the SNAP case.

If a noncitizen is a qualified battered alien

Revised Information.

For those who meet the criteria for/ or establish qualified battered alien status, enter ACI indicator code **B** and the date the qualified status was obtained (DOS) if it is not already entered. The DOS is always the date of application when the ACI indicator code is **B**.

If a noncitizen is PRUCOL-eligible

For those who are determined to be eligible for PRUCOL, enter ACI indicator code **O** if it was not already entered.

Noncitizens Deemed Ineligible for CA

The following annotation must be made on the TAD when a battered noncitizen is deemed ineligible for assistance:

- ACI code **E** (non-qualified aliens eligible for treatment of an emergency medical condition) must be entered for battered noncitizens:

If a noncitizen is not a qualified alien and not PRUCOL-eligible

- who fail to comply with efforts to establish qualified status.
- who do not meet the criteria for qualified status.
- whose PRUCOL eligibility cannot be established.

In addition, for **all** noncitizens:

If a noncitizen fails to apply for an SSN without good cause

- If the noncitizen fails to apply for an SSN without good cause and he/she is part of a multi-person case where the others are eligible for assistance, sanction the noncompliant noncitizen and accept the case for all others.
- If the noncitizen was required to apply for an SSN for a child and failed to do so without good cause, sanction him/her and the child for CA. Sanction only the child for SNAP benefits.

Reapplication

When a battered noncitizen who previously was denied assistance reapplies, the ACI code entered when the previous application was denied must be reviewed. If a noncitizen was determined to be a qualified battered alien based upon a prior application, a DVL referral for the purpose of determining credibility will not be required.

In this instance, the battered noncitizen will be considered a credible victim of battery or extreme cruelty and the Worker should continue to process the application per standard procedure.

In reapplication situations, a referral to the DVL for a credibility assessment should be made only when qualified status was not previously established or when PRUCOL eligibility was determined because the applicant failed to keep a DVL assessment appointment and now states that he/she is willing to comply.

PROGRAM IMPLICATIONS

Supplemental Nutrition Assistance Program Implications

All households applying for SNAP benefits must be screened for expedited processing of their SNAP applications.

ESNAP benefits for eligible household members

ESNAP benefits for households where the children are deemed eligible for SNAP benefits must not be delayed pending the results of any referral or credibility determination of the battered parent.

If an individual subject to the five-year bar on Federally-funded benefits does not have five years in qualified status, he/she will not be eligible to receive SNAP benefits unless he/she meets one of the following criteria:

- Is in a qualified status and in receipt of certain disability benefits (7 USC 2012 [r]).
- Is in a qualified status and is under the age of 18.

New

Note: A married teen, pregnant minor and/or teen parent who is the case head and is also an LPR less than 5 years, is eligible for SNAP benefits if under age 18.

- Is in a qualified status and has 40 qualifying quarters of work. Generally, qualifying quarters of work are earned when an individual earns a specified amount of money that is creditable for Social Security benefits.

Qualifying quarters

Individuals may be credited with a maximum of four qualifying quarters each year. An LPR may earn and/or be credited with a qualifying quarter as follows:

- Quarter(s) earned by his/her parent while the LPR is less than 18 years of age, including quarters worked by a parent before his or her birth. Qualifying quarters may be credited from an adoptive parent.

Qualifying quarters may also be credited from a stepparent if the marriage between the stepparent and the natural/adoptive parent occurred before the LPR turned 18 years of age AND the marriage did not end in divorce or annulment before the 40 quarter determination is made.

Qualifying quarters earned by parents, stepparents, or adoptive parents while an individual was under 18 are credited to the individual no matter what the current age or marital status of the individual may be.

- Quarter(s) earned by a spouse during his/her marriage.

Credited quarters when the marriage ends in divorce

A widow or widower retains credit for all qualifying quarters earned during the marriage by a deceased spouse. When a marriage ends in divorce, however, any quarters earned by the spouse during the marriage are lost.

If the divorce occurs after a spouse has been credited with 40 quarters and determined eligible for SNAP benefits, the SSA will not subtract any qualifying quarters already credited. However, the former spouse's quarters cannot be credited when making a determination of a noncitizen's current SNAP eligibility.

A divorced spouse would become ineligible at the time of recertification or when there is a break in SNAP participation and the divorced noncitizen reapplies.

For noncitizens whose eligibility for the receipt of SNAP benefits is based on having 40 quarters, the quarters claimed must be verified by the SSA.

If the household asserts that members have 40 quarters of work history, but the SSA cannot confirm the information and is conducting an investigation to determine if additional quarters can be credited and the noncitizen has been otherwise deemed eligible, the SNAP case must be accepted and assigned a certification period for up to 6 months from the original date of insufficient quarters (date of SNAP application), pending the results of the investigation.

In this instance, an ACI code **S** (Persons lawfully admitted for permanent residence who have worked or can be credited with 40 qualifying quarters of coverage as defined under Title II of the Social Security Act) must be entered to authorize the SNAP grant while the verification is pending from the SSA.

PRUCOL eligibility for SNAP benefits

Individuals eligible to receive assistance under PRUCOL are not eligible to receive SNAP benefits.

Medicaid Implications

If qualified alien status has been determined under the criteria listed in this directive and the individual is otherwise eligible, MA should be granted.

However, as a reminder, undocumented immigrants and temporary non-immigrants, if otherwise eligible, may receive coverage for care and services necessary for the treatment of an emergency medical condition only.

This does not include care and services related to an organ transplant procedure or certain types of care provided to chronically ill persons, such as alternate levels of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care.

Pregnant women may be provided MA at any time without regard to immigration status if otherwise eligible. Children may be provided MA without regard to immigration status under the Child Health Plus Program (CHPlus).

BUDGETING IMPLICATIONS

The budgeting of multi-suffix cases in which a noncitizen(s) is eligible for SNCA and is registered on her/his own suffix from additional case members who are eligible for Federal benefits and are registered on a different suffix must be manually calculated.

LIMITED ENGLISH PROFICIENCY(LEP) AND HEARING IMPAIRED IMPLICATIONS

For Limited English Proficiency (LEP) and hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with PD #11-33-OPE and PD #08-20-OPE.

**FAIR HEARING
IMPLICATIONS**

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date.

Avoidance/
Resolution

Remember that the applicant/participant must receive either adequate or timely and adequate notification of all actions taken, depending upon the circumstances of his/her case.

Conferences

An applicant/participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS I/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the applicant/participant is waiting to be seen. In Model Centers, the Receptionist at Main Reception will issue an FH&C ticket to the applicant/participant to route him/her to the FH&C Unit and does not need to verbally alert the FH&C Unit staff.

The FH&C AJOS I/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS I/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

If the determination is that the applicant/participant has presented good cause for the infraction or that the outstanding Notice of Intent needs to be withdrawn for other reasons, the FH&C AJOSI/Supervisor I will Settle In Conference (SIC), enter detailed case notes in NYCWAY and forward all verifying documentation submitted by the applicant/participant to the appropriate JOS/Worker for corrective action to be taken.

In addition, if the adverse case action still shows on the "Pending" (08) screen in WMS, the AJOS I/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form ([LDSS-3722](#)), change the 02 to an 01 if the case has been granted aid continuing (ATC), or prepare and submit a PA Recoupment Data Entry Form ([LDSS-3573](#)) to delete a recoupment. The AJOS I/Supervisor I must complete a Conference Report (**M-186a**).


If the determination is that the applicant has not shown good cause for the infraction or that the Agency's action(s) should stand then the AJOS/Supervisor I will explain to the applicant why he/she cannot SIC. The AJOS I/Supervisor I must complete a Conference Report.

Evidence Packets All Evidence Packets must contain a detailed History, copies of relevant WMS screen printouts, other documentation relevant to the action taken and copies of NYCWAY “Case Notes” screens, when applicable.

REFERENCES [04 OMM/ADM-7](#)
[06-INF-11](#)
[06-INF-14](#)
[GIS 07 TA/DC001](#)
[07 OHIP/INF-2](#)

RELATED ITEMS [PB #06-08-ELI](#)
[PB #07-143-ELI](#)
[PB #08-32-OPE](#)
[PB #09-105-SYS](#)
[PB #10-62-ELI](#)
[PB #12-40-ELI](#)
[PB #13-17-ELI](#)
[PB #13-30-ELI](#)
[PD # 07-30-ELI](#)
[PD #10-09-SYS](#)
[PD #12-22-ELI](#)
[Authorization of Grants](#), pages 95-119 and pages 145-174
[Public Assistance Budgeting Manual](#)

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

- Attachment A** Notice of Action (**I-797**)
- Attachment B** Order Granting Cancellation of Removal
- Attachment C** Arrival/Departure Record (**I-94**)
- Attachment D** Employment Authorization Document (EAD) (**I-688B** and **I-766**)
- Attachment E** K or V Visa Sample
- Attachment F-1** Noncitizen Referral to SSA for a Social Security Number Application (for noncitizens eligible for FA, SNFP, SNAP and Federally funded MA)
- Attachment F-2** Noncitizen Referral to SSA for a Social Security Number Application (for noncitizens eligible for SNA [SNCA and SNNC] and state-funded MA only)
- Attachment G** Examples of Determining Battered Alien Status
- Attachment H** Accessing the USCIS Online Database
- Attachment I** Lost/Expired Documentation for Battered/Abused Noncitizens

Attachment J	A Guide to Selected U.S. Travel and Identity Documents
LDSS-4579	Alien Eligibility Desk Aid (Rev. 8/12)
EXP-83H	Declaration of Application for a Social Security Number (Rev. 6/27/08)
W-103D	Special Assessment Letter (Rev. 6/27/08)
W-103D (S)	Special Assessment Letter (Spanish) (Rev. 6/27/08)
W-205JJ	PRUCOL Eligibility Desk Aid (Rev. 4/4/13)

Attachment A

I-797 – Notice of Action

This form is used by the USCIS to notify applicants and petitioners for immigration benefits that the agency has taken some kind of action in the case. For example, the form is used to notify individuals who have filed a petition for an immigrant visa on behalf of a relative that the petition has been approved. As in the example below, it is also used to notify abused immigrants who have filed a self-petition under the Violence Against Women Act (VAWA) that their self-petitions have been found to establish a prima facie case. The form is also used to notify applicants for Family Unity that they have been granted Family Unity status.

