

B Qualified Noncitizens



This subject includes a list of noncitizens that are potentially eligible for NA and CA.

Policy

A noncitizen is a person who is not a United States (U.S.) citizen by birth or by naturalization. A qualified noncitizen is a person lawfully residing in the U.S. with a classification status that allows potential eligibility for NA and CA. Qualified noncitizens are potentially eligible for NA and CA. When a participant in the household is not a qualified noncitizen, see [nonqualified noncitizens](#) for important information.

Participants are required to declare the immigration status of any noncitizen applying for NA or CA benefits. Noncitizens who meet the qualified noncitizen criteria are potentially eligible to receive NA and CA. A noncitizen is determined qualified by the Status and Class of Admission (COA) Code given by the United States Citizenship and Immigration Services (USCIS).

Qualified noncitizens have either a temporary or permanent qualified status may provide immigration documents issued by **any** of the following immigration agencies:

- U.S. Department of State
- U.S. Department of Homeland Security (DHS) Customs and Border Protection (CBP)
- U.S. Immigration and Naturalization Services (INS)
- USCIS
- Immigration and Customs Enforcement (ICE)
- Executive Office for Immigration Review (EOIR)

To determine whether a noncitizen with temporary qualified status is potentially eligible for NA and CA, see **any** of the following:

- [Afghani Special Immigrant Visa holder](#)
- [Amerasian](#)
- [Asylee](#)
- [Battered noncitizen](#)
- [Cuban or Haitian entrant \(CHE\)](#)
- [Deportation Withheld](#)
- [Indefinite Detainee](#)
- [Parolee](#)
- [Refugee](#)
- [Ukrainian refugees](#)

- [Unaccompanied Refugee minor \(URM\)](#)
- [Victim of severe trafficking](#)

To determine whether a noncitizen with permanent qualified status is potentially eligible for NA and CA, see **any** of the following:

- [American Indians born outside of the United States](#)
- [Hmong and Highland Laotians](#)
- [Lawful permanent residents \(LPRs\)](#)

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

Afghani Special Immigrant Visa Holder

Afghani Special Immigrant Visa (SIV) holders are people who enter the United States (U.S.) under a special visa issued by the United States Citizen and Immigration Service (USCIS) to Afghani citizens. These visas entitle the noncitizen to the same benefits and services as refugees.

Afghani 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 Operation Allies Refuge (OAR) 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 United States.

The **all** of the following are the four arrival categories:

- Afghani Special Immigrant lawful permanent resident (SI LPR)
- Afghani 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 SI CPRs complete a medical examination and USCIS determines they are not medically inadmissible, DHS removes their conditions and they become an SI LPR.

- Afghani Special Immigrant parolee (SI Parolee)
- Afghani Non-SI parolee (sometimes referred to as a "humanitarian parole" or "OAR parole")

NOTE Some Afghani 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.

Noncitizen participants who have **one** of the following Class of Admission (COA) Codes are considered qualified noncitizens and are potentially eligible for NA and CA:

- SI1
- SI2
- SI3

- SI6
- SI7
- SI9
- SQ1
- SQ2
- SQ3
- SQ6
- SQ7
- SQ9
- SW1
- SW2
- SW3

An Afghani SIV may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to the FAA Refugee Offices.

For more information about Afghani arrivals, see *all* of the following:

- [Afghani SI LPRs and SI CPRs](#)
- [Afghani SI Parolees and Non-SI Parolees](#)

Afghani SI LPRs and SI CPRs

Afghani Special Immigrant lawful permanent residents (SI LPRs) and Special Immigrant conditional permanent residents (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 eligible for NA and CA benefits without a waiting period.

