

03 Citizenship Requirements

REVISION 12
(04/01/10 –06/30/10)

The PI or representative must declare the citizenship of participants in the budgetary unit for whom benefits are requested. This must be completed at the following times:

- New application
- Renewal application
- When adding a participant to an active case

Participants for whom U.S. citizenship status is declared and who meet the U.S. citizenship criteria are potentially eligible to receive NA and CA.

All U.S. citizens must provide documented proof of U.S. citizenship.

NOTE When the U.S. citizen participant is receiving SSI benefits the citizenship verification requirement is met for NA and CA.

Document CADO or the case file with information on the document used to verify U.S. citizenship for each participant.

When the NA, CA, or ST participant does not provide verification of their citizenship, key DI in the PT field on SEPA for the participant. Key HB in the INELIG RSN field on SEPA.

When all potentially eligible citizen participants fail to verify citizenship, deny the NA or CA application. Key HB in the DENIAL CLOSURE REASON field on AFED and FSED and send the appropriate notice.

When a participant is a noncitizen see [Noncitizen Overview](#).

04 U.S. Citizenship

U.S. citizenship is established at birth when an applicant is born in the U.S., its territories, or possessions. U.S. territories or possessions include any of the following:

- American Samoa
- Guam
- [Northern Mariana Islands](#) based on their date of birth
- [Panama Canal Zone](#) based on their date of birth
- [Puerto Rico](#) based on their date of birth

- Swain Islands
- [U.S. Virgin Islands](#) based on their date of birth

NOTE Applicants born in other countries may also be U.S. Citizens.
(See [Citizenship Conditions](#) and [Child Citizenship](#))

A Citizenship Conditions

Applicants born in other countries are U.S. Citizens when they meet one of the following conditions:

- Naturalized citizens who have been granted citizenship by the U.S. Department of Justice.
A child can attain U.S. citizenship when both parents (or the sole custodial parent) become naturalized U.S. citizens. The parents must become naturalized before one of the following:
 - The child's 21st birthday when the parents were naturalized before October 14, 1940.
 - The child's 18th birthday when the parents were naturalized on or after October 14, 1940.

- Born outside the U.S. or the previously listed possessions and territories, and their parents meet one of the following criteria:
Both parents are U.S. citizens and at least one parent lived in the U.S. or its territories before the applicant's birth.
One parent is a U.S. citizen and the other is a noncitizen. The parent who is a citizen must have lived in the U.S., its possessions, or its territories for a total of five years before the applicant's birth. At least two of the five years must be after the parent reached age 14.

NOTE Consider the parent to have had U.S. residence for any period of time that they live outside of the U.S. as one of the following:
A U.S. Government employee
Serving in the U.S. Armed Forces
[International organization\(g\) employee](#)

- A woman who married a U.S. citizen before September 22, 1922. This does not apply to a man who married a U.S. citizen.

- **Dual Citizens**

Applicants may be recognized by a foreign country as a citizen of that country and by the U.S. as a U.S. citizen. Applicants claiming dual citizenship must verify U.S. citizenship.

B Child Citizenship Through the Child Citizenship Act

REVISION 03
(01/01/08 – 03/31/08)

A child automatically acquires citizenship when they meet the criteria of the Child Citizenship Act of 2000 (CCA). The CCA went into effect on February 27, 2001. The CCA was passed to expedite the citizenship process for an adopted or biological child born outside of the United States or its territories with at least one U.S. citizen parent.

Consider the child a citizen effective the date they meet all of the following requirements, but no earlier than February 27, 2001:

- The parent is a citizen by birth or is naturalized.
- The child is under the age of 18.
- The child immigrates to the U.S. and has lawful permanent resident status.
- The child lives in the legal and physical custody of the U.S. citizen parent.
- When the child is adopted abroad, the date the full and final adoption is complete.

NOTE A child who attains U.S. citizenship through the Child Citizenship Act of 2000 keeps U.S. citizenship when they turn 18.

C Northern Mariana Islands

Consider an applicant a U.S. citizen when they were born in the Northern Mariana Islands on or after November 4, 1986.

When an applicant was born in the Northern Mariana Islands before November 4, 1986, consider them a U.S. citizen when they provide proof of any of the following:

- Continuous residence in the Northern Mariana Islands since before November 3, 1981.
- Voter registration in the Northern Mariana Islands before January 1, 1975.

- Continuous residence in the Northern Mariana Islands since before January 1, 1974 and the applicant's statement that they entered the Northern Mariana Islands as an immigrant.

In addition to the previously listed requirements, the applicant must provide a written statement that they did not owe allegiance to a foreign state on November 4, 1986.

D Panama Canal Zone

Consider an applicant a U.S. citizen when they were born in the Panama Canal Zone and can provide proof of all of the following:

- They were born on or after February 26, 1904.
- They were born before October 1, 1979.
- At least one of their parents was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company.

E Puerto Rico

Consider an applicant a U.S. citizen when they were born in Puerto Rico on or after January 13, 1941, or can provide proof of either of the following:

- They were born in Puerto Rico on or after April 1, 1899, and a statement that they resided in one of the following on January 13, 1941:
 - The U.S.
 - A U.S. territory
 - Puerto Rico
- They are a Puerto Rican citizen and the applicant provides a statement that they resided in Puerto Rico on March 1, 1917.

F U.S. Virgin Islands

Consider an applicant a U.S. citizen when they were born in the U.S. Virgin Islands on or after January 17, 1917, or they can provide proof of any of the following:

- They were born in the U.S. Virgin Islands and provided a written statement that on February 25, 1927, they resided in one of the following:
The U.S.
A U.S. territory
The U.S. Virgin Islands
- They were born in the U.S. Virgin Islands and the provided a written statement that on June 28, 1932, they resided in one of the following:
The U.S.
A U.S. territory
The U.S. Virgin Islands
The [Panama Canal Zone](#)
- They were residing in the U.S. Virgin Island as a Danish citizen on January 17, 1917 and provide a written statement as proof of ALL the following:
They did not declare or maintain Danish citizenship.
On February 27, 1927 they resided in one of the following:
 - The U.S.
 - A U.S. territory
 - The U.S. Virgin Islands

NOTE The applicant's written statement is acceptable verification.

05 Verification of U.S. Citizenship

Participants who declare U.S. citizenship must provide documented verification of U.S. citizenship.

Policy and procedures regarding citizenship verification are outlined as follows:

- [Verification Documents for NA and CA Citizenship](#)
- [Citizenship Keying Procedures](#)

A Verification Documents for NA and CA Citizenship

REVISION 03
(01/01/08 – 03/31/08)

Verify citizenship using [primary citizenship documents](#). When primary documents are not available, [secondary citizenship documents](#) may be used.

Document the steps taken to assist the applicant in attempting to obtain the primary documents for proof of citizenship.

.02 Primary Verification Documents for NA and CA

REVISION 37
(08/01/15-093/30/15)

Acceptable primary citizenship documents to verify U.S. citizenship include the following:

- A birth certificate showing birth in the U.S., its territories, or possessions. (See [U.S. Citizenship](#))

EXCEPTION

Persons born to foreign diplomats residing in the U.S. are not U.S. citizens.

Birth Certificates issued from Puerto Rico for participants new to AZTECS must be issued 07/01/10 or later.

- Certificate of Birth issued by the Department of State (FS-545 or DPS-1350).
- U.S. Passport current or expired, except limited passports which are issued for periods of less than 5 years.
- U. S. Passport Card issued by the United States Citizenship and Immigration Services (USCIS).
- Certificate of Naturalization (N-550 or N-570).
- Certificate of U.S. Citizenship (N-560 or N-561).
- Report of Birth Abroad of a U.S. Citizen (FS-240) issued by the U.S. State Department.
- U.S. Consular officers' statement.
- A United States Citizen Identification Card (I-197).
- Northern Mariana Identification Card (I-873).

- A tribal enrollment card or Certificate of Indian Blood issued by a U.S. federally recognized tribe that shows that the person is enrolled or affiliated with that tribe.

NOTE The Bureau of Indian Affairs publishes a revised list to the Federal Register annually. (For a current list, see [Federally Recognized Tribes](#) (PDF 74 KB))

- American Indian Card (I-872) issued by USCIS with the classification code KIC.

.03 Secondary Verification Documents for NA and CA

REVISION 04
(04/01/08 - 06/30/08)

Acceptable secondary documents to prove citizenship include the following:

- An Identification Card for Use of Resident Citizen (I-179).
- U.S. census record that shows the applicant's name, and a U.S. place of birth, and the date of birth or age of the participant.
- Religious record created within three months after birth, showing the participant's date of birth or the participant's age when the record was made. It must indicate a place of birth in the U.S., its territories, or possessions. (See [U.S. Citizenship](#)).
- Proof of employment as a U.S. government civil servant before June 1, 1976.
- Early school records showing the date of admission, the child's date and place of birth, and the names and places of birth of the parents.
- Adoption Finalization Papers showing the child's name and place of birth in the U.S., its territories, or possessions. (See [U.S. Citizenship](#))

NOTE When adoption is not finalized and the state will not release a birth certificate prior to final adoption, a statement from a state approved adoption agency containing the child's name and place of birth may be used. The source of the information must be an original birth certificate and must be indicated in the statement.

When none of the primary or secondary documents are available, accept any other document that establishes a U.S. place of birth or in some way indicates U.S. citizenship. These include the following:

- Certificates of Live Birth signed by a hospital official and parent.
- Medical records created at least five years before applying for NA or CA that list a U.S. place of birth. For children under age 16, the document must be created near the time of birth or five years before the NA and CA application date. These include wristbands, crib cards, or yellow copies of hospital birth certificates indicating birth in the U.S., its territories or possessions. (See [U.S. Citizenship](#))
- American Indian Census Records.
- Verification from the U.S. Citizenship and Immigration Services (USCIS).
- Verification from the Social Security Administration.
- Verification sent directly to FAA from a local, state or federal bureau of vital records office.
- Legal records showing the participant's name and place of birth in the U.S., its territories or possessions. (See [U.S. Citizenship](#)).
- Department of Homeland Security (DHS), Verification Information System (VIS) response that validates U.S. citizenship.
- On-line data match screen print with the Arizona Department of Vital Records through the AHCCCS Citizenship Verification System.
- Military papers.
- Marriage certificate showing marriage to a U.S. male citizen before September 22, 1922.
- Life, Health or other insurance record, created at least five years before the application. Must indicate a place of birth in the U.S.
- State census records that show the participant's name, a U.S. place of birth, and the date of birth or age of the participant.
- Tribal census records for the Navajo and Seneca tribes. The records must be created at least five years before the application and list a U.S. place of birth.