U.S. Department of Justice Immigration and Naturalization Service		Notice of Action	
THE UNITED STATES OF AMERICA			
Receipt Number EAC6		Case Type: I-360 PETITION FOR AMERASIAN, WIDOW(ER), OR SPECIAL IMMIGRANT	
Receipt Date December 15, 2000	Priority Date	Petitioner	
Notice Date December 22, 2000	Page 1	A-File Number A	
C/O LEGAL AID FDN OF LOS ANGELES 3228 E WHITTIER BLVD LOS ANGELES CA 90022		Section: Self-Petitioning Spouse of U.S.C. or L.P.R. ESTABLISHMENT OF PRIMA FACIE CASE	
<p>The above petition has been reviewed and found to establish a prima facie case for classification under the self-petitioning provisions of the Violence Against Women Act.</p> <p>THIS NOTICE MAY BE USED TO ASSIST YOU IN RECEIVING PUBLIC BENEFITS.</p> <p>THIS PRIMA FACIE DETERMINATION IS VALID FOR A PERIOD OF 150 DAYS FROM THE NOTICE DATE SHOWN ABOVE, AND EXPIRES ON THE DATE INDICATED AT THE BOTTOM OF THE PAGE.</p> <p>We will send you a written notice as soon as we make a decision on this case. It is expected that a final decision will be made in this case before the end of 150 days. In a few cases, the adjudication may not be completed in this time frame. If this period is coming to a close and you need an extension of this prima facie determination in order to continue receiving public benefits, please submit a written request for extension at least 15 days prior to expiration.</p> <p>A COPY OF THIS NOTICE MUST ACCOMPANY ANY REQUEST FOR AN EXTENSION OF THIS DETERMINATION.</p> <p>PLEASE NOTE: ESTABLISHING A PRIMA FACIE CASE FOR CLASSIFICATION UNDER THE SELF-PETITIONING PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT DOES NOT NECESSARILY MEAN THAT YOUR PETITION WILL BE APPROVED.</p> <p>..... EXPIRATION DATE: May 22, 2001</p>			
<p>You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:</p> <p style="text-align: center;">IMMIGRATION AND NATURALIZATION SERVICE VERMONT SERVICE CENTER 75 LOWER WELDEN STREET ST. ALBANS, VT 05479-0001</p>			

I-797 – Notice of Action (finding establishment of prima facie case)

The United States Immigration and Naturalization Service (INS) ceased to exist in 2003. On March 1, 2003, U.S. Citizenship and Immigration Services (USCIS) officially assumed responsibility for the immigration service functions of the Federal government.

Order Granting Cancellation of Removal

An individual in removal proceedings which began on or after April 1, 1997, can be granted cancellation of removal and LPR status if s/he has been in the U.S. at least 10 years (three years for certain abused spouses and children) and can prove good moral character and exceptional and extremely unusual hardship to qualifying family members should s/he be removed. An example is shown below.

U.S. DEPARTMENT OF JUSTICE
Executive Office for Immigration Review
Office of the Immigration Judge

In the Matter of: _____ Case No.: A _____
 _____ - Docket: Los Angeles
RESPONDENT REMOVAL
IN DEPORTATION PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on 11-12-99.
 This memorandum is solely for the convenience of the parties. If the proceedings should be appealed, the Oral Decision will become the official decision in this matter.

The respondent was ordered deported to _____

Respondent's application for voluntary departure was denied and respondent was ordered deported to _____ or in the alternative to _____

Respondent's application for voluntary departure was granted until _____, with an alternate order of deportation to _____ or _____

Respondent's application for asylum was () granted () denied () withdrawn () other.

Respondent's application for withholding of deportation was () granted () denied () withdrawn () other.

Respondent's application for suspension of deportation was (X) granted () denied () withdrawn () other.

Respondent's application for waiver under Section _____ of the Immigration and Nationality Act was () granted () denied () withdrawn () other.

Respondent's application for _____ was () granted () denied () withdrawn () other.

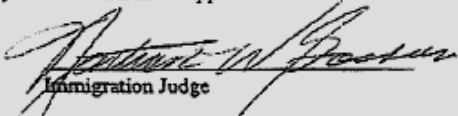
Proceedings were terminated.

The application for adjustment of status under Section (216)(216A)(245)(249) was () granted () denied () withdrawn () other. If granted, it was ordered that the respondent be issued all appropriate documents necessary to give effect to this order.

Respondent's status was rescinded under Section 246.

Other _____

Respondent was advised of the limitation on discretionary relief for failure to appear as ordered in the Immigration Judge's oral decision.


Immigration Judge

Date: _____

Appeal: RESERVED/WAVED (A/C) B
TO 12-11-99

Form EOIR - 17
REV. JUNE 93

I-94 Arrival/Departure Record

The I-94 is a 3"x 5" card which is issued to almost all noncitizens upon entry to the U.S. It is also issued to individuals who entered the country without inspection and subsequently have contact with the USCIS. The card is stamped or handwritten with a notation that indicates the individual's immigration category or the section of the law under which the person is granted admission or parole. The words "Employment Authorized" may also be stamped on the card. Noncitizens with I-94's include LPRs, persons fleeing persecution, persons with permission to remain in the U.S. based on a pending application, persons in deportation or removal proceedings, nonimmigrants and undocumented persons whose period of admission or parole has expired.

Front side of an I-94

Departure Number
742831632 01

U.S. IMMIGRATION
250 WAS 177

Immigration and Naturalization Service
I-94
Departure Record

SEP 13 1991

ADMITTED K3
UNTIL MARCH 12, 1992

14. Family Name
POE

15. First (Given) Name
JOHN

16. Birth Date (Day/Mo: Yr)
01.01.91

17. Country of Citizenship
ENGLAND

See Other Side

STAPLE HERE

Back side of an I-94

Warning - A nonimmigrant who accepts unauthorized employment is subject to deportation.

Important - Retain this permit in your possession; you must surrender it when you leave the U.S. Failure to do so may delay your entry into the U.S. in the future. You are authorized to stay in the U.S. only until the date written on this form. To remain past this date, without permission from immigration authorities, is a violation of the law.

Surrender this permit when you leave the U.S.:

- By sea or air, to the transportation line;
- Across the Canadian border, to a Canadian Official;
- Across the Mexican border, to a U.S. Official.

Students planning to reenter the U.S. within 30 days to return to the same school, see "Arrival-Departure" on page 2 of Form I-20 prior to surrendering this permit.

Record of Changes

Port: _____

Date: _____

Carrier: _____

Flight #/Ship Name: _____

Departure Record

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20403

The United States Immigration and Naturalization Service (INS) ceased to exist in 2003. On March 1, 2003, U.S. Citizenship and Immigration Services (USCIS) officially assumed responsibility for the immigration service functions of the federal government.

KEY TO I-94 Arrival Departure Record

Codes on the I-94 indicate the provision of law related to the individual's status. The following is a list of codes most commonly found on the I-94. This list is not all-inclusive.

CODE	MEANING
203(a)(7)	Conditional entrant
207 or REFUG	Refugee
208	Asylum
243(h) or 241(b)(3)	Withholding of deportation or removal
AM 1, 2, 3	Amerasian
106	Granted indefinite stay of deportation
242(b)	Granted voluntary departure
212(d)(5)	Parolee
A-1, A-2, A-3	Foreign government official, dependents & employees
B-1	Temporary visitor for business
B-2	Temporary visitor for pleasure (tourist)
C-1	Alien in transit directly through U.S.
C-1D	Combined transit and crewman visa
C-2	Alien in transit to UN headquarters district
C-3	Foreign government official, members of immediate family, attendant, servant, or personal employee in transit
C-4	Transit without visa
D-1, D-2	Crewmember of ship or aircraft
E-1, E-2	Treaty trader and investor and dependents
F-1, F-2	Foreign student and dependents
G-1, G-2, G-3, G-4, G-5	Representative of international organization, dependents & employees
H-1B	Alien specialty occupation
H-1C	Registered nurse (working up to 3- yrs in health professional shortage area)
H-2A	Temporary agricultural worker
H-2B	Temporary worker-skilled and unskilled
H-3	Trainee
H-4	Spouse or child of "H" worker (see categories above) or trainee
I	Visa for foreign media representative
J-1, J-2	Exchange visitor and dependents
K-1	Fiancé(e) of U.S. citizen
K-2	Minor child of "K-1"
K-3	Spouse of U.S. Citizen (LIFE Act)
K-4	Child of K-3 (LIFE Act)
L-1A	Intra-company transferee—executive, managerial
L-1B	Intra-company transferee—specialized knowledge
L-2	Spouse or child of "L-1"

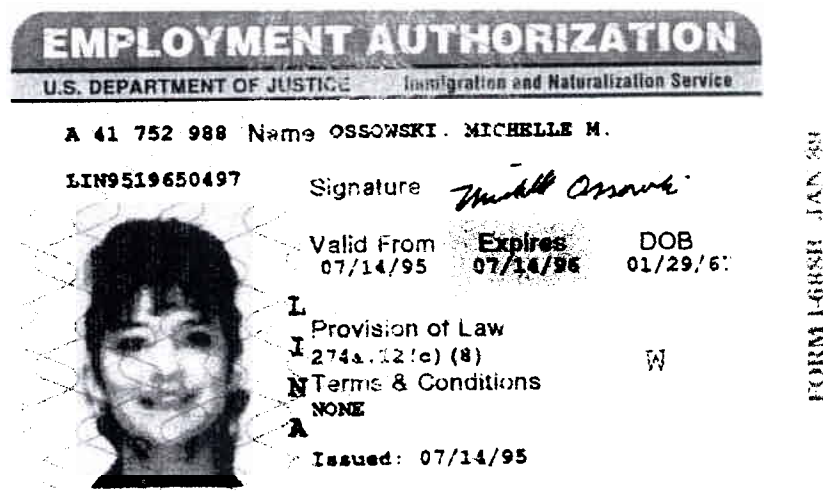
Attachment C

M-1, M-2	Vocational/nonacademic student and dependents
N-8	Parent of alien classified SK-3 "Special Immigrant"
N-9	Child of N-8, SK-1, SK-2, or SK-4 "Special Immigrant"
NATO-1 NATO-2 NATO-3 NATO-4 NATO-5 NATO-6 NATO-7	Representatives of NATO, dependents, and employees
O-1, O-2, O-3, O-4	Persons with extraordinary ability in the sciences, arts, education, business, and athletics, and dependents
P-1, P-2, P-3	Artists, entertainers, and athletes who are performing, teaching, or on an exchange program
Q-1	International cultural exchange visitors
Q-2	Irish Peace Process Cultural and Training Program (Walsh Visa)
Q-3	Spouse or child of "Q-2"
R-1, R-2	Religious workers and dependents (Spouse or Child of "R-1")
S-5	Informant of criminal organization information
S-6	Informant of terrorism information
T	Victims of a severe form of trafficking in persons
T-1	Victim of severe form of trafficking in persons
T-2	Spouse of a victim of a severe form of trafficking in persons
T-3	Child victim of a severe form of trafficking in persons
T-4	Parent of victim of a severe form of trafficking in persons (if T-1 is under 21 years of age)
TN	Trade visa for Canadians and Mexicans (NAFTA)
TD	Spouse or child accompanying "TN"
TWOV	Transit without a visa-passenger or crew
U	Victims of certain crimes
U-1	Victim of certain criminal activity
U-2	Spouse of U-1
U-3	Child of U-1
U-4	Parent of U-1, (if U-1 is under 21 years of age)
V-1	Spouse of LPR who is principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending at least three years
V-2	Child of LPR who is principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending at least three years
V-3	The derivative child of a V-1 or V-2
TPS	Temporary Protected Status

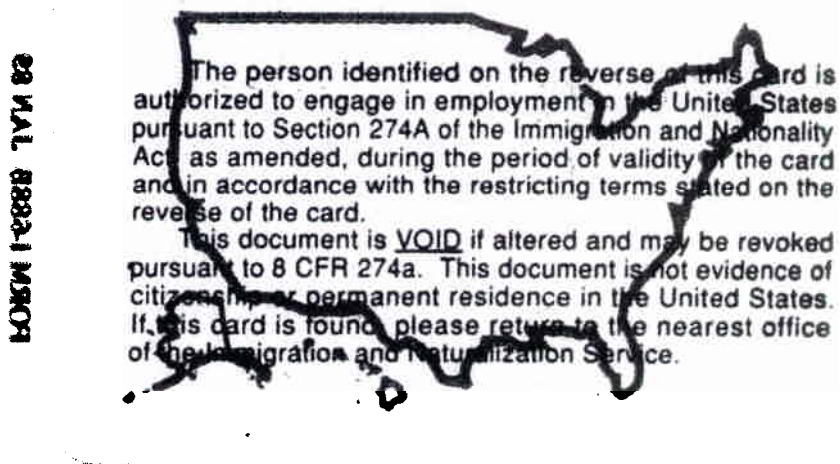
I-688B – Employment Authorization Document (EAD)

This EAD document is an earlier version of the Employment Authorization Document for immigrants who have been granted permission to work in the U.S. As with the I-766 (see next page), there are codes on the front of the card that indicate the person's immigration status and refer to the section of the regulation authorizing employment. For example, an asylum applicant would be issued a card containing the code "274a.12(c) (8)."