The SI LPRs generally have foreign passports with a U.S. Department of Homeland Security (DHS), Customs and Border Protection (CBP) stamp admitting them with *any* of the following Class of Admission (COA) Codes:

- SQ1
- SQ2
- SQ3
- SQ6
- SQ7

- SQ8

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

- CQ1
- CQ2
- CQ3

Some SI LPR or SI CPR arrivals may not have a physical immigrant visa or temporary United States Citizenship and Immigration Service (USCIS) Form I-551 Permanent Resident Card stamp in their passport. An SI LPR or SI CPR can also receive **one or more** of the following documents:

- Form I-94 – Arrival Departure Record
- Form I-551 – Permanent Resident Card
- Form I-766 – Employment Authorization Document (EAD)

Afghani Special Immigrant (SI) Parolees and Non-SI Parolees

Afghani SI and Non-SI Parolees are both paroled into the United States (U.S.) under section 212(d)(5) of the Immigration and Nationality Act (INA). Both groups may have **one** of the following United States Citizenship and Immigration Service (USCIS) documents:

- Customs and Border Patrol (CBP) “PAROLED” stamp in their passport
- Form I-766 - Employment Authorization Document (EAD) with a C11 Class of Admissions (COA) Code

All of the following Afghani SI and Non-SI Parolee participants are eligible for NA and CA benefits without a waiting period effective 09/30/2021 until 09/30/2023 or until the end of their parole term, whichever is later:

- Afghani citizens or nationals paroled into the U.S. between 07/31/2021 and 09/30/2023
- Their spouses or children paroled after 09/30/2023
- Their parents and guardians paroled after 09/30/2023 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 **one** of the following COA Codes:

- SQ4
- SQ5

The printed page contains information including the following notation, and is signed and dated by a United States Citizenship and Immigration Service (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 - Arrival Departure Record printed from the CBP I-94 website with **any** of the following COA Codes:

- OAR (CBP implemented 08/2021)
- PAR, DT (these or other parole COAs Codes used instead of OAR before 08/2021 and occasionally afterward)

Effective 11/21/2022, Non-SI Parolees do not need a USCIS Form I-766 - Employment Authorization Document (EAD), to be employment authorized. The guidance applies when their parole has not expired or been terminated, and they have an OAR COA Code.

These Parolees can present a copy of their electronic Form I-94 from the U.S. CBP I-94 website at i94.cbp.dhs.gov. These Parolees may also present **one or more** of the following documents:

- Form I-94 with a DT COA Code
- Foreign passport with parole stamp that includes the DT COA Code
- Form I-766 EAD with a C11 COA Code, when they have applied for and received one.

The I-94 or parole stamp in a foreign passport also includes the date the individual was paroled into the United States.

When the information from the I-94 or other documentation noted above matches federal immigration records, the Verify Legal Presence (VLP) provides an initial verification response of Parolee. The response also includes the parole start and end date and COA Code. It should also include the country of citizenship and that the participant is employment authorized.

Amerasian

An Amerasian is a person 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 are qualified noncitizens and potentially eligible for NA or CA.

NOTE An Amerasian who is later granted 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 (RRP). Their cases are processed at designated FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

Noncitizen participants who have **one or more** of the following annotated USCIS

documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record with **any** of the following Class of Admission (COA) Codes:
 - AM1
 - AM2
 - AM3
 - Form I-551 - Permanent Resident Card (or Resident Alien Card) with **any** of the following Adjustment Codes:
 - A36
 - A37
 - A38
 - AM1
 - AM2
 - AM3
 - AM6
 - AM7
 - AM8
 - Vietnamese Exit Visa or passport, stamped by CBP, with **any** of the following COA Codes:
 - AM1
 - AM2
 - AM3
- NOTE This document may or may not include a temporary I-551 stamp

Asylee

An asylee is a person who has been granted protection and immunity from extradition by the United States Citizenship and Immigration Services (USCIS).

A noncitizen granted asylum by USCIS is a qualified noncitizen and potentially eligible for NA and CA.