- An official notification of birth registration from a U.S. State's Department of Vital Statistics.
- An amended U.S. public birth record that is amended more than five years after the participant's birth.
- A statement signed by the physician or midwife who in attendance at the time of birth.
- The Roll of Alaska Natives from the Bureau of Indian Affairs.
- When the participant cannot obtain the Primary or Secondary forms of verification, they may provide an Affidavit Attesting Citizenship for Cash Assistance and Nutrition Assistance (FAA-1353A) form.

Affidavit forms must meet all of the following requirements:

- Be completed by a U.S. citizen who is knowledgeable about the participant's circumstances.
- Be signed by a U.S. citizen that is not a member of the budgetary unit.
- Be approved by a supervisor.

Document the reason for using the affidavit form.

(See [Documents Not Provided – Citizenship Not Verified](#))

Advise the PI or their representative that a search may be made of the U.S. census records. There is a charge for the search, and the PI or their representative is responsible for this fee. The PI or their representative can get the Application for Search of Census Records by contacting the [Bureau of the Census](#).

The PI or their representative may also find the [Arizona State Library, Archives & Public Records](#) helpful in the search for a source of proof of their citizenship.

B Citizenship Keying Procedures

REVISION 09
(07/01/09 – 09/30/09)

The proper identity and citizenship verification code must be keyed when acceptable documentation for U.S. citizenship has been provided. The proper identity and citizenship verification codes keyed on IDCI are protected and can only be changed by [FAA Systems](#).

Policy and procedures regarding keying the Identity and Citizenship fields on IDCI are outlined as follows:

- [Acceptable Verification Provided for All Programs](#)
- [Citizenship Not Verified](#)

.02 Acceptable Citizenship Verification Provided

REVISION 39
(12/01/15 - 01/31/16)

When acceptable verification for U.S. citizenship is provided, key the following on IDCI:

- Y in the ID field
- ID (AD when an Affidavit Attesting Identity (DE-178) is used) in the VR field
- US in the CI field
- One of the following in the VR field:
CD for either of the following:
 - When the participant has provided U.S. citizenship verification.
 - When AZTECS displays US CIT VER on CLIP and CADO. AD when an Affidavit Attesting Citizenship (DE-118) is used per instruction from the designated [regional staff](#).
- The Document Type Code that indicates the type of document provided for verification of U.S. citizenship in the DOC TYPE field.

NOTE This field is keyed only when citizenship has not been electronically verified.

The above codes allow AZTECS to determine potential eligibility for CA and NA.

.03 Documents Not Provided – Citizenship Not Verified

[REVISION 09](#)
(07/01/09 – 09/30/09)

When citizenship is not verified for all programs, the participant is not eligible for NA or CA. Key the following for the participant:

- DI in the CA or FS PT field on SEPA
- HB in the INELIG RSN field on SEPA
- Y in the ID field on IDCI
- The appropriate [verification code](#) in the ID VR field on IDCI
- US in the CI field on IDCI
- CS in the CI VR field on IDCI
- Document the case file that DI was keyed on SEPA for NA and CA to disqualify the participant due to unverified citizenship
- Key HB in the CLIENT ALERT TYPE field on PRAP

06 Noncitizen Status (NOCS) - Overview

[REVISION 09](#)
(07/01/09 – 09/30/09)

NOCS is accessed when any code other than US is keyed in the CI field on IDCI.

NOCS displays or allows keying of the following information for each noncitizen:

- Type of USCIS document provided by the participant, when appropriate
- USCIS Class of Admission Code held by the participant
- Noncitizen status of the participant
- Date the status was granted by USCIS
- Date the status expires
- Date the [VIS](#) was completed
- [Secondary VIS](#) was requested
- Participant is [Sponsored](#)
- Participant is [under 18 years of age](#)
- Participant has a [permanent disability](#)

- Participant has [40 quarters of earnings](#)
- Participant has a [military connection](#)

NOTE When NOCS must be updated and current VIS verification information is not in the file, complete a VIS verification for all noncitizens, with USCIS documentation, included in the budgetary unit prior to approval.

When the noncitizen's USCIS status changes, key the new information on the NOCS screen. AZTECS allows for more current USCIS status information to be keyed while permanently maintaining the previous information.

For a comprehensive list of COA codes see CLASS OF ADMISSION CODES under DISPLAY TABLE VALUES in AZTECS.

NOTE When the noncitizen becomes a U.S. citizen key the US citizenship code in the CI field on IDCI.

07 Noncitizen Overview

REVISION 50
(01/01/22 –12/31/22)

A noncitizen is an individual who is not a U.S. citizen by birth or by naturalization. Noncitizens may be living in the U.S. under one of the following statuses:

- Qualified status
- Nonqualified status

Noncitizen status must be verified only at initial applications or when FAA is notified that the status of a participant has changed.

A noncitizen is determined qualified or nonqualified by the Status and Class of Admission (COA) code given by United States Citizenship and Immigration Services (USCIS).

For a comprehensive list of COA codes see CLASS OF ADMISSION CODES under DISPLAY TABLE VALUES in AZTECS.

The NA and CA Noncitizen Script (FAA-1710A) form provides a uniform explanation that nonqualified noncitizens are not eligible for NA or CA benefits. The FAA-1710A is found in the [Document Center](#). The NA and CA Noncitizen Script provides an explanation of when DES has the responsibility to report discovered violations of federal immigration law.

The FAA-1710A must be read to the PI or authorized representative when an application includes a nonqualified noncitizen. The worker must document the [case file\(g\)](#) that the NA and CA Noncitizen Script is read to the PI or representative when any of the following apply:

- The applicant does not have USCIS documents
- The applicant does not want to provide noncitizen status

When processing an application or change, review the documentation in the case file. When no documentation is found that the FAA-1710A has been read to the PI, the FAA-1710A must be read to the PI or representative when any of the following apply:

- When the new or renewal NA and CA interview is conducted
- Any time during the application or determination process
- When adding a nonqualified noncitizen participant to a case
- When a change from qualified to nonqualified noncitizen status is reported

NOTE Applicants for whom an immigration status is declared and who meet the qualified noncitizen criteria are potentially eligible to receive NA and CA. The System Alien Verification for Entitlements/Verify Lawful Presence (SAVE/VLP) allows federal, state, and local agencies to verify an applicant's immigration status or U.S. citizenship. The SAVE/VLP interface provides data through the Federal HUB in Health-e-Arizona PLUS.

Policy and procedures regarding noncitizens are outlined as follows:

- [Qualified Noncitizen](#)
- [Qualified Noncitizen Documents](#)
- [Nonqualified Noncitizens](#)
- [Nonqualified Noncitizen Documents](#)
- [Determining Noncitizen Status](#)
- [Noncitizen Keying Procedures](#)

A Qualified Noncitizens

REVISION 50
(01/01/22 – 12/31/22)

A qualified noncitizen is an individual lawfully residing in the United States (U.S.) with a classification status that allows potential eligibility for NA and CA.

Qualified noncitizens have either a temporary qualified status or a permanent qualified status.

The following noncitizens have a temporary qualified status:

- [Asylee](#)
- [Battered Noncitizen](#)
- [Cuban or Haitian Entrant](#)
- [Deportation Withheld](#)
- [Indefinite Detainee](#)
- [Parolee](#)
- [Refugee](#)
- [Amerasian](#)
- [Severe Trafficking Victim](#)
- [Special Immigrant Visa Holder](#)

The following noncitizens have a permanent qualified status:

- [Lawful Permanent Residents \(LPRs\)](#)
- [American Indians Born Outside of the United States](#)
- [Hmong and Highland Laotians](#)

NOTE Most LPR's come to the U.S. in a temporary status. A noncitizen that enters the U.S. as an LPR is usually sponsored.

.02 Asylee

REVISION 50
(01/01/22 – 12/31/22)

An asylee is an individual who has been granted protection and immunity from extradition by the United States Citizenship and Immigration Services (USCIS). The asylum status is granted under section 208 of the Immigration and Nationality Act (INA).

A noncitizen granted asylee status is potentially eligible for NA and CA.

An asylee who is later granted Lawful Permanent Resident (LPR) status is potentially eligible for NA and CA based on their previous status.

Asylees may also qualify for benefits provided by the [Refugee Resettlement Program](#). Asylee cases, regardless of the Asylee's country of origin, must be seen by the [FAA Refugee Offices](#) during their first 12 months in the U.S. For asylees, the 12-month maximum eligibility period begins from the month the asylee status is granted, not the month of U.S. entry. After the first 12 months are completed, Asylee cases must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. In order to keep track of these cases, they also set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee office staff change the citizenship code for Asylees to EA and move the case out of their caseload.

.03 Battered Noncitizen

[REVISION 50](#)
(01/01/22 -12/31/22)

A battered noncitizen is an individual who has suffered abuse or extreme cruelty while living with their abuser in the United States (U.S.). The abuse must have been caused by any of the following:

- Parent.
- [Spouse\(g\)](#).
- Relative of the parent or spouse who resides in the same home as the battered noncitizen. The parent or spouse must not actively have participated in the battery or cruelty.

Only battered noncitizens designated as qualified are potentially eligible for NA and CA. To be a qualified battered noncitizen, they must possess a Prima Facie Determination petition for immigration status. The petition may be in an approved or pending status. The petition may be in one of the following categories:

- Petition for Alien Relative (I-130) form filed by their spouse or the child's parent

- A form I-130 petition as a widow(er) of a U.S. citizen
- Self-petition under the Violence Against Women Act (VAWA) application for cancellation of removal or suspension of deportation filed as a victim of domestic violence. The Self-Petition must be completed on the Petition for Amerasian, Widow(er), or Special Immigrant (I-360) form. The following individuals are eligible to complete a self-petition under VAWA:

Spouses abused by a U.S. citizen or LPR. (This includes an intended spouse or a former spouse.) The spouse may also complete a self-petition for all their unmarried children under age 21 when the child has not completed their own petition.

Parents may complete a Self-Petition when they are abused by their U.S. citizen child and the abusive child is 21 or older. This includes stepparents.

Unmarried children under the age of 21 when they are abused by a U.S. citizen or LPR parent. This includes stepchildren or adopted children. When the abusive parent causes a delay in completing the Self-Petition, the I-360 may be completed after the abused individual turns 21. The I-360 must be completed prior to their 25th birthday.

- The abuse occurred in the U.S.
- The noncitizen no longer resides with the abusive person

Have the participant write a statement giving the following information:

- The citizenship status of the abuser
- The participant's relationship with the abuser
- When the abuse occurred
- When they moved away from the abuser
- Other than the Prima Facie determination petition, do they have any other USCIS documented status

Document the case file with all the facts related to the claim.