Sample of the I-688B EAD Card



Front of the card



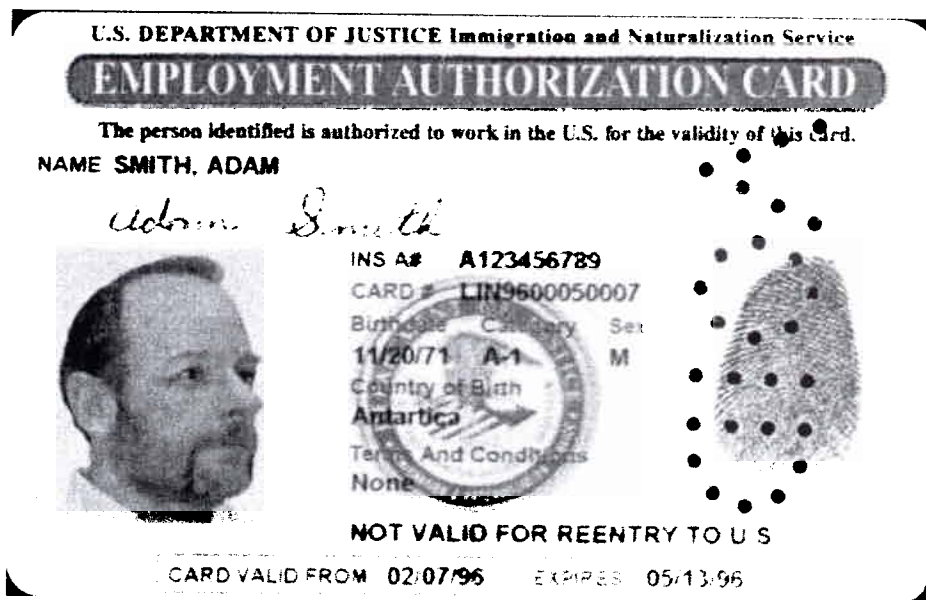
Back of the card

The United States Immigration and Naturalization Service (INS) ceased to exist in 2003. On March 1, 2003, U.S. Citizenship and Immigration Services (USCIS) officially assumed responsibility for the immigration service functions of the federal government.

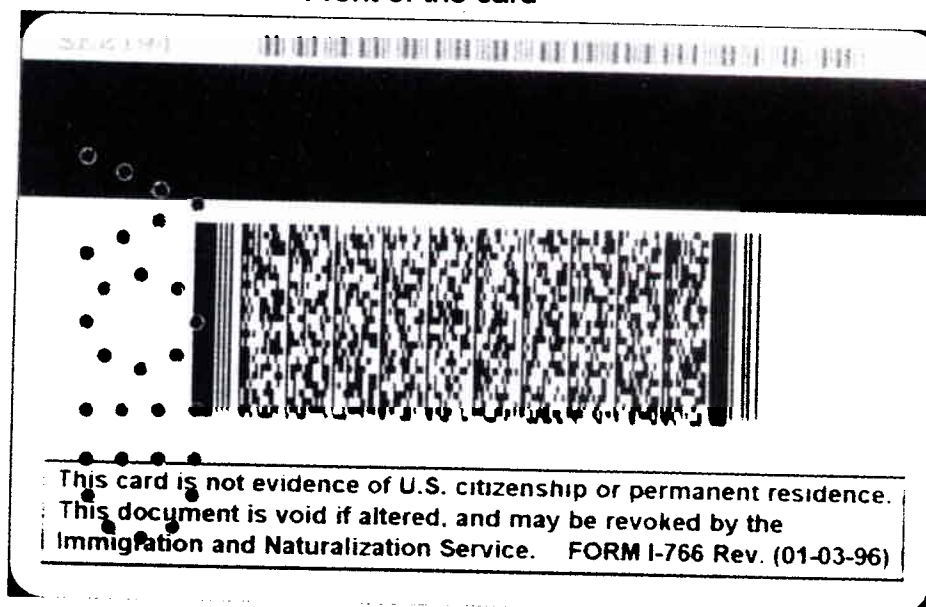
I-766 – Employment Authorization Document (EAD)

This EAD document is one of several that indicate an immigrant has been granted permission to work in the U.S. Codes on the front of the card indicate the person's immigration status by referencing the subsection of the regulation authorizing employment – 8 CFR § 274a.12. For example, an asylum applicant would be issued a card with the code "(c) (8)," which refers to 8 CFR § 274a.12 (c) (8).

Sample of the I-766 EAD Card



Front of the card



Back of the card

Key to I-766, I-688 Employment Authorization Document (EAD)

There are codes on the front of the card that indicate the person's immigration status and the section of the regulation authorizing employment. The following list of codes is not exhaustive.

CODE ON EAD	EMPLOYMENT AUTHORIZATION MEANING
(a)(3)	Refugee
(a)(4)	Paroled as a refugee*
(a)(5)	Granted asylum
(a)(6)	Fiancé(e) of a U.S. citizen dependent of fiancé(e)
(a)(7)	Son or daughter of former international organization employee
(a)(8)	Citizen of the Federated States of Micronesia or the Marshall Islands
(a)(9)	Children of citizen/LPR [K nonimmigrant-LIFE ACT] [V nonimmigrant]
(a)(10)	Granted withholding of deportation
(a)(11)	Granted extended voluntary departure or DED
(a)(12)	Granted temporary protected status (TPS)
(a)(13)	Granted family unity
(a)(15)	Spouses of LPR and dependents of spouse [K nonimmigrant-LIFE ACT] [V nonimmigrant]
(c) (1)	Dependent of foreign government official
(c) (2)	E-1 nonimmigrant
(c)(3)(i)-(iii)	Foreign students
(c)(4)	Dependent of employee of international organization
(c)(5)	Dependent of exchange visitor
(c)(6)	Foreign student
(c)(7)	Dependent of NATO employee
(c)(8)	Asylum applicant
(c)(9)	Applicant for adjustment to lawful permanent resident
(c)(10)	Applicant for suspension of deportation
(c)(11)	Paroled for emergent or public interest reasons*
(c)(12)	Granted voluntary departure
(c)(13)	Deportation or exclusion proceedings pending
(c)(14)	Granted deferred action
(c)(16)	Applicant for registry (resided in U.S. since before January 1, 1972)
(c) (17)(i)	Employee of business visitor
(c) (17)(ii)	Employee of foreign airline
(c) (18)	Deportable alien under order of supervision
(c) (19)	TPS applicant
(c) (20)	Applicant for Special Agricultural Worker Legalization (INA Section 210)
(c) (21)	Nonimmigrant witness or informant and dependents (S status)
(c) (22)	Applicant for legalization under INA Section 245A
(c) (24)	Applicant for adjustment under the LIFE Act Legalization Program
(c) (25)	Immediate family member of T status nonimmigrant

Attachment F-1

Date: _____

Case Number: _____

Case Name: _____

(Address of Local Social Security Office)

Dear Social Security Administration:

Pursuant to Federal law, a Social Security number is an eligibility requirement for the receipt of Federal public benefits (42 U.S.C. 1320b-7[a][1], [b][1], [b][2], [b][4]).

_____ has been deemed
(Alien/Immigrant's Name) (Date of Birth) (Sex [M/F])

otherwise eligible for benefits under one or all of the following Federal assistance programs:

- Temporary Assistance to Needy Families (42 U.S.C. 601 et seq.)
- Supplemental Nutrition Assistance Program (SNAP) (7 U.S.C. 2014 et seq.)
- Medicaid (42 U.S.C. 1396 et seq.)

Please assign a Social Security number to _____, as the applicant has met all
(Alien/Immigrant's Name)

the eligibility requirements for _____
(List the Federal assistance program[s] above for which applicant qualifies)

except the possession of a Social Security number.

If you have any questions regarding this request, you may contact _____
(Name of Contact Person)

at _____
(Telephone Number)

Sincerely,

Name

Title

Attachment F-2



Date: _____
Case Number: _____
Case Name: _____

(Address of Local Social Security Office)

Dear Social Security Administration:

Pursuant to New York State law and regulation, all applicants and legally responsible relatives must provide or apply for a Social Security number for receipt of New York State Safety Net Assistance (**Social Service Law § 134-a; 18 NYCRR § 370.2[c][3]**).

Please assign a Social Security number to _____
(Alien/Immigrant's Name)

_____, _____, as the applicant has met all the eligibility requirements for Safety Net Assistance,
(Date of Birth) (Sex [M/F])
except for the possession of a Social Security number.

If you have any questions regarding this request, you may contact _____
(Name of Contact Person)

at _____ .
(Telephone Number)

Sincerely,

Name

Title

Example A:

Ms. French applied for Cash Assistance, Supplemental Nutrition Assistance Program (SNAP) benefits, and Medicaid on 5/1/12. Her husband is a Lawful Permanent Resident (LPR). Ms. French entered the U. S. on 8/10/10 on a **V** (Spouse of LPR) visa. Her husband previously filed an I-130 petition for her in August 2009. The I-130 petition is currently pending. Ms. French was recently admitted to the hospital due to physical abuse by her husband. She has been forced to leave their joint residence and used all her resources to secure an apartment for herself and her infant child who is a U.S. citizen. She is applying for benefits for herself and her minor child because she is no longer receiving any support from her husband.

Ms. French informed the Specialized JOS Worker that she has filed an I-360 self-petition and provided an I-797 (acknowledgment of receipt) as proof. The Specialized JOS Worker determines that Ms. French needs a determination of credibility for benefits from the Domestic Violence Unit (DVU) in order to establish a qualified status. Because Ms. French has not yet received a letter of determination of prima facie from the United States Citizenship and Immigration Services (USCIS), it is necessary for the Domestic Violence Liaison (DVL) to assess her credibility under the Violence Against Women Act. (VAWA). The DVL determined that she is a credible victim of battery. However in addition to being credible, an alien must meet two additional requirements to obtain qualified status. To qualify as a Battered Alien, the Specialized JOS Worker must determine that:

- Ms. French is no longer residing in the same household as the abuser;
- There is a substantial connection between the need for benefits and the battery.