A participant who has been granted parole or placed into deportation and removal proceedings may be pending asylum approval. A noncitizen pending asylum approval by USCIS is processed as a nonqualified noncitizen until USCIS approval is granted, unless they meet **one** of the following criteria:

- Afghan parolees who qualify as a reunification. (See [Afghani Special Immigrant Visa \(SIV\) holders](#), for more information about eligibility)
- Cuban or Haitian entrants. (See [Cuban or Haitian Entrant](#), for more information)

about eligibility)

- Parolees for at least one year granted under 212(d)(5) of the Immigration and Naturalization Act (INA). See [Noncitizen Paroled into the United States](#), for more information about eligibility)
- Ukrainian refugees or parolees who qualify as a reunification. (See [Ukrainian Refugees](#), for more information about eligibility)

NOTE An asylee who is later granted LPR status is potentially eligible for NA and CA based on their previous status. See [Nonqualified Noncitizens](#) when the participant is pending asylum approval.

An asylee may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months after asylum approval. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

NOTE The 12 months for an asylee is determined by the date of asylum approval, not the date they entered the United States.

Noncitizen participants who have **one or more** of the following annotated USCIS documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record
- Form I-688B - Employment Authorization Document (EAD) with the provision of law code 274a.12(a)(5)
- Form I-730 – Refugee Asylee Relative Petition Approval letter
- Form I-766 - EAD displaying with the Class of Admission Code A05
- Approval letter from USCIS
- An order from an Immigration Judge granting asylum
- A written decision from the Board of Immigration Appeals

Battered Noncitizen

A battered noncitizen is a person who has suffered abuse or extreme cruelty while living with their abuser in the United States (U.S.). **Any** of the following must have caused the abuse:

- 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, the noncitizen is required to possess a [Prima Facie Determination\(g\)](#) petition for immigration status. The petition may be in an approved or pending status. The petition may be in **one** of the following categories:

- Form I-130 – Petition for Alien Relative filed by their spouse or the child’s parent
- An I-130 petition as a widow or widower of a U.S. citizen
- Form I-360 – Petition for Amerasian, Widow(er), or Special Immigrant. 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. **Any** of the following is eligible to complete a self-petition under VAWA:

Spouses abused by a U.S. citizen or a lawful permanent resident (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 who complete an I-360 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 I-360 may be completed after the abused person turns 21. The I-360 must be completed before their 25th birthday.

- The abuse occurred in the United States.
- The noncitizen no longer resides with the abusive person.

The participant is required to write a statement providing **all** of 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, does the participant have any other USCIS documented status

For potential eligibility, qualified battered noncitizens are required to have five 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
- Afghani Special Immigrant Visa holder
- Ukrainian refugee
- 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 is required to have entered the U.S. before 08/22/1996. When they entered the U.S. before 08/22/1996, they are required to provide all documentation verifying continuous residency in the United States.

NOTE Participant statement verification may be provided when documented or collateral contact verification does not cover any period of time since entry. The participant's statement must explain where the participant was during the time the written and collateral contact verification does not cover.

For additional assistance, participants may contact the following legal resources:

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

Cuban or Haitian Entrant

A Cuban or Haitian entrant (CHE) refers to persons who have fled to the United States (U.S.) from either Cuba or Haiti to escape oppression, persecution, national distress, or environmental disasters.

The term CHE relates to benefit eligibility rather than an immigration status.

For CHE nationals who are not classified as Entrants, see [Cuban or Haitian Nationals with Temporary Protected Status](#).

CHEs are considered qualified noncitizens under Section 501(e) of the Refugee Education and Assistance Act (REAA) of 1980. This law defines a CHE as **one** of the following:

- Any person granted parole as a CHE (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 person at the time of assistance or when services are provided.

- Any other national of Cuba or Haiti who includes **one or more** of the following attributes:

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 United States Citizenship and Immigration Services (USCIS).

CHEs are treated the same as refugees. As qualified noncitizens, they are potentially eligible for NA and CA benefits without a waiting period.

In addition to meeting all other eligibility requirements, CHE participants are required to meet SSN requirements to be eligible to participate in the NA and CA programs. The Social Security Administration (SSA) issues SSNs to noncitizens without employment authorization when federal law requires an SSN to get certain benefits or services. See [Social Security Number \(SSN\)](#) for more information.