For potential eligibility, qualified battered noncitizens must have five (5) years in a qualified noncitizen status, unless they meet one of the following exemptions:

- LPR with 40 quarters (their own, their spouse's when married (not ending in divorce), and a parents' up until the child's 18th birthday)

- Asylee
- Refugee
- Deportation withheld
- Cuban or Haitian entrant
- Amerasian
- Military connection – veteran, active, spouse, or dependent child
- Receiving benefits or assistance for blindness or disability
- For NA - Lawful noncitizen children under the age of 18 automatically meet citizenship status

NOTE The date of legal entry into the U.S. and the length of legal residency are not NA eligibility requirements for legal noncitizen children [under the age of 18](#).

- For CA - A lawful noncitizen must have entered the U.S. prior to 08/22/1996. When they entered the U.S. prior to 08/22/1996, they must provide all documentation verifying [continuous residency](#) in the U.S.

NOTE [Participant statement verification](#) must be provided when documented or collateral contact verification does not cover any period of time since entry. The participant statement must explain where the participant was during the time period that written and collateral contact verification does not cover.

Inform the participant of the following legal resources they may contact:

- The [Arizona Coalition Against Domestic Violence](#) (AZCADV)
- The [National Domestic Violence Hotline](#)

When a qualified noncitizen claims to be a battered noncitizen, the supervisor must complete the following:

- Verify that the case file is documented with all the facts of the battered noncitizen claim and all documents were provided.
- Priority [upload\(g\)](#) the petition, the battered noncitizen statement, any supporting documentation, and when applicable, supporting continuous residence documentation, into [OnBase\(g\)](#).

- Elevate the case situation to the [Policy Support Team \(PST\)](#) following the [Request for Policy Clarification or Field Inquiry](#) elevation process
- When uploading to OnBase is not available, email the PST copies of the petition, all the battered noncitizen documentation, and when applicable, supporting continuous residence documentation. Staff must ensure that the Case Name and Number is on every document.
- When follow-up emails are sent to the PST, format the subject line as follows:
Provide the PST assignment number (YY-XXXX)
After the assignment number, indicate Documents to Support Battered Noncitizen Request
- Document the [case file\(g\)](#) that the information was emailed to the PST.

The PST notifies the requestor via email whether the battered noncitizen meets qualified noncitizen eligibility.

The PST responds with the notification of the final designation of the noncitizen. A battered noncitizen who meets qualified noncitizen eligibility may adjust their USCIS status. When this adjustment and the FAA notification occurs, FAA uses the new status eligibility requirements.

.04 Cuban or Haitian Entrant

[REVISION 50](#)
(01/01/22 - 12/31/22)

A Cuban or Haitian Entrant is an individual who has fled to the United States (U.S.) from either Cuba or Haiti to escape oppression, persecution, national distress, or environmental disasters.

Noncitizens classified as Cuban or Haitian Entrants under Section 501(e) of the Refugee Education and Assistance Act (REAA) of 1980 are considered qualified noncitizens. There is no 5-year waiting period for potential eligibility. This law defines a Cuban or Haitian Entrant as one of the following:

- Any individual granted parole as a Cuban or Haitian Entrant (Status Pending) or granted any other special status. The status is established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time of assistance or when services are provided.

- Any other national of Cuba or Haiti who:
Was paroled into the U.S. and has not acquired any other status under the Immigration and Nationality Act (INA)
Is the subject of removal proceedings under the INA
Has an application for asylum pending with the INA

Cuban or Haitian entrants are treated the same as refugees. As qualified aliens, they are potentially eligible for NA benefits indefinitely without a waiting period.

Cuban or Haitian Entrants may also qualify for benefits provided by the [Refugee Resettlement Program](#). Cuban or Haitian Entrant cases must be seen by the [FAA Refugee Offices](#) during their first 12 months in the U.S. After the first 12 months are completed, Cuban or Haitian Entrant cases must be processed at any FAA office.

The refugee office staff are the only staff that key the RE Citizenship code on IDCI. In order to keep track of these cases, they also set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee office staff change the citizenship code for Cuban or Haitian Entrants to EA and move the case out of their caseload.

NOTE These noncitizens are not work eligible and therefore [exempt](#) from CA Jobs Program requirements.

Cuban or Haitian participants can provide different documents as proof of their immigration status. See [Qualified Noncitizen Documents- Overview](#) for a list of documents for Cuban or Haitian entrants.

The Executive Office for Immigration Review (EOIR) established an electronic phone system to provide EOIR's customers with ready access to immigration court information. When additional information regarding the participant's continued eligible status is needed, contact the EIOR automated immigration court information system at (800) 898-7180.

A Cuban or Haitian entrant who is later granted Lawful Permanent Resident (LPR) status is potentially eligible for NA and CA based on their previous eligible status.

Cuban or Haitian nationals who are **not** classified as Entrants are granted Temporary Protected Status (TPS). An individual who is on TPS is permitted to remain temporarily in the US.

On 05/22/2021, the Department of Homeland Security (DHS) granted TPS for Haitian nationals who reside in the US as of 05/21/2021. Cuban or Haitian nationals who are granted TPS are not eligible for NA or CA, until they have been in a qualified status for 5 years or unless they meet other qualifying criteria. (See [Qualified Noncitizens](#))

NOTE The Haitian Family Reunification Parole Program (HFRP) allows Haitian beneficiaries of family-based immigrants the opportunity to apply for a grant of parole for approximately two years while residing in the U.S. with their family. Those approved for the HFRP are paroled into the U.S. as Cuban-Haitian entrants. This allows them to be eligible for NA benefits without a waiting period.

.05 Noncitizen Whose Deportation is Withheld

[REVISION 13](#)
(07/01/10 – 09/30/10)

A noncitizen whose deportation is withheld is a noncitizen whose continued presence in the United States (U.S.) is required by the U.S. government.

A noncitizen whose deportation is withheld is potentially eligible for NA and CA.

A noncitizen with deportation withheld status, who is later granted Lawful Permanent Resident (LPR) status, is potentially eligible for NA and CA based on their previous status.

.06 Indefinite Detainee

[REVISION 49](#)
(01/01/21 –12/31/21)

Indefinite Detainee status includes noncitizens who have served time in the United States (U.S.) for a criminal conviction and have been given formal orders to leave the U.S.

Indefinite Detainee status is granted by United States Citizenship and Immigration Services (USCIS) when the noncitizen is allowed to indefinitely remain in the U.S. because neither their home country nor any other country will accept them.

An Indefinite Detainee applicant can be identified by an Order of Supervision (I-220B) USCIS form which should include both of the following:

- The applicant's alien registration number
- A notation regarding U.S. exclusion, deportation, or removal

NOTE Indefinite Detainee applicants may also have an Employment Authorization (I-688B) form displaying 274a.12(c)18.

An Indefinite Detainee may be eligible for NA and CA but due to their previous detention status, the [VIS process](#) no longer includes documentation of their original noncitizen status. The following process has been established to replace the VIS query for Indefinite Detainees:

Obtain as much of the following information as possible from the applicant:

- Name and Date of birth
- Alien registration number
- Social Security Number
- Home country
- I-94 number
- Parent's names
- Driver's license number
- Copies of any immigration documents (I-220B, I-688B, etc.)

Call the [Office of Refugee Resettlement](#) (ORR) to request an Indefinite Detainee eligibility determination and inform ORR that the collected information will be faxed.

Fax the information collected from the applicant to ORR. The fax must include the name, telephone number, and fax number of the worker requesting the determination.

NOTE When faxing documents containing confidential information use the Fax Cover Sheet (DES-1078A) form. This form can be found in the Document Center.

Document the [case file\(g\)](#) with all actions and the dates the actions were taken.

Do not take action on the application pending the detainee's status confirmation from ORR.

ORR submits the faxed information to USCIS and notifies the worker of the applicant's status and potential eligibility by fax.

.07 Noncitizen Paroled into the U.S.

[REVISION 50](#)
(01/01/22 – 12/31/22)

A parolee is an individual who has been granted lawful temporary residency in the United States (U.S.) by the United States Citizenship and Immigration Services (USCIS) for humanitarian reasons, or the public benefit.

To be potentially eligible for NA or CA, parolee status must meet both of the following:

- Granted for at least one year
- Granted under 212(d)5(A) of the Immigration and Naturalization Act (INA)

These criteria do not apply to the following parolee participants:

- Parolees from Cuba or Haiti. (See [Cuban or Haitian Entrant](#))
- Afghan SI and Non-SI Parolees. (See [Special Immigrant Visa Holder](#))

A parolee who has been granted Lawful Permanent Resident (LPR) status is potentially eligible for NA or CA. (For CA, see [Continuous Residency](#))

.08 Refugee

[REVISION 50](#)
(01/01/22 – 12/31/22)

Refugees are individuals who have fled their country to escape invasion, oppression, or persecution.

Refugees as a qualified noncitizens are potentially eligible for NA or CA.

A Refugee, who is later granted Lawful Permanent Resident (LPR) status is potentially eligible for NA and CA based on their previous status.

Refugees may also qualify for benefits provided by the [Refugee Resettlement Program](#). Refugee cases, regardless of the Refugee's country of origin, must be seen by the [FAA Refugee Offices](#) during their first 12 months in the U.S. After the first 12 months are completed, Refugee cases must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. In order to keep track of these cases, they also set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee office staff change the citizenship code for refugees to EA and move the case out of their caseload.

.09 Amerasian

REVISION 50
(01/01/22 – 12/31/22)

An Amerasian is an individual who is admitted into the United States (U.S.) pursuant to section 584 of Public Law 100-202, as amended by Public Law 100-461.

Amerasians as qualified noncitizens are potentially eligible for NA or CA.

An Amerasian who is later granted Lawful Permanent Resident (LPR) status is potentially eligible for NA and CA based on their previous status.

Amerasians may also qualify for benefits provided by [the Refugee Resettlement Program](#). Amerasian cases must be seen by the [FAA Refugee Offices](#) during their first 12 months in the U.S. After the first 12 months are completed, Amerasian cases must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. In order to keep track of these cases, they also set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee unit staff change the citizenship code for Amerasians to EA and move the case out of their caseload.

.10 Victim of Severe Trafficking

REVISION 50
(01/01/22 – 12/31/22)

A victim of severe trafficking also known as a Trafficking Victim is certified by the [Office of Refugee Resettlement](#) (ORR) to have been subjected to one of the following:

- Commercial sex acts
- Debt bondage
- Involuntary servitude
- Peonage
- Slavery

The following apply to trafficking victims:

- They are not considered refugees by the United States Citizenship and Immigration Services (USCIS)
- USCIS Arrival / Departure documents are not required
- The Trafficking Victim Protection Act of 2000 gives trafficking victims eligibility for the same benefits as refugees

A victim of severe human trafficking is potentially eligible for NA and CA.

A certified victim and the immediate family members of severe trafficking who are later granted Lawful Permanent Resident (LPR) status are potentially eligible for NA and CA based on their previous status.