Ms. French meets these requirements and is a qualified alien. Ms. French's Alien/Citizenship Indicator (ACI) is **B** (Battered). Ms. French qualifies for Safety Net Assistance (SNA) and Medicaid. Ms. French's daughter is eligible to receive FA, MA, and SNAP benefits. Therefore, this case must be registered and processed as a multi-suffix case.

Example B:

Ms. Santiago and her child are applying for CA, SNAP benefits, and Medicaid. She submitted documentation to the Specialized JOS Worker which confirmed that they are Refugees. Ms. Santiago told the Specialized JOS Worker that her husband physically abused her and that she and her child had to move out of their apartment and now reside with a friend. She also stated that she has no resources. The Specialized JOS Worker assessed her documentation and determined Ms. Santiago and her child are eligible for public benefits under the Refugee category. In processing Ms. Santiago's case, the Specialized JOS

Worker makes a referral to the DVU for Ms. Santiago. In this instance, Ms. Santiago's ACI code is **R** (Refugee) as her eligibility is based on her Refugee status. Ms. Santiago and her child are to receive FA, SNAP benefits, and MA. However, this DVL referral is for Ms. Santiago to receive services offered to all victims of domestic violence. It is not a referral for a credibility assessment.

Example C:

Ms. English is an unmarried adult applying for CA, SNAP benefits, and Medicaid. Ms. English reports to the Specialized JOS Worker that she entered the U.S. in October 2010 on a tourist visa and overstayed her visit. She also shares that she currently resides with her sister.

Ms. English states that her sister is financially supporting her because she resided with an abusive boyfriend for several months but recently left her boyfriend's home.

She also stated that her sister has filed an I-130 on her behalf which is pending. She presents an I-797 indicating an I-130 that is still pending with USCIS.

The Specialized JOS Worker requests a SAVE clearance and using the USCIS online status database that proves her I-130 is pending.

After consulting both the Alien Eligibility Desk Aid (**LDSS-4579**) and the PRUCOL desk guide (**W-205JJ**), the Specialized JOS Worker could not find a status under which Ms. English qualifies for benefits. Therefore, before denying benefits to Ms. English, the JOS Worker further consulted with the Office of Procedures and/or ORIA.

The conclusion made is that Ms. English is ineligible for public benefits under any qualified status (including PRUCOL) because:

- Ms. English has no status with USCIS at present, she overstayed her tourist's visa which rendered her undocumented; and
- The I-130 application was filed by her sister and not a spouse; and
- The I-130 filed by her sister on her behalf, is only in pending status which does not give Ms. English any legal right to be here in the U.S. and USCIS can decide to deport her at any time; and
- She cannot be considered eligible for Battered Alien status because the batterer was a boyfriend and not a US citizen or LPR spouse.

The Specialized JOS Worker rejects the case (**F92**) and enters ACI code **E** (Non Qualified Aliens Eligible for Emergency Medicaid). However, Ms. English may still be referred to the DVU to receive services provided to all victims of domestic violence.

The USCIS homepage should be used to access the USCIS online database when the worker is presented with the **I-797** in order to determine if the individuals current immigration application is approved, pending or denied.

The screenshot shows the USCIS homepage with the following elements:

- Header:** U.S. Citizenship and Immigration Services logo and name. Navigation links: Home | Español | Blog | Archive | Index. Search bar with a Search button.
- Menu:** FORMS, NEWS, RESOURCES, LAWS, OUTREACH, ABOUT US.
- Section: HEADLINES**
 - CASE STATUS:** "Enter your receipt number" input field, "Check Status" button.
 - INFOPASS:** "Schedule a FREE Appointment Remember to keep your PIN"
 - I WANT TO:**
 - Contact USCIS
 - Take the Naturalization Self Test
 - e-File My Form I-539 with USCIS ELIS
 - File My Application Online (e-Filing)
 - Get a Passport
 - Find:**
 - A USCIS Office
 - Forms Filing Fees
 - Processing Times
- Central Banner:** "Extension of Temporary Protected Status for Honduras" with a Honduras flag background and navigation arrows.
- ALERTS:**
 - USCIS to Implement Customer Identity Verification at Field Offices
 - USCIS Reaches FY 2014 H-1B Cap
 - Update on Suspension of Adjudication of Most H-2B Petitions Following Court Order
 - Continue to Use the Current Form N-400, Application for Naturalization
 - CBP Announces Automation of Form I-94 Arrival/Departure Record
- Quick Links:**
 - Green Card (Permanent Residence):** Renew or Replace My Green Card, Remove Conditions on My Green Card, Green Card Through Family, Green Card Through a Job.
 - Citizenship:** Citizenship Through Naturalization, Citizenship Through Parents, The Naturalization Test, Naturalization Ceremonies, Citizenship Resource Center.
 - Working in the US:** Information for Employers and Employees, Permanent Workers.
 - Family:** Family of U.S. Citizens, Family of Green Card Holders, Family of Refugees & Asylees.
- Footer:** "FILE YOUR I-539 ONLINE" with the ELIS (USCIS Electronic Immigration System) logo.

On the USCIS homepage (www.uscis.gov), Enter the 13-digit Application Receipt Number then click on "Check Status" button for next screen.

The USCIS results screen should be used to determine the status of an application/petition.



U.S. Citizenship and Immigration Services

Home | Español | Site Map

Search

FORMS NEWS RESOURCES LAWS OUTREACH ABOUT US

- Check My Case Status
- Sign-in to My Account
- Sign-up for Case Updates
- Check Processing Times
- Change Of Address Online
- e-Request
- Office Locator

My Case Status

[Para tener acceso a este sitio en Español, presione aquí](#)

Your Current Case Status

Enter your receipt number

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Acceptance	Initial Review	Request for Evidence	Request for Evidence Response Review	Testing and Interview	Decision	Post Decision Activity	Oath Ceremony	Card/Document Production

- Please enter an application receipt number.

To view the status of a case, please enter the corresponding application receipt number. The 13-character application receipt number can be found on application notices you have received from the USCIS. It begins with three letters such as (EAC, WAC, LIN, or SRC). Dashes ("-") should be omitted when entering a receipt number. However, all other characters, including asterisks ("*"), can be included if listed on your notice as part of the receipt number.

Listed above are the possible steps an application or petition may go through during processing. Not every application or petition will spend time in each of these steps. Once

Attachment I – Lost/Expired Documentation for Battered/Abused Noncitizens

Lost or Inaccessible Verification of Filed I-130

For battered/abused aliens who claim that an **I-130** was filed but supporting documents have been lost and any efforts to obtain verification of the applicant's alien status are not successful, a written statement from the applicant can be accepted, with the provision that an **I-360** petition must be filed. The noncitizen should be advised to contact the Legal Aid Society or a nonprofit immigration program for assistance in filing the **I-360** self-petition.

If otherwise eligible for assistance, the noncitizen must return within 30 days of application date to verify that s/he has filed an **I-360** self-petition as a condition of continued eligibility for assistance.

Lost or Inaccessible Verification of Filed I-360

If the battered/abused alien claims that verification of a pending or approved **I-360** was lost and s/he does not have an application receipt number nor does the SAVE clearance render any information, the applicant should be referred to USCIS to file an Application for Action on an Approved Application or Petition (**I-824**) or to Legal Aid Services for assistance. This form can be requested from the USCIS forms request line (**[800] 870-3676**).

Expired "K" or "V" Visa

Noncitizens with an expired "K" or "V" visa who do not have verification of a pending/approved **I-130** petition must provide proof that a visa extension was filed with USCIS before they can be considered eligible for benefits under the PRUCOL category. However, if the SAVE or USCIS inquiry indicates that the **I-130** petition was denied, the alien would have to provide proof of having filed an **I-360** self-petition to be potentially treated as a qualified alien.

Expired Prima Facie Notice

If the prima facie notice issued in response to the **I-360** application has expired, eligibility for benefits should be determined as if the notice were still valid. The battered/abuse alien must provide proof of requesting an extension of the prima facie notice or verification that the **I-360** petition was approved within 30 days of application as a condition of continued eligibility for assistance.

Expired I-551 (Conditional Permanent Resident Card)

A spouse of a U.S. citizen is given conditional permanent resident status based on an *approved* **I-130** if the two persons have been married for less than two years.

Conditional permanent residency lasts for two years. A conditional permanent resident will have an **I-551** (Permanent Resident Card) with a CR-1 or CR-2 code or some other document, such as a visa stamp in a passport with a CR designation. Aliens with conditional permanent resident status must file an **I-751** (Petition to Remove the Conditions on Residence) within 90 days of their second anniversary as a conditional resident in order to remain eligible for benefits.

A noncitizen with an unexpired **I-551** indicating conditional residency is eligible for benefits as a lawful permanent resident. However, if the conditional residency has expired and the noncitizen is claiming domestic violence but cannot provide proof of filing an **I-751** or an **I-360**, a written statement from the noncitizen can be accepted. However, the noncitizen must be instructed to file another **I-360**.

Confirming the Status of an EOIR Notice

To confirm the status of an EOIR notice, the Immigration Court Information System can be contacted at **(800) 898-7180**. Ensure when entering the noncitizen's alien number on the telephone keypad that the first "0" after the "A" is not entered.



Personal description of holder as of date of naturalization

We the People

PASSPORT

TRAVEL DOCUMENT



United States of America



U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Citizenship and Immigration Services

EMPLOYMENT AUTHORIZATION CARD

The person identified is authorized to work in the U.S. for the validity of this card.

NAME VOID, VOID V

Lee W. Cristofolini

A# 000-000-051
 CARD# SRCC0000000051
 Birthdate 01/01/80 Category M
 Country of Birth China, People's Republic of
 Name

NOT VALID FOR REENTRY

CARD VALID FROM 01/01/80 EXPIRES 01/01/80



PERMANENT RESIDENT CARD

NAME VOID, VOID V

A# 000-000-039
 Birthdate 01/01/80 Category F
 Sex F
 Country of Birth El Salvador
 CARD# SRCC0000000039
 Resident Since 01/01/80



Guide to Selected U.S. Travel and Identity Documents

Prepared by the Forensic Document Laboratory



U.S. Immigration and Customs Enforcement

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Attachment J

This guide is intended to assist those tasked with examining travel and employment authorization documents. It contains color photographs of the most commonly used documents, but it is not comprehensive. There are earlier valid revisions of some illustrated documents and other less common documents that are not illustrated here.

Because the attachments are reproductions, the exact size and color may deviate from the original. Do not make identifications based on size and/or color alone.

For any questions regarding the authenticity of the documents shown in this guide, please contact the nearest office of U.S. Immigration and Customs Enforcement (ICE).

General Information On Alien Status

In accordance with the 14th amendment to the U.S. Constitution, any person born in and subject to the jurisdiction of the United States is a citizen of the United States at birth. U.S. citizenship may also be acquired through **DERIVATION** from a U.S. citizen parent when children are born abroad or through **NATURALIZATION** after meeting the necessary residency requirements. All persons not citizens or nationals of the U.S. are aliens, who are generally classified as **PERMANENT RESIDENTS** (immigrants), **NON-IMMIGRANTS** or **UNDOCUMENTED ALIENS**.