CHEs may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States (U.S.). See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

NOTE When a CHE is subject to a final, non-appealable, and legally enforceable order of removal, deportation, or exclusion during the first 12 months in the U.S., the participant is not eligible for RRP benefits. The participant remains eligible for NA and CA as a CHE and benefits are no longer processed by the special FAA Refugee Offices.

A CHE who is later granted LPR status is potentially eligible for NA and CA based on their previous eligible status.

CHE participants can provide different documents as proof of their immigration status.

Documents with USCIS annotation that they may provide includes and are not limited to **one or more** of the following:

- Form I-94 - Arrival/Departure Record with a stamp noting "Cuban-Haitian Entrant" or "paroled into the United States on or after 04/21/1980, under 212(d)(5)." Some CHEs 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 Class of Admissions (COA) Code of CH6 or CU6. Even after CHEs (Status Pending) become permanent residents, they retain the status of CHE (Status Pending). The I-551 may be expired.

- Participants with an I-551 displaying a CU7 COA Code are not potentially eligible for NA or CA without the five year waiting period, unless the participant meets **one or more** of the following criteria:

The participant provides a passport, visa, or birth certificate verifying Cuban or Haitian nationality.

The participant is a minor child living with a single parent, or both parents, with a qualified noncitizen status.

NOTE When the minor child is living with both parents and only one is a qualified noncitizen, the minor child is not potentially eligible for CA. For more information about potential eligibility for NA, see [LPR Additional Requirements](#).

- Form I-830 - Notice to Executive Office for Immigration Review (EOIR). Alien Address containing information that the person was released from ICE custody and paroled pursuant to 8 C.F.R. § 212.5.
- Form I- 862 - Notice to Appear.
- Form I-220A - Order of Release on Recognizance.
- Form I-221S - Order to Show Cause and Notice of Hearing.
- Form I-122 - Notice to Applicant For Admission Detained for a Hearing Before an Immigration Judge.
- Form I-589 date stamped by (EOIR) - Application for Asylum and Withholding of Removal. This person is subject to removal, deportation, or exclusion proceedings.
- Form I-485 date stamped by EOIR - Application to Register Permanent Residence or to Adjust Status. This person is subject to removal, exclusion, or deportation proceedings.
- Form EOIR-26 - Notice of Appeal, date stamped by the Office of the Immigration Judge.
- Form I-766 - Employment Authorization Document (EAD) with **one** of the following COA Codes:
 - C08
 - C11
- Form I-688B - EAD with the provision of law 274a.12(c)(10) - Application for suspension of deportation/cancellation of removal submitted.
- Form I-688B - EAD with the provision of law 274a.12(c)(8) - This is an older version of the EAD.
- Other applications for relief that have been date stamped by EOIR.

- Other documentation pertaining to a noncitizen's removal, exclusion, or deportation proceedings - Example: a notice of a hearing date before an Immigration Judge
- DHS receipt for filing Form I-589 - Application for Asylum and Withholding of Removal
- Form I-797C - Notice of Action confirming receipt of the person's Form I-589 - Application for Asylum and Withholding of Removal

COA Codes that are assigned to CHEs include, and are not limited to **any** of the following:

- CH6
- CHE
- CHP
- CU6
- CU7

NOTE Participants with a CU7 COA Code are not potentially eligible for NA or CA without the five-year waiting period unless they can provide proof of Cuban or Haitian nationality. A non-Cuban minor child, may be potentially eligible for NA and CA as a CHE when **any** of the following apply:

- Both parents qualify as a CHE
- The minor child is living with a single parent that qualifies as a CHE

- DT
- HA6
- HA7
- HA8
- HA9
- HB6
- HB7
- HB8
- HB9
- HHP
- RCU
- RHT

Cuban or Haitian Nationals with Temporary Protected Status

Cuban or Haitian nationals who are not classified as Entrants are granted Temporary Protected Status (TPS). A person on TPS is permitted to remain in the United States (U.S.) temporarily. On 05/22/2021, the Department of Homeland Security (DHS) granted TPS for Haitian nationals who reside in the U.S. 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 five years, or unless they meet other qualifying criteria.