Trafficking victims may also qualify for benefits provided by the [Refugee Resettlement Program](#). Trafficking Victim cases, regardless of their country of origin, must be seen by the [FAA Refugee Offices](#) during their first 12 months in the U.S. After the first 12 months are completed, trafficking victim cases must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. In order to keep track of these cases, they also set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee unit staff change the citizenship code for trafficking victims to EA and move the case out of their caseload.

.11 Special Immigrant Visa Holder

REVISION 50
(01/01/22 – 12/31/22)

Special Immigrant Visa (SIV) holders are individuals who enter the United States (U.S.) under a special visa issued by the U.S. Citizenship and Immigration Services (USCIS) to Iraqi and Afghani citizens. These visas entitle the noncitizen to the same benefits and services as [refugees](#).

Afghan arrivals or refugees admitted in the U.S. under the Operation Allies Welcome (OAW) generally fall within one of four arrival categories. OAW, formerly known as OAR (Operation Allies Refuge) is a U.S. Department of Homeland Security (DHS)-led effort across the federal government that began in 07/2021. The goal of this program is to support vulnerable Afghans as they safely resettle in the U.S.

The following are the four arrival categories:

- Special Immigrant Lawful Permanent Resident (SI LPR)
- Special Immigrant Conditional Permanent Resident (SI CPR)

NOTE An SI CPR becomes an SI LPR after DHS removes the conditions on their LPR admission. When these SI CPRs complete a medical examination and USCIS determines they are not medically inadmissible, DHS removes their conditions and they become an SI LPR.

- Special Immigrant Parolee (SI Parolee)
- Non-SI Parolee (sometimes referred to as a “humanitarian parole” or “OAR parole”)

NOTE Some Afghan arrivals may have been eligible for and admitted in one of many other immigration categories, either at the time of their arrival at a port of entry or through a change afterwards.

Afghan SI LPRs and SI CPRs:

Afghan SI LPRs and SI CPRs meet the immigration status requirement for NA and CA benefits under section 602(b)(8) of the Afghan Allies Protection Act of 2009 (8 U.S.C. § 1101 note).

When all other eligibility requirements are met, these participants are

potentially eligible for NA and CA benefits indefinitely without a waiting period.

The SI LPRs generally have foreign passports with a DHS, Customs and Border Protection (CBP) stamp admitting them with any of the followings Class of Admission (COA) codes:

- SQ1 (Arrival - Principal)
- SQ2 (Arrival - Spouse of SQ1)
- SQ3 (Arrival - Unmarried Child of SQ1)
- SQ6 (Adjustment - Principal)
- SQ7 (Adjustment - Spouse of SQ6)
- SQ8 (Adjustment - Child of SQ6)

The SI CPRs generally have foreign-issued passports with a DHS, CBP stamp admitting them with any of the following COA codes:

- CQ1 (Principal)
- CQ2 (Spouse of CQ1)
- CQ3 (Child of CQ1)

Some of the SI LPR or SI CPR arrivals may not have a physical immigrant visa or temporary Form I-551 stamp in their passport. The USCIS is also issuing a Form I-551, Permanent Resident Card, to these SI LPRs and SI CPRs. In addition, regardless of the documentation presented, the [Verified Legal Presence \(VLP\)](#) in HEAplus can provide initial verification of these arrivals except those whose case involves something unusual that may require additional verification.

Afghan SI Parolees and Non-SI Parolees:

Afghan SI and Non-SI parolees are both paroled into the U.S. under section 212(d)(5) of the Immigration and Nationality Act (INA). Both groups may have a Form I-766, Employment Authorization Document (EAD), with a C11 category and/or a CBP "PAROLED" stamp in their passport.

The following Afghan SI and Non-SI parolee participants are potentially eligible for NA and CA without a waiting period effective 09/30/2021 until 03/31/2023 or until the end of their parole term, whichever is later:

- Afghan citizens or nationals paroled into the U.S between 07/31/2021 and 09/30/2022
- Their spouses or children paroled after 09/30/2022
- Their parents and guardians paroled after 09/30/2022 when the Afghan citizen or national is an unaccompanied child

SI Parolees have a separate, printed page on CBP letterhead with their Form I-94, Arrival-Departure Record. SI Parolees are assigned the following COA codes:

- SQ4 (Principal)
- SQ5 (Dependent)

The printed page contains information including the following notation, and is signed and dated by a USCIS officer:

Special Immigrant Status (SQ/SI) Parolee
Sec 602(b)(1) AAPA / Sec 1059(a) NDAA 2006
Date _____ USCIS officer: _____

Non-SI parolees may also have a Form I-94 printed from the CBP Form I-94 website with any of the following COA codes:

- OAR (CBP implemented August 2021)
- PAR, DT (these or other parole COAs used instead of OAR before August and occasionally afterward)

For both SI and Non-SI Parolees, the Verified Legal Presence (VLP) in HEAplus can provide an initial verification response.

The Systematic Alien Verification for Entitlements (SAVE) [fact sheet](#) includes detailed information and examples regarding Afghan arrival categories, documentation, and SAVE responses.

Afghan arrivals entering Arizona may contact a Voluntary Agency (VOLAG). When the VOLAG determines that a participant may be eligible for FAA assistance, VOLAG staff assist the participant in completing the official FAA application.

All Afghan arrivals or refugee applications for FAA assistance during their first 12 months in the U.S. must be processed at designated FAA [Refugee Offices](#). The 12 months start from the date of the refugee's entry into the U.S. and end on the first day of the 13th month after entry. The arrival month is included in the 12-month count.

When it is discovered that an application of an Afghan non-citizen is submitted in error through HEAplus or to an FAA office other than a Refugee office, transfer the application to the appropriate FAA Refugee office within one workday by completing one of the following:

- Notify the FAA Refugee office via an email at FAARefugeUnit@azdes.gov
- Upload the paper application to OnBase
- Fax the paper application to (623) 931-5676

NOTE When faxing documents containing confidential information use the Fax Cover Sheet (DES-1078A) form.

- Change the site code on the CARC screen in AZTECS to one of the following when the case is already registered:
285 - Applications received in Pima County
169 - Applications received in all other counties.

After the first 12 months are completed, Afghan arrival or refugee applications must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. To keep track of these cases, refugee office staff set a free form ACTS alert for the month after the end of the 12th month. After 12 months, the refugee office staff change the citizenship code for Afghan arrivals to EA and move the case out of their caseload.

.12 Ukrainian Refugees

REVISION 50
(01/01/22 – 12/31/22)

Effective 05/21/2022, the Ukrainian Humanitarian Parolees (UHP) and other non-Ukrainian individuals displaced from Ukraine are eligible for NA and CA Benefits without any waiting period when all other eligibility requirements are met. This has been authorized under the Additional Ukraine Supplemental Appropriations Act, 2022 (AUSAA).

The following criteria determine the eligibility period start dates. Once the eligibility period begins, it continues until the end of the individual's parole term:

- The initial date of eligibility is 05/21/2022. When an individual was paroled and entered the U.S. between 02/24/2022, and 05/21/2022, the date of eligibility is 05/21/2022.
- When the date of entry in the U.S. is after 05/21/2022, the date of eligibility is when the date of humanitarian parole was granted.

NOTE These participants are exempt from sponsor deeming requirements.

Due to urgent humanitarian reasons, the Department of Homeland Security (DHS) has paroled the following individuals into the U.S. between 02/24/2022, and 09/30/2023:

- Ukrainian citizens or nationals, also known as an UHP, who received humanitarian parole status by DHS.
- Other non-Ukrainian individuals in response to their displacement from Ukraine and entry into the U.S.
- A spouse or child of an UHP or non-Ukrainian individual who is paroled into the U.S. after 09/30/2023.
- A parent, legal guardian, or primary caregiver of an unaccompanied refugee minor or an unaccompanied child who is paroled into the U.S. after 09/30/2023.

Ukrainian refugees can present any of the following documents as proof of their immigration status:

- Ukrainian citizen or national with the UHP status
 - Form I-94 – with the notation of humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § 1182(d)(5))
 - Foreign passport with DHS/Center for Border Protection (CBP) admission stamp with the notation of “DT”
 - Foreign passport with DHS/CBP admission stamp with the Uniting for Ukraine or “U4U” notation
 - Foreign passport with DHS/CBP admission stamp with Ukrainian Humanitarian Parolee or “UHP” notation
 - Form I-765 - Employment Authorization Document (EAD) receipt notice with code C11
 - Form I-766 - Employment Authorization Document (EAD) with code C11
- A non-Ukrainian individual who last habitually resided in Ukraine and received humanitarian parole classification by DHS
 - Any one of the forms or stamps listed above for UHPs and documentation of last habitual residence in Ukraine.
 - Acceptable documentation indicating last habitual residency in Ukraine includes an original Ukrainian government-issued document, such as a current driver’s license or identification card.

Ukrainian refugees may also qualify for benefits provided by the [Refugee Resettlement Program \(RRP\)](#). These cases must be processed by the FAA Refugee offices during their first 12 months in the U.S. After the first 12 months are completed, the cases must be processed at any FAA office.

NOTE The refugee office staff are the only staff that key the RE Citizenship code on IDCI. To track these cases, refugee office staff set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, the refugee office staff change the citizenship code to EA and move the case out of their caseload.

.13 Lawful Permanent Resident (LPR)

[REVISION 50](#)
(01/01/22 – 12/31/22)

A Lawful Permanent Resident (LPR) is a noncitizen given permission to permanently live and work in the U.S.

Most LPRs come to the U.S. in a temporary status. A noncitizen that does not enter the U.S. in a temporary status and enters the U.S. as an LPR is usually sponsored.

For Afghan LPRs coming to the U.S. under the Operation Allies Welcome (OAW), see [Special Immigrant Visa Holder](#).

The Class of Admission (COA) code determines the original entry status of an LPR.

NOTE The COA code displays on the I-551 card as well as on the COA field in the Verification Information System (VIS) response.

An LPR must meet additional requirements to be potentially eligible for NA and CA.

Prior to completing the eligibility determination for an LPR, determine whether the LPR is sponsored.

Policy and procedures regarding LPR eligibility are outlined as follows:

- [LPR Additional Requirements](#)
- [Non-sponsored LPR](#)
- [Sponsored LPR](#)

.14 American Indians Born Outside of the United States

[REVISION 38](#)
(10/01/15 – 11/30/15)

[American Indians\(g\)](#) born outside of the U.S. who are enrolled in a federally recognized tribe are potentially eligible for NA and CA. U.S. residency must be established.

American Indian tribal members enrolled in a [federally recognized tribe](#) (PDF 74 KB) are keyed as Lawful Permanent Residents (LPR). Key IDCI with the FR Class of Admissions (COA) code for these Tribal members.

NOTE Members of the federally recognized Tohono O'odham Tribe born on the Tohono O'odham reservation in Mexico are recognized as LPR's. Key IDCI with the TOH Class of Admissions (COA) code for these Tribal members.