PERMANENT RESIDENT ALIENS enjoy almost all the same rights as U.S. citizens. This status may be obtained through a number of different procedures and, unless taken away administratively, is granted for life. Aliens with permanent residency must carry evidence of their status.

NON-IMMIGRANT ALIENS are admitted to the U.S. for a temporary period of time and for a specific purpose, most often as tourists. There are different categories of non-immigrants and they are identified through letter/number symbols (such as “B-2”). Non-immigrants are also required to present evidence of their lawful status in the U.S. to officers of ICE. This will usually consist of a passport containing a visa and an Arrival/Departure Record (Form I-94 or CBP I-94A).

UNDOCUMENTED ALIENS are those who may have crossed the border illegally and/or been smuggled into the interior of the U.S. or those who have violated their non-immigrant status by accepting unauthorized employment, remaining longer than permitted or committing some other violation. Some of these aliens purchase counterfeit documents or assume another person’s identity by using fraudulently obtained genuine documents.

Attachment J



The Emergency Passport booklet looks similar to the E-Passport, but it does not contain a chip and is only issued for a limited period of validity.



Older versions of the U.S. passport remain valid until the expiration dates printed in the passport booklet.

Attachment J

The current version of the CERTIFICATE OF NATURALIZATION, now issued by U.S. Citizenship and Immigration Services (USCIS), is similar to the previous version issued by the Immigration and Naturalization Service. It contains a gold embossed Great Seal of the United States in the top center portion. The watermark design, visible when the document is held up to a strong light, contains the emblem of the Department of Homeland Security (DHS).



DHS watermark

Attachment J

Older versions of the certificate of naturalization continue to serve as valid evidence of U.S. citizenship. The last version issued by the INS was similar to the current DHS certificate. It too bore a gold embossed Great Seal of the United States in the top center portion. The watermark design contained the the Department of Justice seal and the letters “USA.”



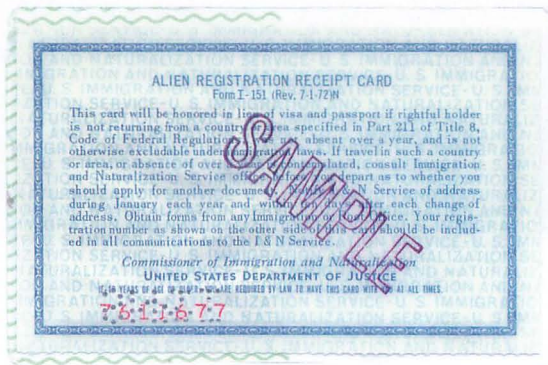
Department of Justice watermark

Earlier versions of the certificate had gray or beige background designs and did not contain the embossed seal. Original certificates of naturalization were printed on watermarked paper.

Attachment J

Forms I-151 and I-551 are issued to aliens who have been granted permanent resident status in the United States. They retain this status while in this country. The bearer is required to have this card in his/her possession at all times.

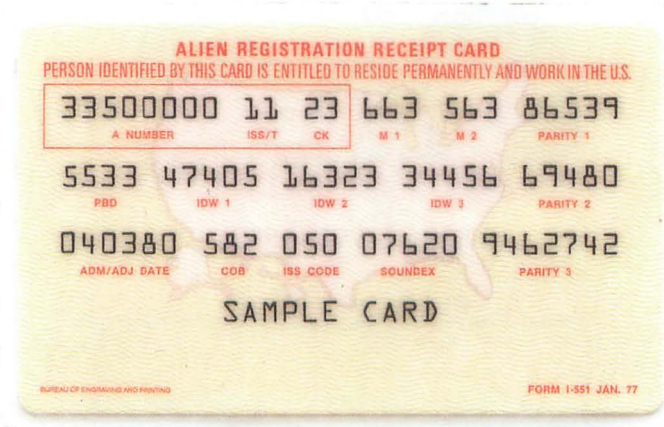
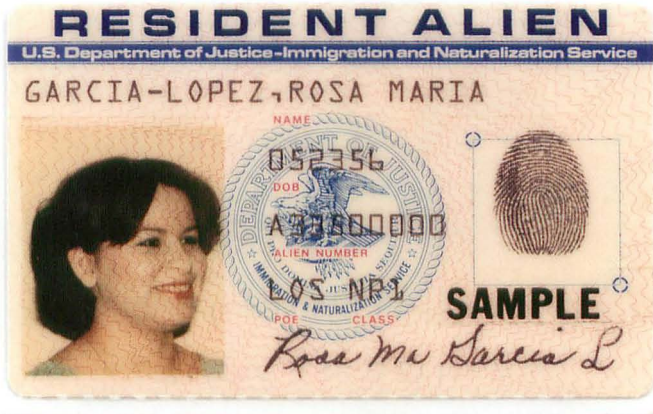
The first ALIEN REGISTRATION RECEIPT CARD, Form I-151, was introduced in 1946. Through 18 years of various revisions, it remained primarily green in color, causing it to become known as a "Green Card." This term is still used commonly, although the cards have not been green since 1959. The I-151 cards contained no expiration date and were only required to be renewed if the recipient was under the age of 14 at the time of issuance or if the card was lost or stolen. As of March 20, 1996, the Form I-151 is no longer acceptable as evidence of permanent residence.



Form I-151

Attachment J

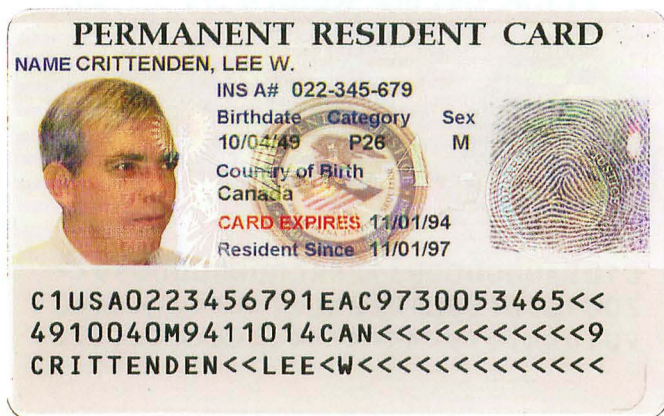
The RESIDENT ALIEN CARD, Form I-551, was introduced in January 1977 and phased in over a period of time. In addition to the photograph, the I-551 contains the bearer's signature and fingerprint. As with the older I-151 cards, this version I-551 generally does not contain an expiration date.



Form I-551 (1977)

Attachment J

The PERMANENT RESIDENT CARD, Form I-551, was introduced in December 1997. Noticeable differences on the front of the card include a change of card title from RESIDENT ALIEN CARD to PERMANENT RESIDENT CARD, a three-line machine readable zone and the addition of a hologram.



Form I-551 (1997)



Reverse

The optical memory stripe on the reverse contains encoded cardholder information as well as a personalized etching which depicts the bearer's photo, name, signature, date of birth, alien registration number, card expiration date and card number.

Attachment J

This EMPLOYMENT AUTHORIZATION DOCUMENT, Form I-688B, was introduced in November 1989 and issued to aliens who were granted permission to be employed in the U.S. for a specific period of time. The card was produced with a Polaroid process and had interlocking gold lines across the front.



Form I-688B

In January 1997, INS began issuing a new EMPLOYMENT AUTHORIZATION CARD, Form I-766. The front of the card bore the photograph, fingerprint and signature of the bearer. The reverse contained a standard bar code, magnetic strip and a two-dimensional bar code which contains unique card, biographic and biometric data.



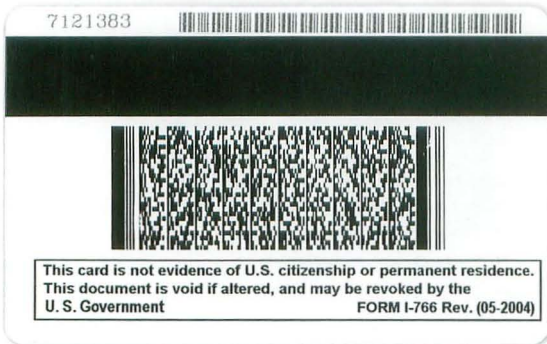
Form I-766 (1997)

Attachment J

The EMPLOYMENT AUTHORIZATION CARD, Form I-766 was updated in May 2004. It incorporated the DHS seal but is otherwise similar to the previous version, with a photograph, fingerprint and signature of the bearer beneath a holograph film. The reverse side displays a standard bar code, magnetic strip and a two-dimensional bar code containing encoded data. The card was revised again in August 2004, using a full frontal face photograph instead of the three quarter face position. The reverse continues to bear the revision date of 05-2004.



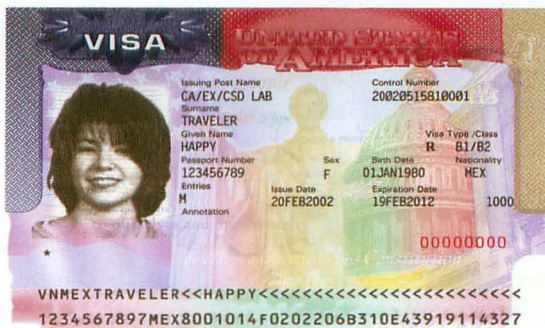
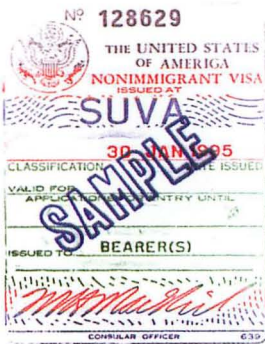
Form I-766 (2004)



Reverse

Attachment J

There are four types of NON-IMMIGRANT VISAS. The non-machine readable visa is printed with a multicolored ribbon while the machine readable visas are stickers which are applied to the passport page. Visas are used for entry purposes and must be valid on the date of entry into the U.S. It is not necessary for the visa to be valid after entry.

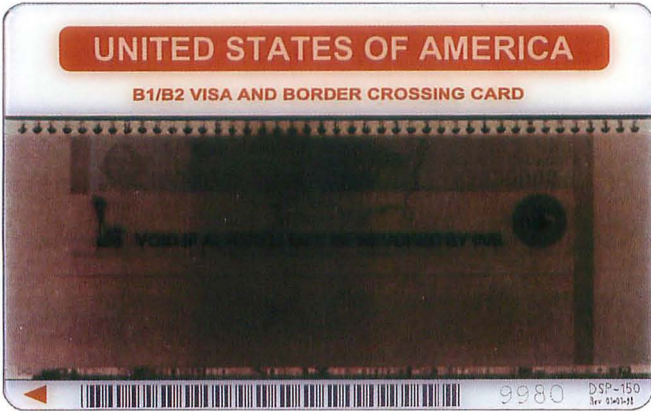


Attachment J

The U.S. Department of State introduced this version of the **BORDER CROSSING CARD**, Form DSP-150, in May 1998. The front of the card has a three-line machine readable zone and a hologram. Bearers of this card are not entitled to live or work in the United States.



Form DSP-150 (1998)



Reverse

The optical memory stripe contains encoded cardholder information as well as a personalized etching which depicts the bearer's photo, name, date of birth and card expiration date.