Cuban Family Reunification Parole Program (CFRP)

The Cuban Family Reunification Parole Program (CFRP) allows Cuban beneficiaries of family-based immigrants the opportunity to apply for a grant of parole to reside in the United States (U.S.) with their families. Those approved for the CFRP are paroled into the U.S. as Cuban and Haitian Entrants (CHE), allowing them to be eligible for NA and CA benefits without a waiting period. See [Cuban or Haitian Entrant](#) for more information.

Haitian Family Reunification Parole Program (HFRP)

The Haitian Family Reunification Parole Program (HFRP) allows Haitian beneficiaries of family-based immigrants the opportunity to apply for a grant of parole to reside in the United States (U.S.) with their families. Those approved for the HFRP are paroled into the U.S. as Cuban and Haitian Entrants (CHE), allowing them to be eligible for NA and CA benefits without a waiting period. See [Cuban or Haitian Entrant](#) for more information.

Noncitizen Whose Deportation is Withheld

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.

NOTE A noncitizen with deportation withheld status, who is later granted LPR status, is potentially eligible for NA and CA based on their previous status.

Noncitizen participants who have **one or more** of the following annotated documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record with an order from an Immigration Judge showing **any** of the following:
 - Deportation withheld under 243(h)
 - Removal withheld under 241(b)(3)
- Form I-688B Employment Authorization Document (EAD) with the provision of law code 274a.12(a)(10)
- Form I-766 - EAD with the Class of Admissions (COA) Code A10

Indefinite Detainee

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 country.

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 are willing to accept them.

An Indefinite Detainee participant can be identified by an Executive Office for Immigration Review (EOIR) Form I-220B – Order of Supervision which should include **all** of the following:

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

Noncitizen participants who have **one or more** of the following annotated USCIS documents are identified as indefinite detainees:

- Form I-220B - Order of Supervision
- Form I-688B Employment Authorization Document (EAD) with the provision of law code 274a.12(c)(18)
- Form I-766 EAD with the Class of Admissions (COA) Code C18

Whether an indefinite detainee is eligible for NA or CA is determined by their noncitizen status before their incarceration. The participant is required to provide **one or more** of the following (as many as possible) to FAA to determine their prior status:

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

Noncitizen Paroled into the United States

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

To be potentially eligible for NA or CA, participants with a parolee status are required to meet **all** of the following criteria:

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

The parolee criteria do does not apply to **any** of the following parolee participants:

- Parolees from Cuba or Haiti. (See [Cuban or Haitian Entrant](#) for the criteria of these parolees.)
- Afghani SI and Non-SI Parolees. (See [Afghani Special Immigrant Visa Holder](#) for the criteria of these parolees.)
- Ukrainian Humanitarian Parolees (UHP). (See [Ukrainian Refugees](#) for the criteria of these parolees)

A Parolee who has been granted LPR status is potentially eligible for NA or CA. (For CA, see [Continuous Residency](#) for additional information.)

Cuban, Haitian, Afghan, and Ukrainian Parolees may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

Noncitizen participants, granted parole for at least one year, who have **one or more** of the following annotated USCIS documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record stamped paroled pursuant to Section 212(d)(5)
- Form I-688B with the provision of law code 274a.12(a)(4) with the provision of law code 274a.12(a)(4).
- Form I-766 - EAD with the Class of Admissions (COA) Code: C11
- Letter from USCIS showing a grant of parole pursuant to Section 212(d)(5)

NOTE The document cannot be expired, and the expiration date has to be at least one year after the issuance date.

Form I-94 COA Codes assigned to humanitarian parolees include, and are not limited to **any** of the following:

- CP
- DE
- DT

Refugee

A Refugee is a person who has fled their country to escape invasion, oppression, or persecution.