American Indians born in Canada and not enrolled in a federally recognized tribe may be considered as an LPR when they meet both of the following criteria:

- Possess at least 50% American Indian blood
- Establish residency in the U.S.

NOTE USCIS has an expedited process for these Canadian born American Indian noncitizens to obtain Form I-181. Possession of the I-181 is not a condition of eligibility.

Key IDCI with the S13 Class of Admissions (COA) code to allow Canadian born American Indians eligibility for NA and CA.

NOTE American Indians born in a country other than Canada and not enrolled in a federally recognized tribe have the same noncitizen eligibility requirements as other noncitizens.

.15 Hmong and Highland Laotians

REVISION 36
(06/01/15) – 07/31/15)

A noncitizen who was a member of a Hmong or Highland Laotian tribe between 08/05/1964 and 05/07/1975 is potentially eligible for NA.

This also applies to the following immediate family members of these Hmong or Highland Laotian tribe members (living or deceased):

- Spouse
- Surviving Spouse
- Unmarried dependent child under the age of 18
- Child who is a full-time student under the age of 22
- Unmarried adult child with a disability (child must have had the disability prior to 18th birthday)

Lawful U.S. residency must be established.

These individuals do not have to meet any [additional requirements](#) to be eligible for NA.

B Lawful Permanent Resident – Additional Requirements

REVISION 35
(04/01/15) – 05/31/15)

Sponsored and non-sponsored Lawful Permanent Residents (LPRs) must meet at least one of the additional requirements listed below to be potentially eligible for NA and CA:

- [Five Years Residency](#) (Both programs)
- [Prior Qualified Status](#) (Both programs)
- [Military Connection](#) (Both programs)
- [Continuous Residency](#) (CA)
- [Children Under the Age of 18](#) (NA)
- [Permanent Disability](#) (NA)
- [40 Quarter Requirement](#) (NA)

.02 Five Years Lawful Residency

REVISION 13
(07/01/10) – 09/30/10)

To meet the five-year requirement, a Lawful Permanent Resident (LPR) must have been continuously living in the United States (U.S.) as an LPR for five years or more.

The LPR becomes potentially eligible for NA and CA from the beginning of the month the LPR has 5 years as an LPR.

Some LPR's who entered the U.S. as a temporary qualified noncitizen do not have to meet the five years as an LPR requirement due to their previous temporary qualified status. This applies to LPR's who entered with one of the following temporary qualified noncitizens statuses:

- Asylee
- Cuban or Haitian Entrant
- Noncitizen whose Deportation is Withheld
- Refugee or Amerasian
- Victim of Severe Trafficking

.03 Prior Qualified Status

[REVISION 09](#)
(07/01/09 – 09/30/09)

To meet prior qualified status, a Lawful Permanent Resident (LPR) must have entered the United States (U.S.) in a temporary qualified status.

NOTE These applicants are potentially eligible for NA and CA.
(See Example [Prior Qualified Status](#))

Specific Class of Admission (COA) codes indicate prior temporary qualified status.

For a comprehensive list of COA codes see CLASS OF ADMISSION CODES under DISPLAY TABLE VALUES in AZTECS.

.04 Military Connection

[REVISION 48](#)
(01/01/20 - 12/31/20)

A Lawful Permanent Resident (LPR) with a military connection is potentially eligible for benefits regardless of their date of entry. A military connection is one of the following:

- An honorably discharged veteran of the Armed Forces of the United States (U.S.).
- On active duty in the Armed Forces of the U.S.
- A [spouse\(g\)](#) of a veteran or person on active duty who meets one of the following:
 - Legally married to the veteran or person on active duty.
 - Legally separated from the veteran or person on active duty.
 - An unmarried widowed spouse of the veteran or a person who was on active duty.
- An unmarried dependent child of a veteran or a person on active duty.
- An unmarried dependent stepchild living with the stepparent veteran or person on active duty.

The military connection applies in the following circumstances:

- The spouse and the veteran or person on active duty are living together or apart.
- The veteran or active duty person is either a U.S. citizen or a noncitizen.

Military service applies only to full-time Air Force, Army, Navy, Marine, or Coast Guard.

NOTE Reserve or National Guard personnel who have not been called to active duty do not qualify as military service.

When verifying military service criteria, the following apply:

- An honorably discharged veteran of the Armed Forces of the U.S. must present an original or notarized copy of the veteran's discharge papers.
- Verify active duty status with an original or notarized copy of the applicant's current orders or a military ID card (DD form 2 (active)).
- A spouse or unwed dependent child of a veteran or active duty noncitizen must provide a document to verify relationship along with military verification requirements.
- A stepchild living with the stepparent must provide documents to verify relationship along with military verification requirements.

NOTE When the military connection has been verified, key Y in the MI field on NOCS next to the LPR. For additional information, see [Noncitizen Status \(NOCS\) – Overview](#).

.05 Continuous Residency (CA)

REVISION 45
(01/01/17 – 12/31/17)

Certain qualified noncitizens who do not meet the five-year date of entry requirement may still establish potential eligibility for CA.

The following qualified noncitizens who have been continuously residing in the U.S. since prior to August 22, 1996 are potentially eligible for CA:

- Lawful Permanent Resident (LPR)
- Parolee
- Battered

NA EXCEPTION

Continuous residency does not apply to NA.

NOTE The Continuously Residing policy for MA is located in the Eligibility Policy Manual (EPM).

These noncitizens must provide documentation that indicates they have been residing in the U.S. continuously since August 22, 1996.

Continuous residency must be verified from August 22, 1996 to the U.S. entry date on the USCIS document.

There must be no absences longer than 30 continuous days. The total of all absences must be fewer than 90 days from the time the noncitizen entered the U.S. up to the date their status (LPR, parolee, or battered) was approved.

Use the information provided to verify that the participant has been living in the U.S. continuously since prior to August 22, 1996. Completing the Continuously Residing Time Line (FAA 1558A) form is an effective way to quickly verify continuously residing. When a document shows the participant was living in the U.S. during a certain month, fill in that month on the grid.

When every month on the FAA 1558A from August 22, 1996 to the date the participant's USCIS status was granted is filled in, the participant is eligible for CA.

When it has been determined there is potential eligibility for the qualified noncitizen, the noncitizen must provide both of the following:

- A written statement. The statement must include both of the following:

The date the noncitizen arrived in the U.S.

A list of all dates the noncitizen was absent from the U.S. beginning from their arrival date until the date their status (LPR, parolee, or battered noncitizen) was approved. (See Example [Continuously Residing](#))

- Documentation to support the statement of the qualified noncitizen that they reside in the U.S. and have continuously resided in the U.S. since prior to August 22, 1996. Several documents may be required to support the presence of the noncitizen in the U.S. The documentation may include, but are not limited to, the following:

Driver's license

Motor vehicle title(s) that lists the noncitizen

Rent or lease receipts or agreements that list the noncitizen

Mortgage records

Church records

School records for children that list the noncitizen

Income tax returns

Medical records

Statement from doctors indicating time frames the noncitizen was treated

Statement from clergy

Attorney records

USCIS records

Employment records

Once sufficient documentation has been obtained, cases involving a continuously residing determination should be reviewed at the local office or regional level prior to disposition.

.06 Under Age 18 (NA)

REVISION 12
(04/01/10 –06/30/10)

A lawful noncitizen child under age 18 automatically meets citizenship status for NA, regardless of the following:

- Date of entry
- Date legal resident status is obtained
- The number of qualified quarters

The lawful noncitizen child, under the age of 18, must meet all other eligibility requirements, in order to be eligible for NA.

NOTE Regardless of the noncitizen eligibility of the adult parent, children under the age of 18 are potentially eligible for NA. Children under the age of 18 and legally residing in the United States are eligible for NA when they meet all other eligibility criteria.

WARNING

The month after the lawful noncitizen child's 18th birthday they must meet one of the other non-sponsored Lawful Permanent Resident (LPR) criteria to continue potential eligibility. (See [Lawful Permanent Resident](#))

.07 Permanent Disability (NA)

REVISION 48
(01/01/20 - 12/31/20)

A Lawful Permanent Resident (LPR) who has a permanent disability based on any of the following criteria, is potentially eligible for NA:

- Receives Social Security benefits under one of the following:
 - SSI Title XVI
 - SSA disability
 - Benefits for the blind under Title I, II, X, XIV, or XVI of the Social Security Act

- Certified for, but not actually receiving SSI or RSDI. They are considered having a disability when they present an SSA Disability Notice or when they have been approved for either of the following:

SSI presumptive disability payments

SSI emergency advanced payments

WARNING

A noncitizen may remain certified for disability benefits or payments when they receive no cash benefit because the benefit is being collected by SSA to recover an overpayment.

- Is a veteran with a service connected or nonservice connected disability. The Veteran's Administration (VA) must have rated the disability as total or be paid as total under Title 38 of the U.S. Code.

NOTE There is no requirement that they receive payments from the VA.

- Is a veteran's surviving spouse and considered in need of aid and attendance, or permanently housebound, under Title 38 of the U.S. Code.

NOTE There is no requirement that they receive payments from the VA.

- Receives disability retirement benefits from a federal, state or local government agency because of a disability considered permanent under Section 221(i) of the Social Security Act.
- Receives a disability annuity under Section 2(a)(1)(v) of the Railroad Retirement Act of 1974 and meets either of the following conditions:
 - Has been determined eligible for Medicare by the Railroad Retirement board.
 - Is considered having a disability based on the criteria used under Title XVI of the Social Security Act.

- Receives assistance through an AHCCCS [Medicare Savings Program](#) (MSP) under Title XIX, of the Social Security Act.

NOTE When permanent disability has been verified, key Y in the DI field on NOCS next to the LPR. For additional information, see [Noncitizen Status \(NOCS\) – Overview](#).

C Non-Sponsored Lawful Permanent Resident

[REVISION 35](#)
(04/01/15 – 05/31/15)

A non-sponsored Lawful Permanent Resident (LPR) is a noncitizen given permission to permanently live and work in the U.S. and has not been sponsored through USCIS by an individual or an organization.

These individuals usually enter the U.S. in a temporary status.

D Sponsored Lawful Permanent Resident

[REVISION 48](#)
(01/01/20 - 12/31/20)

A noncitizen that is a Lawful Permanent Resident (LPR) may be sponsored. A sponsor can be an individual, an organization, or group.

NOTE See Class of Admission Codes in AZTECS LISTCODES, for a list of COA which indicate the LPR is sponsored. When sponsored, key Y in the SP field on NOCS next to the LPR. For additional information, see [Noncitizen Status \(NOCS\) – Overview](#)

As a condition of the noncitizen's admission for permanent residence in the U.S., the sponsor must complete an Affidavit of Support (I-864 or I-864A). The affidavit is accepted by USCIS as the sponsor's agreement to support the noncitizen. Affidavits of Support signed on or after December 19, 1997, are legal binding contracts.