Attachment J

When an alien has been granted admission into the U.S. by a U.S. Customs and Border Protection (CBP) Officer at an authorized Port of Entry, he/she will be issued an ARRIVAL/DEPARTURE RECORD, Form I-94, the bottom portion of which is stapled to a page in the alien's passport. This document shows how long the bearer may remain in the U.S. and the terms of admission. The I-94, not the non-immigrant visa, serves as evidence of legal status.

Departure Number		OMB No. 1651-0111
b2b633123 12		
I-94 Departure Record		
14. Family Name	S, A, M, P, L, E	
15. First (Given) Name	16. Birth Date (Day/Mo/Yr)	
J, A, N, E	2, 3, 0, 3, 6, 8	
17. Country of Citizenship	N, E, W, Z, E, A, L, A, N, D	
See Other Side	CBP Form I-94 (10/04) STAPLE HERE	

Form I-94

Nationals of some countries can enter the United States without a visa under the Visa Waiver Program. They are given a green I-94W and permitted to remain in the United States up to 90 days.

Departure Number		OMB No. 1651-0113
b95349308 12		
DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection VISA WAIVER		
14. Family Name	S, A, M, P, L, E	
15. First (Given) Name	16. Birth Date (day/mo/yr)	
J, O, H, N	1, 9, 0, 7, 7, 2	
17. Country of Citizenship	U, N, I, T, E, D, K, I, N, G, D, O, M	
See Other Side	CBP Form I-94W (10/04) Staple Here	

Form I-94W

Attachment J

USCIS can extend a period of admission or change a non-immigrant status after an I-94 has been issued. The approval for an extension or change of status is shown on an I-797A Approval Notice.

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797A, Notice of Action

UNITED STATES OF AMERICA

PETITION NUMBER LIN-06-188-5	CASE TYPE 1519	APPLICATION TO EXTEND/CHANGE NONIMMIGRANT STATUS
RECEIVED BY May 22, 2006	FROM OFFICE 	OFFICE
SUBMITTED BY July 24, 2006	PAGE 1 of 1	STATUS

Notice Type: Approval Notice
 Class: B2
 Valid from 05/20/2006 to 11/19/2006

The above application for extension of temporary stay is approved. The temporary stay of the named applicant(s) is authorized to the date indicated above. An updated Form I-94 is attached.
 If the applicant has an authorized representative, this notice has also been mailed to the representative.
 Please read the back of this form carefully for more information.
 THIS FORM IS NOT A VISA AND MAY IT BE USED TO PLACE ON A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

MEMPHIS SERVICE CENTER
 U. S. IMMIGR. & NATZ. SERVICE
 P.O. BOX 25221
 LINCOLN ME 05091-2521
 Customer Service Telephone: 800-375-5283
 Form I-797A (Rev. 09/07/05)N

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

Detach This Half for Personal Records Receipt # LIN-06-188-5 I-94# 051 12 NAME K , CLASS B2 VALID FROM 05/20/2006 UNTIL 11/19/2006 PETITIONER: K , E CHICAGO IL	051 12 Receipt Number LIN-06-188-5 Immigration and Naturalization Service I-94 Departure Record Petitioner:
--	---

14. Family Name K	16. Date of Birth
15. First (Given) Name E	
17. Country of Citizenship POLAND	

Form I-797A (Rev. 10/31/05) N

Form I-797A

The lower portion of the form replaces the original I-94, but it does not require any endorsing stamp.

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

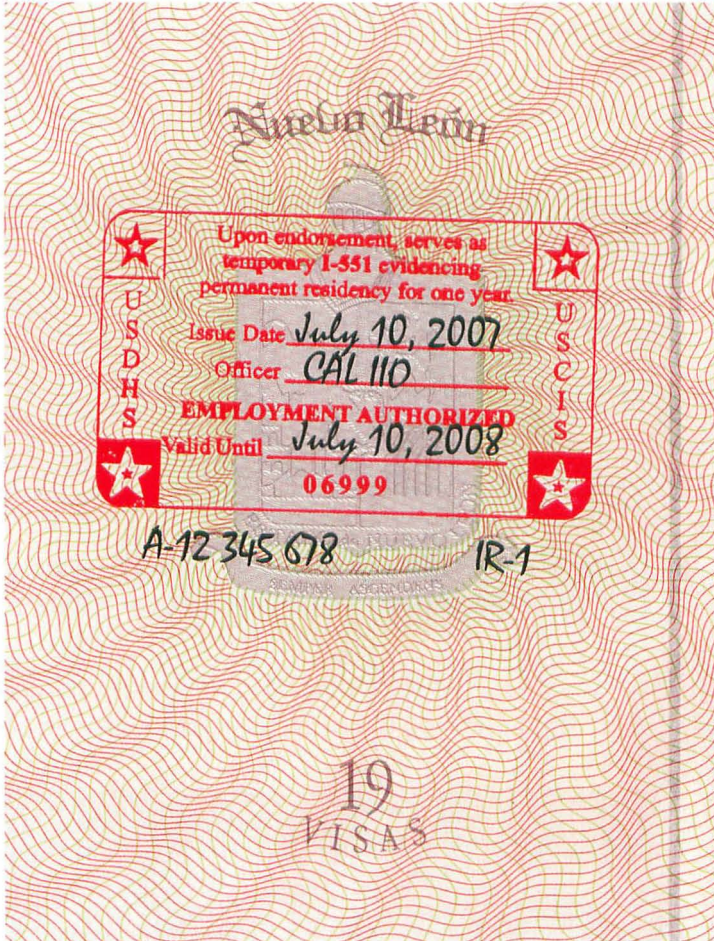
Detach This Half for Personal Records Receipt # LIN-06-188-5 I-94# 051 12 NAME K , E CLASS B2 VALID FROM 05/20/2006 UNTIL 11/19/2006 PETITIONER: K , E CHICAGO IL	051 12 Receipt Number LIN-06-188-5 Immigration and Naturalization Service I-94 Departure Record Petitioner:
--	---

14. Family Name K	16. Date of Birth
15. First (Given) Name E	
17. Country of Citizenship POLAND	

Form I-797A (Rev. 10/31/05) N

Attachment J

Some immigrants may have an impression of an ADIT stamp as proof of permanent residence without an immigrant visa. This stamp serves as evidence of immigrant status until the bearer receives a Permanent Resident Card.



The current USCIS stamp is shown above. ADIT stamps in other formats may also be encountered. Similar stamp impressions are used to demonstrate refugee or asylum status.

Attachment J

Although SOCIAL SECURITY CARDS are not immigration documents, they are mentioned here because they are often used as identification and to establish employment authorization.

Social Security cards have been issued since 1936 and have been revised more than 20 times. Originally, the Social Security card contained the seal of the Department of Health, Education, and Welfare. In May 1980, the seal changed to that of the Department of Health and Human Services. In April 1995 the seal was changed again to that of the Social Security Administration. Some counterfeiters have failed to notice these changes.

In October 1983, security features were added to the card. All Social Security cards issued since October 1983 have been printed with raised (intaglio) printing and the signature line consists of microline printing of the words "SOCIAL SECURITY ADMINISTRATION" in a repeating pattern.



This card belongs to the Social Security Administration and you must return it if we ask for it.

If you find a card that isn't yours, please return it to:
Social Security Administration
P.O. Box 33008, Baltimore, MD 21290-3008

For any other Social Security business/information, contact your local Social Security office. If you write to the above address for any business other than returning a found card you will not receive a response.

Social Security Administration
Form SSA-3006 (11-2006)

F 15532006

Attachment J

To order copies of this document,
“Form M-396; Guide to Selected U.S. Travel and Identity Documents,”
please complete the appropriate form and mail or fax to:

**Customs and Border Protection
National Distribution Center**

P.O. Box 68912
Indianapolis, IN 46268

Fax: 317-290-3046

For government requests, please use **Form CBP-3039**.

All other requests should use **Form CBP-262**.

Links for these forms may be found in the
Forensic Document Laboratory fact sheet
posted on ICE's Web site:

www.ice.gov



**U.S. Immigration
and Customs
Enforcement**

Form M-396
4/2008

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
Refugees	R	<p>I-94: stamped "Admitted under Section 207 of the INA," "Refugee," "RE1, RE2, RE3, RE4" or</p> <p>I-551: stamped "R8-6, RE5, RE6, RE7, RE8 or RE9" or</p> <p>I-571: Refugee Travel Document or</p> <p>I-688B: Employment Authorization Document annotated with "8 C.F.R. § 274a.12(a) (3)" or</p> <p>I-766: Employment Authorization Document annotated "a3"</p>	Entry				
Cuban/Haitian Entrants	H	<p>I-94: stamped "Cuban/Haitian Entrant (status pending)," "Section 212(d) (5) of the INA," "Form I-589 filed," or "CU6," or CU7" or</p> <p>I-94 stamp showing parole under Section 212(d)(5) of INA or stamp showing parole in US on or after 10/10/80 and reasonable evidence that parolee has been a National (citizen) of Cuba or Haiti² or</p> <p>I-551: stamped "CU6, CU7, or CH6" or</p> <p>Temporary I-551 stamp in foreign passport. or</p> <p>USCIS notice or letter indicating ongoing exclusion or deportation proceedings</p>	Status Granted				Yes
Asylees	A	<p>I-94: stamped "Granted asylum under Section 208 of the INA" or</p> <p>I-551: Stamped "AS1,AS2, AS3, AS6, AS7, or AS8" or</p> <p>I-688B: Employment Authorization Card annotated with "8 C.F.R. § 274a.12(a)(5)" or</p> <p>I-766: Employment Authorization Document annotated "(a5)" or</p> <p>Grant letter from USCIS Asylum Office or</p> <p>Order of an immigration judge granting asylum.</p>					

¹REMINDER: For Medicaid, undocumented aliens and temporary non-immigrants may receive coverage for care and services necessary for the treatment of *emergency* medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible. Pregnant women may be provided Medicaid *at any time* without regard to alien status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus (CH Plus) program.

²EXCEPTION: This guideline does not apply when the individual 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.

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
Amerasian Immigrants	R	<p>I-94: stamped "AM1, AM2, AM3, AM6, AM7, or AM8." Derive date of entry from date of inspection on stamp; if date is missing, obtain from I-551 or from USCIS</p> <p>or</p> <p>I-551: stamped "AM1, AM2, AM3, AM6, AM7, or AM8"</p> <p>Temporary I-551 stamp in foreign passport</p> <p>or</p> <p>1-571: Refugee Travel Document</p> <p>or</p> <p>Vietnamese exit visa or passport stamped "AM1, AM2, or AM3"</p>	Entry				
Deportation or Removal Withheld	J	<p>I-688B: Employment Authorization Card annotated with "8 C.F.R. § 274a.12(a)(10)"</p> <p>or</p> <p>I-766: Employment Authorization Document annotated "(a10)"</p> <p>or</p> <p>Order from 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 INA</p>				Yes	
Certain Hmong or Highland Laotian	Z R (MA)	<p>I-94: stamped "Admitted under Section 207 of the INA," "Refugee," "RE1, RE2, RE3, or RE4"</p> <p>or</p> <p>INS I-551: Stamped "RE5, RE6, RE7, RE8, or RE9"</p> <p>Has a signed affidavit sworn under penalty of law that s/he was a member of Hmong or Highland Laotian tribe between 8/5/64 and 5/7/75 or a verified spouse*, widow, widower or unmarried dependent of a tribal member</p> <p>and</p> <p>Documents to show lawfully residing in the US</p> <p>*Divorced spouses do not qualify</p>	Status Granted				

¹REMINDER: For Medicaid, undocumented aliens and temporary non-immigrants may receive coverage for care and services necessary for the treatment of *emergency* medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible. Pregnant women may be provided Medicaid *at any time* without regard to alien status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus (CH Plus) program.