Refugees are qualified noncitizens and potentially eligible for NA or CA.

NOTE A Refugee who is later granted 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 (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

Noncitizen participants who have **one or more** of the following annotated United States Citizenship and Immigration Services (USCIS) documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record indicating admitted under Section 207
- Form I-688B - Employment Authorization Document (EAD) with the provision of law code 274a.12(a)(3)
- Form I-766 - EAD with the Class of Admissions (COA) Code A03
- Form I-571 – Refugee Travel Document
- Letter from USCIS granting admission as a refugee

Ukrainian Refugees

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. To qualify, they must meet all other eligibility requirements. This has been authorized under the Additional Ukraine Supplemental Appropriations Act, 2022 (AUSAA).

Due to urgent humanitarian reasons, the Department of Homeland Security (DHS) paroled **all** of the following individuals into the United States (U.S.) between 02/24/2022 and 09/30/2024:

- 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 United States.
- 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 UHP minor child who is paroled into the U.S. after 09/30/2023.

Noncitizen participants who have **one or more** of the following annotated United States Citizenship and Immigration Services (USCIS) documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 – Arrival Departure Record with **one** of the following humanitarian parole notations:
Immigration and Naturalization Act (INA) section 212(d)(5)
United States Code (U.S.C) § 1182(d)(5)
- Foreign passport with CBP admission stamp with the “DT” notation
- Foreign passport with CBP admission stamp with the Uniting for Ukraine or “U4U” notation
- Foreign passport with CBP admission stamp with Ukrainian Humanitarian Parolee or “UHP” notation
- Form I-765 - Employment Authorization Document (EAD) receipt notice with Class of Admissions (COA) Code C11
- Form I-766 - EAD with the COA Code C11

Any one of the forms or stamps listed above for UHPs along with documentation of last habitual residence in Ukraine is acceptable verification of qualified noncitizen status. 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.

Effective 11/21/2022, certain Ukrainian parolees do not need a Form I-766, EAD, to be employment authorized. The guidance applies to **all** of the following parolees when their parole has not expired or been terminated:

- Parolees with a UHP COA Code
- Parolees with a DT COA Code when **all** of the following apply:
Paroled into the U.S. between 02/24/2022, and 09/30/2024
The I-94 indicates Ukraine as the country of citizenship

These parolees can present a copy of their electronic Form I-94 through the website at i94.cbp.dhs.gov. These parolees may also present **one or more** of the following documents:

- Form I-94 with an UHP or DT COA Code
- Foreign passport with parole stamp that includes an UHP or DT COA Code
- Form I-766 EAD with a C11 COA Code, when they have applied for and received one.

The Form I-94 or parole stamp in a foreign passport also includes the date the individual was paroled into the United States.

When the information from the Form I-94 or other documentation noted above matches federal immigration records, the Verify Legal Presence (VLP) provides an initial verification response of Parolee. The response also includes the parole start and end date and COA Code. It should also include the country of citizenship and that the participant is employment authorized.

An initial VLP Parolee response with a UHP or DT COA Code and a parole start date between 02/24/2022, and 09/30/2024, along with Ukraine as the country of citizenship, is sufficient proof of employment authorization. Additional verification is not necessary. However, additional verification may be required in limited circumstances, such as when the participant information submitted by the user agency does not match federal immigration records.

Ukrainian refugees may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

NOTE Though Ukrainian refugees are generally sponsored, they are not lawful permanent residents (LPRs). Therefore, Ukrainian refugees are exempt from the LPR sponsor deeming policy for both NA and CA.

Unaccompanied Refugee Minors

The Office of Refugee Resettlement (ORR) serves some of the most vulnerable minors, who fled persecution, violence, or abuse, and entered into the United States (U.S) without a parent or custodian.

The Unaccompanied Refugee Minor (URM) program in Arizona is conducted by the Catholic Charities Community Services (CCS) in Phoenix. CCS provides the full range of assistance available to all foster children by establishing a legal authority to act in place of the child's absent parents.