Sponsored LPR policy applies when the sponsored LPR budgetary unit meets all of the following:

- The sponsored LPR meets [Qualified Noncitizen](#) requirements.
- The sponsored LPR applied or became an LPR on or after December 19, 1997.
- The sponsored LPR is sponsored by an individual.

- The sponsored LPR's sponsor signed an USCIS Form.
- I-864 or I-864A Affidavit on or after December 19, 1997.
- The sponsored LPR does not have [40 quarters of coverage](#).

EXCEPTION

When the sponsor completed an Affidavit of Support prior to December 19, 1997, sponsored LPR policy does not apply.

- The sponsored LPR is otherwise eligible for benefits.

NA EXCEPTION

When the budgetary unit meets expanded categorical eligibility criteria (their income is below 185% of the FPL), sponsored LPR policy does not apply. (See [LPR Requirements](#))

NOTE FAA must assist the sponsored LPR in obtaining verification regarding the sponsor.

Additional information regarding sponsored lawful permanent residents is organized as follows:

- [Determining Whether to Deem the Sponsor's Income and Resources](#)
- [Sponsored Indigent Test](#)
- [Deeming Sponsor Income and Resources](#)
- [Verification Requirements for Sponsored LPRs](#)
- [Change Reporting Requirements for Sponsored LPRs](#)
- [Overpayments of Sponsored LPRs](#)
- [Appeals for Sponsored LPRs](#)

.02 Determining Whether to Deem the Sponsor's Income and Resources

[REVISION 18](#)
(10/01/11 - 12/31/11)

When the Lawful Permanent Resident (LPR) is sponsored by an organization or group, the sponsor's income and resources are not deemed to the LPR.

When an LPR is sponsored by an individual, the following applies:

The sponsored LPR may be exempt from sponsor deeming policy. Do not request any information regarding the sponsor when any of the following occur:

- The sponsored LPR can be credited with 40 quarters of earnings
- The sponsored LPR is a [victim of domestic violence](#) or extreme cruelty, by a member of the family
- The sponsored LPR is a victim of a [severe form of trafficking](#), is not required to have a sponsor, and is to be treated as a refugee for eligibility purpose

NOTE When the LPR is a victim of a severe form of trafficking, elevate the facts of the case to the [Policy Support Team](#) via email.

- The sponsored LPR becomes a Naturalized U.S. citizen
- The sponsored LPR is under 18 (See Example [Sponsored Lawful Permanent Resident 2](#))
- The sponsored LPR does not meet Qualified Noncitizen requirements
- The sponsor dies
- The sponsor did not sign an USCIS Form I-864 or I-864A affidavit
- The sponsor signed an affidavit of support prior to December 19, 1997, or signed an affidavit of support other than the I-864 or I-864A
- The sponsored LPR applied for or became an LPR before December 19, 1997
- The sponsored LPR was not required to have a sponsor, such as a refugee, asylee, Cuban or Haitian entrant
- The LPR entered in employment or other nonfamily categories, such as the diversity category, where the sponsor did not have to sign the form I-864 or I-864A

- The sponsored LPR is indigent

NOTE When the sponsored LPR and the sponsor are participants in the same budgetary unit, the sponsor's income and resources are not deemed. The income and resources are considered as normal countable income and resources.

When the sponsored LPR is not exempt from sponsor policy, determine whether the sponsored LPR is indigent. (See [Sponsored Indigent Test](#))

When the sponsored LPR meets the indigent test, the sponsored LPR is potentially eligible for benefits.

When the sponsored LPR is indigent, do not deem the sponsor's income or resources. When determining the indigent sponsored LPR's income, count only the actual cash contributions provided by the sponsor and the sponsor's spouse. Key the contributions next to the sponsored LPR as AS, on UNIN.

When the sponsored LPR does not meet any exemptions or the indigent test, determine the portion of the sponsor's and the sponsor's spouse's income that is available to the sponsored LPR.

EXCEPTION

For CA, the resources of the sponsor are countable toward the sponsored LPR. Request the income and resources of the sponsor. Count the sponsor's resources, minus \$1500 toward the sponsored LPR.

[Deem the income](#) of the sponsor and the sponsor's spouse to the sponsored LPR. Key the deemed income next to the sponsored LPR as AS, on UNIN.

NA EXCEPTION

When the budgetary unit meets expanded categorical eligibility criteria (their income is below 185% of the FPL), sponsored LPR policy does not apply. (See [LPR Requirements](#))

.03 Sponsored Indigent Test

REVISION 48
(1/31/20 – 12/31/20)

A sponsored Lawful Permanent Resident (LPR) is considered indigent when the total income for the budgetary unit is under one of the following:

- For CA, 36% of the 1992 [Federal Poverty Level \(FPL\)](#)
- For NA, 130% of the current [FPL](#)

NOTE When the Sponsored LPR is provided free room and board, the sponsored LPR is not indigent and the sponsor's income must be deemed.

This total income includes, but is not limited to, the following:

- Earned income
- Unearned income
- In-kind income
- Cash contributions from the sponsor
- Cash value of food, clothing, shelter, and utilities provided by the sponsor
- Vendor payments by the sponsor

Key the total value of all types of income provided by the sponsor(s) next to the sponsored LPR as AS, in the TY field on UNIN.

Document the actions taken in the [case file\(g\)](#).

The sponsored LPR is indigent when any of the following occur:

- For CA, when AFPD displays any CA benefit amount
- For NA, when FSAD displays any NA benefit amount

Once determined indigent, print the UNIN, AFPD, FSAD, screens and upload them to [OnBase\(g\)](#).

To determine the correct benefit amount, remove all non-cash contributions from the amount keyed as AS in the TY field on UNIN next to the sponsored LPR.

NOTE Complete the indigent test at the 12-month renewal. Document the case file with the date the indigent test was completed.

When a sponsored LPR is indigent, staff authorized to elevate inquiries must contact the [Policy Support Team](#) (PST) via email, to report the following information:

- AZTECS case number
- Name, Social Security Number (SSN), and Alien Registration Number of each sponsored noncitizen in the budgetary unit
- Name, SSN, and Alien Registration Number (when appropriate) of the sponsor
- Date and results of the indigent test

NOTE Do not contact PST when a budgetary unit consists of one or two participants and receives less than \$16 in NA monthly benefits.

When the sponsored LPR is not indigent, [deem the sponsor's income](#).

.04 Deeming Sponsor Income and Resources

REVISION 18
(10/01/11 - 12/31/11)

When a Lawful Permanent Resident (LPR) is sponsored, only the sponsor's income must be deemed to the sponsored LPR, unless exempt or indigent.

NOTE When the sponsor lives with their [spouse\(g\)](#), the sponsor's spouse's income must also be deemed to the sponsored LPR.

CA EXCEPTION

The resources of the sponsor are countable toward the sponsored LPR. Request the income and resources of the sponsor. Count the sponsor's total resources, minus \$1500, toward the sponsored LPR.

For a listing of LPRs who are exempt from deeming and therefore are not required to provide their sponsor's information, including income, see [determining whether to deem the sponsor's income or resources](#).

To determine the amount of deemed income countable to the sponsored LPR, complete the following:

- Determine the sponsor's (earned and unearned) gross monthly income.

- Subtract 20% of the earned gross monthly income.
- Determine the size of the sponsor's budgetary unit.
- Subtract the gross income eligibility limit for the sponsor's budgetary unit size.
- The result is the portion of the sponsor's income that is considered available to the sponsored LPR.
- Key this amount next to the sponsored LPR on UNIN using the AS Unearned Income code.

NOTE When the sponsor has signed more than one I-864 or I-864A, divide the resulting amount by the number of I-864 or I-864A signed by the sponsor. The remainder is the portion of the sponsor's income that is considered available to each of the sponsored LPR. (See Examples [Sponsored Lawful Permanent Resident 1](#) and [Sponsored Lawful Permanent Resident 2](#))

.05 Verification Requirements for Sponsored Lawful Permanent Residents

REVISION 09
(07/01/09 – 09/30/09)

Sponsored Lawful Permanent Residents (LPRs) are required to provide the following verification:

- The name, address, and phone number of the sponsor
- Value of the contributions provided by the sponsor, to the sponsored LPR
- All other mandatory verification criteria

WARNING

FAA must assist the sponsored LPR in obtaining verification regarding the sponsor. (See [SAVE](#))

When the sponsored LPR does not provide information necessary to make an eligibility determination, all of the following apply:

- The sponsored LPR is ineligible for benefits.
- Key the DF participation code next to the sponsored LPR, on SEPA.

- Determine the eligibility of all other participants in the budgetary unit. Do not count any potentially deemed income or resources from the sponsor.
- When verification is provided after the determination, on an ongoing case, treat the information as a change and determine eligibility for the sponsored LPR. (See [Providing Verification](#))

The sponsored LPR is not required to provide the income or resources of their sponsor when they meet any of the following:

- They are exempt from sponsor policy
- They are determined to be indigent

.06 Change Reporting Requirements for Sponsored Lawful Permanent Residents

[REVISION 09](#)
(07/01/09 – 09/30/09)

In addition to meeting the standard reporting requirements, the sponsored Lawful Permanent Resident (LPR) is responsible for reporting the following information (See [Reporting Requirements](#)):

- Information about a new sponsor and the sponsor's [spouse\(g\)](#) when there is a change in sponsor
- When the sponsor or sponsor's spouse changes or loses employment
- When a sponsor dies

.07 Overpayments of Sponsored Lawful Permanent Residents

[REVISION 09](#)
(07/01/09 – 09/30/09)

The sponsor and sponsored Lawful Permanent Resident (LPR) are jointly responsible for repayment of any overpayment resulting from incorrect information provided by the sponsor.

The sponsor may be without fault in supplying incorrect information. When this occurs, the sponsored LPR's budgetary unit is solely responsible for the overpayment.

.08 Appeals Process for Sponsored Lawful Permanent Residents

REVISION 09
(07/01/09 – 09/30/09)

The sponsor is entitled to an [appeal](#) for either of the following:

- To contest a determination that the sponsor was at fault for providing incorrect information.
- To contest the amount of the claim.

E 40 Quarters of Earnings

REVISION 48
(01/01/20 - 12/31/20)

40 quarters of earnings is an eligibility factor for either of the following:

- Adult non-sponsored Lawful Permanent Resident (LPR) applying for NA.

NOTE Determine 40 quarters of earnings only when the applicant does not meet any of the other eligibility criteria outlined in Non-sponsored LPR criteria.

- Sponsored LPR applying for NA or CA.

NOTE When a sponsored LPR has accumulated 40 quarters of earnings, the sponsor's income and resources no longer count.