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	SNAP Benefits
* Lawfully Admitted For Permanent Residence (LPR) <u>with</u> 40 Qualifying Quarters	S	<u>I-551</u> : (Permanent Resident Card) or Temporary <u>I-551</u> stamp in foreign passport or on <u>I-94</u>	Entered Before 8/22/96			Yes	
		<u>I-327</u> : (Re-entry Permit) or <u>I-181</u> : Memorandum of Creation of Lawful Permanent Residence with approval stamp Proof of qualifying quarters and	Entered On/After 08/22/96	Yes	Yes, after 5 years in US in a qualified status		Yes
Lawfully Admitted For Permanent Residence (LPR) <u>without</u> 40 Qualifying Quarters	K	<u>I-551</u> : (Permanent Resident Card) or Temporary <u>I-551</u> stamp in foreign passport or on <u>I-94</u> .	Entered Before 8-22-96		Yes	Yes	Yes if: <ul style="list-style-type: none"> In a qualified status and in receipt of certain disability benefits [7 USC 2012(r)] or After five years in US in a qualified status or In a qualified status and under age 18
		<u>I-327</u> (Re-entry Permit) or <u>I-181</u> : Memorandum of Creation of Lawful Permanent Residence with approval stamp	Entered On or After 08/22/96	Yes	Yes, after 5 years in US in a qualified status	Yes	
Veteran, spouse, unmarried surviving spouse and unmarried dependent child of a U.S. veteran who fulfilled minimum active duty requirement (2 years)	V	A Discharge Certificate (Form DD-214) 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.	Status Granted			Yes	
Active Military: Active duty or a member of the Armed Forces on full-time duty in the Army, Navy, Air Force, Marine Corps or Coast Guard, spouse and children	M	Military Identification Card (DD Form 2) (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.	Status Granted			Yes	
Conditional Entrant (status granted to refugees before 1980)	F	<u>I-94</u> with stamp showing admitted under Section 203(a)(7) of INA or <u>I-688B</u> (Employment Authorization Card) annotated "274a.12(a)(3)" or <u>I-766</u> (Employment Authorization Document) annotated "(A1)" or "(A3)"	Entry			Yes	

*No quarters earned after 12/31/96 may be counted in which an alien has received a Federal means-tested public benefit (FA, SSI, SNAP or Medicaid.)

¹REMINDER: For Medicaid, undocumented aliens and temporary non-immigrants may receive coverage for care and services necessary for the treatment of *emergency* medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible. Pregnant women may be provided Medicaid at *any time* without regard alien status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus (CH Plus) program.

Description of Status	WMS/ ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	SNAP Benefits
<p>A US citizen's or LPR's battered spouse, or child, or parent or child of such battered person, who obtains "Notice of Prima Facie Case from USCIS under the Violence Against Women Act (VAWA)</p>	<p>B³</p>	<p>I-797 (Notice of Action) indicating prima facie eligibility of an I-360 self-petition under INA Section 204(a)(1)(A) (iii) or (iv); or INA Section 204(a)(1)(iii)(B) (i) or (iii)</p>	<p>Entered Before 8/22/96</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes if:</p> <ul style="list-style-type: none"> • In a qualified status and in receipt of certain disability benefits [7 USC 2012(r)] or • After five years in US in a qualified status or • In a qualified status and under age 18 or • In a qualified status and have 40 qualifying quarters
<p>A U.S. citizen's or LPR's battered spouse, or child, or parent or child of such battered person, whose I-360 self – petition under VAWA is approved</p>		<p>I-797 (Notice of Action) indicating approval of an I-360 self-petition under INA Section 204(a)(1)(A)(iii) or (iv), or INA Section 204(a)(1)(iii)(B) (i) or (iii)</p>	<p>Entered Before 8/22/96</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	
<p>A U.S. citizen's or LPR's battered spouse or child or parent or child of such battered person, whose I-360 self-petition under VAWA is pending and is determined to be a credible victim of domestic violence by the social services district's Domestic Violence Liaison (DVL)</p>		<p>I-797 (Notice of Action) indicating pending I-360 self-petition under INA Section 204(a)(1)(A)(iii) or (iv), or INA Section 204(a)(1)(iii)(B) (i) or (iii)</p>	<p>Entered Before 8/22/96</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	
			<p>Entered On/After 8/22/96 The relevant date for eligibility is the date qualified status was obtained</p>	<p>Yes</p>	<p>Yes, after 5 years in US in a qualified status</p>	<p>Yes</p>	

ALIEN ELIGIBILITY DESK AID

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	SNAP Benefits
<p>An alien determined to be a credible victim of domestic violence by the social services district's DVL with a pending or approved I-130 petition</p>		<p>I-797 (Notice of Action) indicating approval or pending I-130 visa petition under Section 201(b) of the INA (spouse or child of a U.S. citizen) or Section 203(a)(2)(A) (spouse or child of a permanent legal resident);</p>	<p>Entered Before 8/22/96</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes, If:</p> <ul style="list-style-type: none"> • In a qualified status and in receipt of certain disability benefits [7 USC 2012(r)] <li style="text-align: right;">or • After five years in US in qualified status <li style="text-align: right;">or • In a qualified status and under age 18 <li style="text-align: right;">or • In a qualified status and have 40 qualifying quarters
		<p>I-94 coded K3, K4, V1, V2 or CR -1-7 and a pending or approved I-130;</p> <p>Any other USCIS document indicating the alien has a K or V visa and a pending or approved I-130;</p> <p>I-688B or I-766 (Employment Authorization Documents) annotated (a)(9) or (a)(15)</p>	<p>Entered On/After 8/22/96</p> <p>The relevant date for eligibility is the date qualified status was obtained</p>	<p>Yes</p>	<p>Yes, after 5 years in US in a qualified status</p>	<p>Yes</p>	
<p>An application for VAWA cancellation of removal or suspension of deportation has been granted or is pending and the immigration court finds that applicant has a prima facie case for this relief</p>	<p>B³ (Cont'd.)</p>	<p>Order from the Executive Office of Immigration Review (EOIR) under INA 240A(b) or if the application is pending documentation that the court finds that the applicant has a "prima facie case" for this relief</p>	<p>Entered Before 8/22/96</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	
			<p>Entered On/After 8/22/96</p> <p>The relevant date for eligibility is the date qualified status was obtained</p>		<p>Yes, after 5 years in US in a qualified status</p>	<p>Yes</p>	

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	SNAP Benefits
Victim of Human Trafficking	D (Upstate) R (NYC)	Certification Document (for adults) or Eligibility Letter (for children) from the Office of Refugee Resettlement (ORR); Must call 1-866-401-5510 for verification I-94 Coded T1, T2, T3, T4 or T5 stating admission under Section 212(d)(5) of the INA if status granted for at least one year	Entry ⁴			Yes	
Parolee (for at least one year) (Non-citizens who have been allowed to come into the U.S. for humanitarian or public interest reasons)	G	I-94 with annotation "Paroled pursuant to Section 212(d)(5)" or "parole" or "PIP" with date of entry and date of expiration indicating one year I-688B annotated "8 CFR Section 274a.12(a)(4) or 274(a) 12(c)(11)" I-766 annotated "C11" or A4, and I-94 indicating admitted for at least one year	Entered before 8/22/96	Yes			Yes, If: <ul style="list-style-type: none"> In a qualified status and in receipt of certain disability benefits [7 USC 2012(r)] or After five years in US in qualified status or In a qualified status and under age 18 or In a qualified status and have 40 qualifying quarters
			Entered on or after 8/22/96	Yes	Yes, after 5 years in US in a qualified status	Yes	
Parolee (for less than one year)	T	I-94 with annotation "Paroled pursuant to Section 212(d)(5)" or "parole" or "PIP" I-688B coded 274a.12(a)(4) or 274a12(c)(11) I-766 coded A4 or C11	NA	Yes	No	Yes	No
North American Indian born in Canada	To be determined (PA) C (MA)	I-551: (Permanent Resident Card): stamped "S1-3", temporary I-551 stamp in a Canadian passport I-94: stamped "S1-3" Tribal document certifying at least 50% American Indian blood, as required by Section 289 of the INA or documented member of a federally recognized tribe and School records, A birth or baptismal certificate issued on a reservation, or Other satisfactory evidence of birth in Canada	NA			Yes	

REMINDER: For Medicaid, undocumented aliens and temporary non-immigrants may receive coverage for care and services necessary for the treatment of *emergency* medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible. Pregnant women may be provided Medicaid *at any time* without regard to alien status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus (CH Plus) program.

⁴ For a Victim of Human Trafficking, ENTRY means the date of Certification by the Office of Refugee Resettlement (ORR) – See 03 ADM-1.

Description of Status	WMS/ACI Code	Common Documentation	Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	SNAP Benefits
Member of federally recognized tribe born outside U.S.	To be determined (PA) C (MA)	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	NA	Yes			
PRUCOL (not in any of above statuses)	O (PA & MA)	See GIS 07 TA/DC001 See OMM 04 ADM-7 AND 07 OHIP INF-2	NA	Yes ⁵	No ⁵	Yes ⁵	No
Undocumented immigrants or non-immigrants (aliens with a temporary immigration status)	E		NA	Treatment of emergency medical condition only ¹	No		

¹ REMINDER: For Medicaid, undocumented aliens and temporary non-immigrants may receive coverage for care and services necessary for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible. Pregnant women may be provided Medicaid at any time without regard to alien status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus (CH Plus) program.

⁵ PRUCOL refers to aliens who are permanently residing in the US under Color of Law. OTDA's and the Department of Health's (DOH) interpretation of PRUCOL is different. A description of TA PRUCOL can be found in GIS 07 TA/DC001. A description of MA PRUCOL can be found in OMM 04 ADM-7 and 07 OHIP INF-2.

United States Citizenship and Immigration Services (USCIS – Formerly INS) Documents

I-94	Arrival/Departure Record	I-571	Refugee Travel Document
I-130	Petition for an Alien Relative	I-688	Temporary Resident Card
I-181	Memorandum of Creation of Record of Lawful Permanent Residence	I-688A	Employment Authorization For Legalization Applicants
I-327	Reentry Permit of Permanent Residents	I-688B	Employment Authorization Card
I-360	Special Immigrant Petition	I-766	Employment Authorization Card
I-485	Application to Register Permanent Residence or to Adjust Status	I-797	Notice of Action (1-797C current version)
I-551	Legal Permanent Resident Card, Resident Alien Card or "green card"		

Footnotes for Pages 4 and Page 5

³ There are four requirements for qualified battered alien status:

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.