The URM program assists URM's in **any** of the following immigration categories:

- Asylee
- Afghan parolee
- Certain Minors with Special Immigrant Juvenile classification or status
- Cuban or Haitian entrants
- U Status recipients
- Ukrainian refugee
- Victims of severe trafficking

NOTE Special Immigrant Juvenile and U Status participants are not potentially eligible for NA or CA

When a URM participant turns age 18, the participant can choose **one** of the following options:

- Continue participation in the URM foster care program until they reach the age of 21
- Transition to participating in the URM independent living program until they reach the age of 21

NOTE The URM program provides a monthly stipend to URM participants in the independent living program to assist with paying their rent and utilities

- Voluntarily leave the URM program

When CCS applies for NA and CA benefits for a URM, **all** of the following are to be provided:

- A copy of the participant's current immigration documents
- A statement from ORR verifying placement in the URM program
- A statement from CCS verifying the participant has transitioned to the independent living program and the amount of monthly stipend provided to the participant by CCS

A URM is potentially eligible for NA and CA benefits, when they meet **all** of the following criteria:

- The participant is age 18 or older
- The participant has a qualifying noncitizen immigration status

NOTE Special Immigrant Juvenile and U Status participants are not potentially eligible for NA or CA unless the participant is adjusted to a qualifying noncitizen status.

- The participant has transitioned into the independent living program

URMs qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices until they reach the age of 21 or they voluntarily leave the URM program. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

Victim of Severe Trafficking

A victim of severe trafficking, also known as a trafficking victim, is certified by the Office of Refugee Resettlement (ORR) Office on Trafficking in Persons (OTIP) to have been subjected to **one or more** of the following:

- Commercial sex acts
- Debt bondage

- Involuntary servitude
- Peonage
- Slavery

All of the following applies to trafficking victims:

- They are not considered refugees by the United States Citizen and Immigration Service (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.

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

Though not considered refugees by USCIS, trafficking victims may also qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices for the first 12 months in the United States. See [Refugee Resettlement Program \(RRP\) Referrals](#) for the policy and procedures on referring participants to one of the FAA Refugee Offices.

NOTE The 12 months for a trafficking victim is determined by the date of immigration approval, not the date they entered the United States

Noncitizen participants who have **one or more** of the following annotated USCIS documents are considered qualified noncitizens and are potentially eligible for NA and CA:

- Form I-94 - Arrival Departure Record annotated with a T Visa or Derivative T Visa
- Foreign Passport annotated with a T Visa or Derivative T Visa
- Form I-797 - Notice of Action, annotated with *one* of the following T Visa or Derivative T Visa Class of Admissions (COA) Codes:

T-1

T-2

T-3

T-4

T-5

American Indians Born Outside of the United States

[American Indians\(q\)](#) born outside of the United States (U.S.) who are enrolled in a federally recognized tribe are potentially eligible for NA and CA. U.S. residency is established before eligibility is determined.

All of the following are recognized as LPRs:

- American Indian tribal members enrolled in a federally recognized tribe (See [federally recognized tribe](#) for the current list of tribes.)
- Members of the federally recognized Tohono O’odham Tribe born on the Tohono O’odham Tribal Land in Mexico

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

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

NOTE The United States Citizenship and Immigration Service (USCIS) has an expedited process for these Canadian born American Indian noncitizens to obtain a Form I-181 - Memorandum of Creation of Record of Lawful Permanent Residence. Possession of the I-181 form is not a condition of eligibility.

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.

Hmong and Highland Laotians

Any of the following are potentially eligible for NA:

- A noncitizen who was a member of a Hmong or Highland Laotian tribe between 08/05/1964 and 05/07/1975
- **Any** of 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

A child who is a full-time student under the age of 22

An unmarried adult child with a disability

NOTE The unmarried adult child must have had the disability before their 18th birthday

Lawful United States residency has to be established. However, these people are not required to meet any additional citizenship requirements to be eligible for NA.