NA EXCEPTION

When the lawful noncitizen child is under the age of 18, 40 quarters of earnings is not an eligibility criterion, regardless of whether the noncitizen is sponsored or non-sponsored. (See [Under Age 18](#))

40 quarters of earnings is ten years of earnings that can be used to establish eligibility. SSA determines the amount of earnings needed per quarter to qualify the quarter.

Initiate a 40 quarter of earnings inquiry only when it is clear from the interview that the applicant may meet the 40 quarter of earnings requirement.

NOTE When 40 quarters of earnings has been verified, key Y in the 40 field on NOCS next to the LPR. For additional information, see [Noncitizen Status \(NOCS\) – Overview](#).

Policy and procedures regarding 40 quarters of earnings are outlined as follows:

- [Accumulating 40 Quarters](#)
- [Covered and Noncovered Earnings](#)
- [40 Quarter Verification](#)
- [Lag Quarters](#)
- [Approval Pending 40 Quarter Verification](#)

.02 Accumulating 40 Quarters

REVISION 09
(07/01/09 – 09/30/09)

Noncitizens may meet the 40 Quarter criteria using any of the following quarters of earnings:

- Their own earnings.
- Their spouse's earnings.
- Their parent's earnings through the month the noncitizen turns age 18.

Noncitizens may accumulate their own quarters of earnings beginning when they are legally authorized to work in the U.S.

NA EXCEPTION

Noncitizens may begin accumulating their own quarters regardless of their noncitizen status at the time the work is performed.

A quarter may be used to qualify more than one noncitizen.

Noncitizens may use the following spouse's quarters of earnings beginning with the quarter the marriage occurred:

- A current [spouse\(g\)](#).
- One or more deceased spouses.

This includes common law marriages and couples who live together and present themselves as husband and wife to the community.

When counting 40 quarters, include the quarters of earnings received during periods of voluntary or involuntary separation from the current legal spouse.

Verification must be provided for the following:

- Legal marriage
- Common law marriages
- Couples who live together and present themselves as husband and wife to the community.

NOTE Verify the date the couple began to present themselves as husband and wife.

WARNING

When a noncitizen's marriage ends in divorce, do not count the ex-spouse's quarters of earnings.

The eligible noncitizen who divorces during their approval period may become ineligible at renewal, when reapplying after a break in benefits, or when a change is reported.

Noncitizens may use the quarters of their parent (natural, adoptive, or stepparent) through the month the noncitizen turns age 18.

NOTE The relationship of the parent to the child must be verified.

The following quarters of earnings may be used:

- Quarters earned by a parent (natural or adoptive) before the child was born.
- Quarters earned by a parent (natural, adoptive, or stepparent) before the child entered the U.S.
- Quarters earned by a stepparent while the child lived with the stepparent.

NOTE This includes common law marriages and couples who live together and present themselves as husband and wife to the community.

- Quarters earned prior to the noncitizen turning 18. The quarters may be used after the noncitizen's 18th birthday, even when the noncitizen no longer resides with the natural or adoptive parent.

Quarters of earnings on or after January 1, 1997 are not qualifying quarters of earnings when any of the following apply:

- The noncitizen received the [Federal Means Tested Public Benefit\(g\)](#) from any state in that quarter.
- The spouse or parent providing the quarter received Federal Means Tested Public Benefits from any state in that quarter.

NOTE When the noncitizen earns the 40th quarter of coverage prior to applying for Nutrition Assistance or any other federal means-tested public benefit in that same quarter, the State agency must allow that quarter toward the 40 qualifying quarters total. The noncitizen cannot make a quarter countable by repaying benefits they were eligible to receive.

EXCEPTION

Count the quarter of earnings toward the 40 quarters of earnings requirement for the noncitizen when all of the following apply:

- Was ineligible to receive a Federal Means Tested Public benefit
- Received a Federal Means Tested Public benefit in error
- Repaid the Federal Means Tested Public benefit

.03 Covered and Noncovered Earnings

REVISION 09
(07/01/09 – 09/30/09)

Covered or noncovered earnings may be acceptable for meeting the 40 quarter of earnings requirement.

Covered earnings are wages or self-employment income for which FICA or SECA (Social Security) taxes are withheld. QCIN displays verified covered earnings. Use QCIN as the primary source of verification.

Noncovered earnings are wages or self-employment income for which FICA or SECA taxes are not withheld.

NOTE Noncovered earnings can only be used to meet the 40 quarters of earnings requirement when a review by SSA is pending.

.04 40 Quarter Verification

REVISION 09
(07/01/09 – 09/30/09)

To request quarters of coverage, complete the following:

On ININ request quarters of earnings through QCRE. Verify the quarters of coverage on QCIN.

Initiate QCRE for individuals whose quarters of earnings may be used and are not included in a budgetary unit. The quarters of earnings may be used in combination with the applicant's quarters, to total 40 quarters of coverage.

Do not initiate QCRE in the following circumstances:

- When it is clear from the interview that the noncitizen cannot meet the 40 quarters of earnings criteria.
- When it is clear that the noncitizen, in combination with parents or a [spouse\(g\)](#), cannot meet the 40 quarters of earnings criteria.

NOTE The reason that QCRE was not initiated must be documented in the case file.

SSA responds to the request for quarters of earnings within 48 hours by updating QCIN. QCIN displays a QUARTERS OF COVERAGE pattern by the year and quarter.

The following fields display below the QUARTERS OF COVERAGE pattern:

- TOTAL QUARTERS
- QUALIFYING
- QUESTIONABLE
- NOT COVERED

When 40 quarters of earnings are listed in the QUALIFYING field, the noncitizen meets the Qualified Noncitizen criteria.

When the QUARTERS OF COVERAGE pattern is blank, an edit message displays to indicate the reason.

Codes displayed in the QUARTERS OF COVERAGE pattern indicate undetermined quarters. Undetermined quarters are indicated on QCIN by the following codes:

- Z
- #
- -

(See [Quarters of Coverage Pattern Values](#))

When a code displays an undetermined quarter, complete the following:

- Review other sources for quarters of earning that may be used. (See [Accumulating 40 Quarters](#))
- Use undetermined quarters when possible to adjust quarters of earnings using the procedures outlined in [QCIN](#).
- Refer the applicant to SSA following the procedures outlined in [40 Qtrs Approval Pending](#) when undetermined quarters are indicated.

When the applicant claims there are quarters not displayed in the QUARTERS OF COVERAGE pattern, see Lag Quarters.

Place a screen print of QCIN in the [case file\(g\)](#).

.05 Lag Quarters

REVISION 09
(07/01/09 – 09/30/09)

A lag quarter is a current or preceding year's earnings that do not display on QCIN.

Determine whether lag quarters, in combination with verified quarters of earnings, displayed on QCIN, equals 40 or more.

When the number of quarters of earnings equals 40 or more, verify earnings in one of the following ways:

- Through [HOSC](#)
- From the applicant
- Refer the applicant to SSA for verification

(When the number of quarters of earnings are in dispute, see [Approval Pending 40 Quarters](#))

When quarters of earnings do not equal 40 or more, the following apply:

- Determine the number of lag quarters in a year by dividing the noncitizen's annual income by the amount given for the year listed in the [Quarterly Earnings Table](#). This is the number of quarters of earnings.
- Do not count more than four quarters in a year.
- Do not use future quarters.

When the Quarters of Coverage are from 1977 and earlier, the following apply:

- For each quarter in which a participant was paid \$50 or more in wages one quarter is earned. (Including agricultural wages for 1951 - 1954)
- For agricultural wages paid during the year for the years 1955 through 1977, one quarter is earned for each \$100.
- Four quarters are earned for each taxable year in which a participant's net earnings from self-employment were \$400 or more.

For Quarters of Coverage from 1978 and later, credits are based solely on the total yearly amount of earnings. Obtain the number of creditable Quarters of Coverage by dividing the noncitizen's total earned income by the amount for the year. (See [Quarterly Earnings Table](#))

NOTE When determining quarters of earnings after December 1996, see [Accumulating 40 Quarters](#).

Use the following sources to verify Lag Quarters:

- Applicant's copy of a federal or state tax return
- Applicant's personal records and statements
- Employer prepared earnings statement
- IRS copy of the applicant's tax return
- Pay envelopes, vouchers, and similar unsigned employer earnings statement to the applicant, or a state or federal agency
- Records of state UI agencies
- Statement of earnings signed by the custodian of the employer's records
- Timely filed self-employment tax forms
- Union records
- W2 or W2c forms

.06 Approval Pending 40 Quarters of Coverage

REVISION 27
(12/31/13 – 01/31/14)

The participant may be approved pending verification of 40 quarters of earnings from SSA in the following situations:

- Fewer than 40 quarters of earnings display on QCIN.
- The applicant disputes the information displayed on QCIN.
- The applicant claims there are additional lag quarters of earnings not displayed on QCIN, and these additional quarters of earnings equal 40.
- When undetermined quarters are indicated.

Refer the applicant to SSA to request a Correction of Earnings Record review and complete all of the following:

- Consider the participant who provides the verification from SSA that indicates a review of earning has started, as a Qualified Noncitizen

- When otherwise eligible, approve benefits for one of the following periods of time, whichever occurs earlier:
Six months from the date of SSA's initial response
Until SSA completes the review
- Place a screen print of QCIN in the case file.

F Qualified Noncitizen Documents- Overview

REVISION 50
(01/01/22 – 12/31/22)

Noncitizens who are in the United States (U.S.) legally have been given a document by the United States Citizenship and Immigration Services (USCIS).

Many of the documents provided to noncitizens contain additional codes or annotations that indicate the classification status.

Review the documents to establish whether the noncitizen is in the U.S. in a qualified or nonqualified status.

Permanent Resident Cards, commonly known as green cards, that say "signature waived" are acceptable immigration documents that participants may present to authorized federal, state, and local benefit-issuing agencies registered with the Systematic Alien Verification for Entitlements (SAVE).

USCIS qualified classifications are identified by the following:

- Lawful Permanent Resident (LPR)
 - I-551
 - I-151
 - I-181a
 - I-94 annotated with Processed for I-551

Effective 08/01/92, USCIS began the "USCIS Green Card (I-151) Replacement Program" for noncitizens who had cards issued before 07/01/79. The original replacement deadline for noncitizens to update their card from an I-151 to an I-551 was set for 09/20/94. This deadline was extended to 03/20/96. The holders of the I-151 are LPR noncitizens. The status of LPR noncitizens who kept the I-151 has not changed.

NOTE Inform participants presenting an I-151 issued before 1979 that USCIS strongly urges them to contact USCIS and apply for the replacement Form I-551.