Date: _____

Case Number: _____

Case Name: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

05 CV 10446 (JSR)

M.K.B., et al.,

**DECLARATION OF
APPLICATION FOR A
SOCIAL SECURITY NUMBER**

Plaintiffs,

- against -

VERNA EGGLESTON, et al.,

Defendants.

DECLARATION OF APPLICATION FOR A SOCIAL SECURITY NUMBER

SAMPLE

1. On _____, 20____, I, _____,
Month Day Year Name

submitted a complete application for a Social Security Number in connection with my combined application for Safety Net Assistance and State-funded Medicaid at the following office of the Federal Social Security Administration:

Address: _____
Street City State

2. I applied for a Social Security Number for (check all applicable boxes):

_____ myself

_____ another household member whose name is: _____
(Name of public benefits Applicant)

_____ another household member whose name is: _____
(Name of public benefits Applicant)

_____ another household member whose name is: _____
(Name of public benefits Applicant)

_____ another household member whose name is: _____
(Name of public benefits Applicant)

3. I offered a Social Security Administration employee the letters for myself and each household member I was given by an employee of the New York City Human Resources Administration that requests the Social Security Administration to assign a Social Security Number to me and other household members named in paragraph 2.
4. The Social Security Administration employee took my application for a Social Security Number.
5. I asked the Social Security Administration employee for a written acknowledgment that I applied for a Social Security Number for myself and for other household members named in paragraph 2, but the Social Security Administration employee did not give it to me.
6. I have not received a letter from the Social Security Administration denying the application I made on behalf of myself or any household member named in paragraph 2 for a Social Security Number.
7. I understand that if I did not apply for a Social Security Number, I may be ineligible for Safety Net Assistance and/or State-funded Medicaid and/or subject to recovery of any benefits that I did receive.

SAMPLE

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Signature

Date

Date: _____
Case Number: _____
Case Name: _____
Caseload: _____
Action Code: _____

Special Assessment Letter

You have been scheduled for a Special Assessment:

Appointment Date: _____ Time: _____ Telephone: _____
Location Name: _____
Address: _____

City: _____ State: _____ Zip: _____
Travel Directions: _____

SAMPLE

Appointment Information:

The person you are scheduled to meet with is _____
Interviewer

If you need to reschedule this appointment or have any questions, please call: _____

After the Special Assessment appointment, you are scheduled to return to this Job Center on:

Appointment Date: _____ Time: _____ Telephone: _____

Location Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Travel Directions:

SAMPLE

Fecha: _____
Número del Caso: _____
Nombre del Caso: _____
Unidad de Casos: _____
Código de Acción: _____

Carta de Evaluación Especial

A usted se le ha programado una Evaluación Especial:

Fecha de la Cita: _____ Hora: _____ Teléfono: _____
Local: _____
Dirección: _____
Ciudad: _____ Estado: _____ Código Postal: _____
Indicaciones de Viaje: _____

SAMPLE

Información respecto a la Cita:

La persona con quien se le ha asignado reunirse es: _____
Entrevistador

En caso de que tenga que reprogramar su cita o si tiene preguntas, favor de llamar al: _____.

Después de la cita de Evaluación Especial, se le ha programado una visita a este Centro de Trabajo el:

Fecha de la Cita: _____ Hora: _____ Teléfono: _____

Local: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Indicaciones de Viaje:

SAMPLE

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Aliens residing in the United States pursuant to an Order of Supervision under § 241(a)(3) of the Immigration Nationality Act (INA).	O ↑ ----- ↓ O	<u>I-94</u> annotated "Order of Supervision"; or <u>Form I-220B</u> (Order of Supervision); or <u>Form I-688B</u> or <u>Form I-766</u> (Employment Authorization Document) with category code C18 or 8 CFR § 274a 12(c)(18); or Any other authoritative document from the USCIS indicating an Order of Supervision.	SAME	N/A	Yes	No	Yes	No
Aliens granted cancellation of removal pursuant to § 240A of the INA.		Order from the Executive Office of Immigration Review (EOIR) granting cancellation of removal; or Any other authoritative document from the USCIS indicating cancellation of removal granted.	SAME					
Granted deferred action status, which defers their departure.		<u>Form I-797</u> (Notice of Action) indicating approval of deferred action status; or <u>Form I-688B</u> or <u>Form I-766</u> (Employment Authorization Document) with category code C14 or 8 CFR § 274a.12(c)(14); or Any other authoritative document from the USCIS indicating deferred action.	SAME					

¹ Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Spouse or child of a U.S. citizen who has been granted a "K3" Visa under the Legal Immigration Family Equity Act (LIFE Act) and for the unmarried minor child (under 21 years of age) of the alien spouse of the U.S. citizen who has been granted a "K4" Visa under the LIFE Act.	O ↑ ----- ↓ O	Unexpired "K3", "K4" Visa; Note: If an expired "K" Visa is submitted, then proof that an I-539 (Application to Extend/Change Nonimmigrant Status) was filed with USCIS must be submitted. or Form I-94 stamped "K3" or "K4" ; or Form I-688B or Form I-766 (Employment Authorization Document) with category code A9 or 8 CFR § 274 a.12 (a)(9); and SAVE clearance, Form I-797 or any other authoritative USCIS document indicating an I-130 application is pending or approved.	SAME	N/A	Yes	No	Yes	No

¹ Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Aliens and qualified dependent family members granted "S" Visas.	O ↑ ↓ O	Form I-94 stamped "S5," "S6" or "S7"; or Form I-688B or Form I-766 (Employment Authorization Document) with category code C21 or 8 CFR § 274a.12(c)(21); or Any other USCIS authoritative document that verifies "S" Visa status.						
Aliens and the qualified dependent family members granted a "U" Nonimmigrant status.		Form I-797 indicating that "U" Nonimmigrant status was granted or Form I-94 stamped "U1," "U2," "U3," "U4"; or Unexpired Form I-688B or Form I-766 (Employment Authorization Document) with category code A19 or 8 CFR §274a.12(a)(19) for "U1" principle; or A20 or 8 CFR §274a.12(a)(20) for qualified dependent family members ("U2," "U3," "U4" and "U5") or Any other USCIS authoritative document that verifies "U" Nonimmigrant status.	SAME	N/A	Yes	No	Yes	No

¹ Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Aliens granted "V" Visa status under the Legal Immigration Family Equity Act (LIFE Act)	O ↑ ↓ O	Unexpired "V" Visa; Note: If an expired "V" Visa is submitted, then proof that Form I-539 (Application to Extend/Change Nonimmigrant Status) was filed with USCIS must be submitted. or Form I-94 stamped "V1," V2," or "V3" or Form I-688B or Form I-766 (Employment Authorization Document) with category code A14, A15, 8 CFR § 274a.12 (a)(14) or 8 CFR § 274a.12 (a)(15); and SAVE clearance, Form I-797 or any other authoritative USCIS document indicating an I-130 application is pending or approved.	SAME	N/A	Yes	No	Yes	No
"Not qualified" aliens who can produce any evidence, including but not limited to verification by USCIS that they entered the U.S. prior to January 1, 1972, and have resided continuously in the U.S. since such entry, pursuant to Section 249 of the INA.		Form I-797 indicating "Notice of Adjustment of Status to Permanent Resident" pursuant to INA § 249; or Form I-688B or Form I-766 with category code C16; or Any letter/notice from the USCIS or EOIR indicating Registry Application (Form I-485) is pending; or Any documentary proof establishing entry and continuous residence.	SAME	January 1, 1972	Yes	No	Yes	No
Permanent nonimmigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and Marshall Islands).		I-94 stamped CFA/MIS "DS" (Duration of Status); or I-688B or I-766 coded 8 CFR § 274a.12(a)(8) or A8.	SAME	N/A	Yes	No	No	No

¹ **Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).**

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Any aliens living in the U.S. with knowledge and written permission of the USCIS and whose departure the Agency does not contemplate enforcing for an indefinite period of time.	O ↑ ----- ↓ O	If documentation is submitted and the status of the alien does not fit in any of the other categories listed in this guide, the Worker must contact the Office of Procedures who will contact the Office of Temporary Disability Assistance to determine if the alien meets PRUCOL status.	See Page 6	N/A	Yes	No	Yes	No
Applicants for asylum.		N/A	<u>I-797</u> indicating Asylum Application received, pending or intent to approve asylum request; or <u>I-688B</u> or <u>I-766</u> (Employment Authorization Document) with category code C8 or 8 CFR § 274a.12(c)(8).	SAMPLE				
Persons granted Temporary Protected Status.		N/A	<u>I-797</u> indicating TPS status granted; or <u>I-688B</u> or <u>I-766</u> (Employment Authorization Document) coded with category code A12 or 8 CFR § 274a.12(a)(12).					
Persons applying for Temporary Protected Status.		N/A	<u>I-688B</u> or <u>I-766</u> (Employment Authorization Document) coded with category code C19 9r 8 CFR § 274a.12(a)(19).					
Applicants for adjustment of status.		N/A	<u>I-688B</u> or <u>I-766</u> (Employment Authorization Document) coded with category code C9 or 8 CFR § 274a.12(c)(9); or <u>I-797</u> indicating application received or pending.					

¹ Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).

PRUCOL Eligibility Desk Aid

Description of Status	WMS/ACI Code	Common Documentation		Relevant Date for Eligibility	Medicaid ¹	Family Assistance	Safety Net Assistance	Supplemental Nutrition Assistance Program (SNAP) Benefits
		For Temporary Assistance	For Medicaid					
Persons who have filed applications for adjustment of status under Section 245 of the INA and the USCIS has accepted as "properly filed."	O ↑ ----- ↓ O	N/A	<p>I-797 Notice of Action indicating the USCIS has received, taken action on or approved an application or petition; or A copy of a cancelled check to the USCIS; or Correspondence to or from the USCIS, showing that the person is living in the United States with the knowledge and permission or acquiescence of the USCIS, and the USCIS does not contemplate enforcing the person's departure from the United States. Examples include, but are not limited to: Permanent nonimmigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and Marshall Islands); Applicants for asylum; Persons granted Temporary Protected Status; Persons applying for Temporary Protected Status include documents I-688B or I-766 with category code C19;</p> <p>Applicants for adjustment of Status; Persons who have filed applications for adjustment of status under section 245 of the INA and the USCIS has accepted as "properly filed."</p>	N/A	Yes	No	No	No
Any aliens living in the U.S. with knowledge and permission or acquiescence of the USCIS and whose departure the Agency does not contemplate enforcing.		N/A	<p>I-797 indicating application received, pending or approved; or Form I-94 or passports with annotation "adjustment application" or "employment authorized during status as adjustment application"; or Form I-688A coded 245A; or Form I-688B or Form I-766 coded with category code C22 or 8 CFR § 274a. 12 (c)(22).</p>					

¹ Reminder: Undocumented immigrants and nonimmigrants may receive coverage for care and services for the treatment of emergency medical conditions only, not including care and services related to an organ transplant procedure, if otherwise eligible, or certain types of care provided to chronically ill persons, such as alternate level of care in a hospital, nursing facility services, home care (including private duty nursing) and personal care. Pregnant women may be provided Medicaid at any time without regard to immigration status, if otherwise eligible. Children may be provided medical assistance without regard to immigration status under Child Health Plus Program (CHPlus).