- [Asylee](#)

I-94 stamped admitted under Section 208

I-688B (Employment Authorization) with provision of law code 274a.12(a)(5)

I-730 Approval letter

I-766 (Employment Authorization) displaying A5

I-571 (Refugee Travel Document)

Approval letter from USCIS

An order from an Immigration Judge granting asylum

A written decision from the Board of Immigration Appeals

- [Cuban or Haitian Entrant](#)

Parole or other special status:

- Form I-94 - (Arrival/Departure Record) with a stamp noting "Cuban-Haitian Entrant" or "paroled into the U.S. on or after 04/21/1980, under 212(d)(5)." Some Cuban-Haitian Entrants may also have a Cuban or Haitian passport with a stamp noting "parole under 212(d)(5). I-94 may refer to humanitarian or public interest parole. The I-94 may be expired.)

- Form I-551 - Permanent Resident Card with a category code of CH6. Even after Cuban or Haitian Entrants (Status Pending) become permanent residents, they technically retain the status Cuban or Haitian Entrant (Status Pending). The I-551 may be expired.

An individual in removal, deportation, or exclusion proceedings:

- DHS Form I- 862 - Notice to Appear
- DHS Form I-220A - Order of Release on Recognizance
- DHS Form I-221S - Order to Show Cause, Notice of Hearing, and Warrant of Arrest
- DHS Form I-122 - Notice to Applicant Detained for a Hearing Before an Immigration Judge

- DHS Form I-589 date stamped by the Executive Office for Immigration Review (EOIR) - Application for Asylum and Withholding of Removal; Individual is subject to removal, deportation, or exclusion proceedings
- DHS Form I-485 date stamped by EOIR - Application to Register Permanent Residence or to Adjust Status; Individual is subject to removal, exclusion, or deportation proceedings
- EOIR form 26 - Notice of Appeal, date stamped by the Office of the Immigration Judge
- I-766 Employment Authorization Document with the code C10 - Application for suspension of deportation/cancellation of removal submitted to DHS or EOIR
- I-688B Employment Authorization Document with the provision of law 274a.12(c)(10) - Application for suspension of deportation/cancellation of removal submitted
- Other applications for relief that have been date stamped by EOIR
- Other documentation pertaining to an applicant's removal, exclusion, or deportation proceedings - Example: a notice of a hearing date before an Immigration Judge

Pending Asylum Application:

- DHS receipt for filing Form I-589 - Application for Asylum and Withholding of Removal
- I-766 Employment Authorization document with the code C08
- I-688B Employment Authorization Document with the provision of law 274a.12(c)(8) - This is an older version of the employment authorization document

- [Deportation Withheld](#)

I-94 with an order from an Immigration Judge showing either of the following:

- Deportation withheld under 243(h)
- Removal withheld under 241(b)(3)

I-688B (Employment Authorization) with provision of law code 274a.12(a)(10)

I-766 (Employment Authorization) displaying A10

- [Indefinite Detainee](#)
 - Order of Supervision (I-220B) form
 - I-688B (Employment Authorization) with provision of law code 274a.12(c)(18)
 - I-766 (Employment Authorization) displaying A18
- [Parolee](#)
 - I-94 stamped paroled pursuant to Section 212(d)(5)
 - I-688B (Employment Authorization) with provision of law code 274a.12(a)(4)
 - I-766 (Employment Authorization) displaying A4
 - Letter from USCIS showing a grant of parole pursuant to Section 212(d)(5)

NOTE The document must not be expired, and the expiration date must be at least one year after the issuance date
- [Refugee or Amerasian](#)
 - I-94 card or electronic admission record indicating admitted under Section 207
 - I-688B (Employment Authorization) with provision of law code 274a.12(a)(3)
 - I-766 (Employment Authorization) displaying A3
 - I-571 (Refugee Travel Document)
 - Letter from USCIS granting admission as a refugee
- [Severe Trafficking Victim](#)
 - I-94 annotated with a T Visa or Derivative T Visa
 - Passport annotated with a T Visa or Derivative T Visa
 - I-797, Notice of Action, annotated with one of the following T Visa or Derivative T Visa Class of Admissions Codes: T-1, T-2, T-3, T-4, and T-5
- [Special Immigrant VISA's](#)
 - Visa issued by USCIS verifying the noncitizen has been admitted under section 101(a)(27) of INA, and that indicates one of the following Class of Admission Codes: SI1, SI2, SI3, SI6, SI7, SI9 SQ1, SQ2, SQ3, SQ6, SQ7, and SQ9.

G Nonqualified Noncitizens - Overview

REVISION 12
(04/01/10 – 06/30/10)

A nonqualified noncitizen may have entered the U.S. either with or without USCIS documentation. Nonqualified noncitizens do not meet the required noncitizen status to be potentially eligible for NA or CA.

The types of nonqualified noncitizens are as follows:

- [With USCIS documentation](#)
- [Without USCIS documentation](#)

.02 Nonqualified Noncitizens with USCIS Documentation

REVISION 09
(07/01/09 – 09/30/09)

A nonqualified noncitizen with USCIS documentation has legally entered the U.S. temporarily with no intention of abandoning their foreign residence. These nonqualified noncitizens do not meet the Arizona residency requirements for eligibility.

.03 Nonqualified Noncitizens without USCIS Documentation

REVISION 50
(01/01/22 - 12/31/22)

A nonqualified noncitizen without United States Citizenship and Immigration Services (USCIS) documentation, also known as an [undocumented noncitizen\(g\)](#), may or may not have entered the U.S. without the knowledge or permission of USCIS.

NOTE Citizens of either the Marshall Islands or the Federated States of Micronesia may work and establish residence in the U.S. These noncitizens do not need USCIS permission to legally enter and live in the U.S. and may not have USCIS documentation.

When it has been determined that a noncitizen participant does not have USCIS documents, do not question the participant further regarding their noncitizen status.

When a noncitizen has no documents, key the following:

- DI in the PT field on the SEPA screen
- OT in the CI field on the IDCI screen
- NS in the STAT field on the NOCS screen

A nonqualified noncitizen who is residing in the U.S. without the knowledge or permission of USCIS, may do one of the following:

- Voluntarily self-declare that they are residing in the U.S. illegally
- Provide Immigrations and Customs Enforcement (ICE) documents verifying violation of USCIS law

When either of these occurs, complete all of the following:

- Obtain an electronic ICE referral e-form at the following link: <https://azdes-community.secure.force.com/ICE> (Internal use only)
- Complete the ICE referral
- Send the ICE referral form to ICE by clicking on the submit button at the bottom of the page

NOTE Do not document the case file.

Failure to report confirmed violations of immigration law is a class 2 misdemeanor toward the worker. When the worker's supervisor knows of the failure to report and fails to instruct the worker to make the report, the supervisor is also guilty of a class 2 misdemeanor.

[Deferred Action for Childhood Arrivals \(DACA\)](#) is a U.S. immigration policy that allows children, who are brought to the country as minors and are still residing in the U.S. unlawfully, to apply for a deferral from deportation.

These young men and women, sometimes referred to as Dreamers, are nonqualified noncitizens who are residing with the knowledge of the USCIS. Do not refer these individuals to ICE.

H Nonqualified Noncitizen Documents

[REVISION 39](#)
(12/01/15 – 01/31/16)

Nonqualified noncitizen documents include, but are not limited to, the following:

- I-94

Noncitizens with this document may have either qualified or nonqualified status. The admission annotation determines the noncitizen's status. (See [Qualified Documents](#))

- I-184 Crewman Landing Permit
- I-185 Nonresident Alien Canadian Border Crossing Card
- I-186 Nonresident Alien Mexican Border Crossing Card
- I-444 Mexican Border Visitor Permit
- I-586 Nonresident Alien Border Crossing Card
- I-688A Employment Authorization

This is the first card issued to noncitizens living in the U.S. under the Amnesty Program of the Immigration Reform and Control Act of 1986.

- I-688 Temporary Resident

This is the second card issued to noncitizens under the Amnesty Program of the Immigration Reform and Control Act of 1986.

- I-688B Employment Authorization

Noncitizens with this card may have either qualified or nonqualified status. The Provision of Law annotated on the card determines the noncitizen's status.

- I-689 Fee Receipt
- I-766 Employment Authorization

This card was introduced in 1997. Noncitizens with this card may have either qualified or nonqualified status. The Provision of Law annotated on the card determines the noncitizen's status.

- DSP150 Border Crossing Card

This card was introduced in 1998.

- Student Visa

I Determining Noncitizen Status

REVISION 12
(04/01/10 –06/30/10)

To determine noncitizen status, complete the following:

- Ask the noncitizen for their USCIS documentation. When the participant states they do not have documentation, see [Nonqualified Noncitizens without USCIS Documentation](#).
- When the noncitizen refuses to answer questions about the noncitizen status of any household member, disqualify only the member who has not verified their status.

Others in the household may be eligible. Continue to complete the determinations for all citizens or noncitizens who have verified their citizenship or noncitizen status.

To disqualify participants who have not verified their citizenship or noncitizen status, see [Nonqualified Noncitizens without USCIS Documentation](#).

- When the document is provided, compare the document to the documents listed in [qualified noncitizen documents](#). When the document is one of the qualified noncitizen documents, the noncitizen has a qualified status.

NOTE Each USCIS document contains additional information that specifies noncitizen status.

- When the noncitizen has a qualified status, see [Qualified Noncitizens](#) to determine specific program eligibility requirements for the qualified noncitizen.

NOTE Use VIS to verify the noncitizen's immigration status prior to authorizing benefits.

J Noncitizen Keying Procedures

[REVISION 09](#)

(07/01/09 – 09/30/09)

Eligibility for specific programs is determined by keying in AZTECS the appropriate codes in the PT field on SEPA and the CI field on IDCI.

When the noncitizen is eligible for NA and CA, key the following:

- IN in the PT field on SEPA for NA and CA
- EA in the CI field on IDCI

NOTE For refugee participants, Refugee Office staff key the RE Citizenship Code during the refugees first 12 months in the U.S. To track these cases, they set a free form ACTS Alert for the month after the end of the 12th month. After 12 months, they change the citizenship code to EA and move the case out of their caseload. Any FAA staff key the EA Citizenship Code when the 12 month is completed to determine eligibility for refugee participants.

When the noncitizen is eligible for NA but not eligible for CA, key the following:

- IN in the PT field on SEPA for NA
- DI in the PT field on SEPA for CA
- EF in the CI field on IDCI

When the noncitizen is without USCIS documentation, key the following:

- DI in the PT field on SEPA for NA and CA
- OT in the CI field on IDCI

When the noncitizen has USCIS documentation, but does not meet the 5 year bar or 40 Quarters key the following:

- DI in the PT field on SEPA for NA and CA
- IA in the CI field on IDCI

When the noncitizen has USCIS documentation, but is not eligible for any program, key the following:

- DI in the PT field on SEPA for NA and CA
- IA in the CI field on IDCI
- N in the RES field on RARE
- US in the DENIAL/CLOSURE REASON field on AFPD
- US in the DEN/CLOSE REAS field on FSAD