Procedures

Before starting the interview or when adding a noncitizen to the case, the NA and CA Noncitizen Script (FAA-1710A) form must be read to the [PI\(g\)](#) or authorized representative when the application contains **one or more** of the following:

- A noncitizen that does not want to provide noncitizen status

- A noncitizen that does not have United State Citizenship and Immigration Services (USCIS) documents

(See [Nonqualified Noncitizens](#) for additional documentation requirements when the form is read.)

Noncitizen mandatory participants who are not applying for themselves or do not provide noncitizen verification are considered disqualified participants. These disqualified participants' income and other factors may be fully or partially included in the eligibility determination of the budgetary unit. (See [Disqualified NA Participants Effect on the NA Benefit Amount](#), [Whose Income Effects the CA Benefit Amount](#), and [Determining Budgetary Units](#) for details.)

Refugee participants must have NA and CA eligibility determined at an FAA Refugee office during the participant's first 12 months in the United States (U.S). See [Refugee Procedures](#) when the participant is an Unaccompanied Refugee minor (URM) less than 21 years of age or *any* of the following noncitizens have been in the U.S. for 12 months or less:

- Afghani Special Immigrant Visa (SIV) holders
- Amerasians
- Asylees
- Cubans or Haitian entrants
- Refugees
- Ukrainian refugees
- Victims of severe trafficking

For each noncitizen who has applied for NA or CA benefits, determine whether the noncitizen is a qualified noncitizen by completing **all** of the following:

- Review Systematic Alien Verification for Entitlements (SAVE) or Verify Legal Presence (VLP) results based on the information provided on the application. When SAVE or VLP confirms eligibility, no additional documents are required. (See [SAVE](#) for instructions.)

NOTE See [Indefinite Detainee Procedures](#) or [Battered Noncitizen Procedures](#) for the processes to replace the SAVE query for indefinite detainees and battered noncitizens.

For Afghani Special Immigrant lawful permanent resident (SI LPR) and SI conditional permanent resident (SI CPR), regardless of the documentation presented, the VLP in HEAplus can provide initial verification of these arrivals except for those whose case involves something unusual that may require additional verification.

For Afghani SI and Non-SI Parolees, the VLP in HEAplus can provide an initial verification response. The [SAVE fact sheet](#) includes detailed information and examples regarding Afghan arrival categories, documentation, and SAVE responses.

- When SAVE does not confirm eligibility or needs additional documents, ask the noncitizen for USCIS documentation and any documents needed as identified in the policy above.
- When the participant states they do not have documentation, see [Nonqualified Noncitizens](#).
- When the noncitizen cannot or does not answer questions about the noncitizen status of any budgetary unit member, disqualify only the participant whose status is not verified. To disqualify participants who have not verified their citizenship or noncitizen status, see [Disqualifying Nonqualified Noncitizens](#).
- 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.

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

Battered Noncitizen Procedures

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

- Verify that the case file is documented with all the facts of the battered noncitizen's claim and that all documents were provided.
- Priority [upload\(g\)](#) into OnBase the petition, the battered noncitizen written statement, any supporting documentation, and supporting continuous residence documentation, when applicable.
- 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 PST copies of the petition, all the battered noncitizen documentation, and supporting continuous residence documentation, when applicable. Staff must ensure that the Case Name and Number are on every document.
- When follow-up emails are sent to 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 that the information was emailed to PST.

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

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.

Indefinite Detainee Procedures

An Indefinite Detainee may be eligible for NA and CA due to their noncitizen status before detention. However, the SAVE process no longer includes documentation of their original noncitizen status. The following process has been established to replace the SAVE query for Indefinite Detainees:

- Obtain **one or more** of the following (as many as possible) from the participant:
 - Name and date of birth
 - Alien registration number
 - Social Security number
 - Home country
 - I-94 Arrival Departure Record 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 an email with the collected information is being sent. (See [ORR](#), for contact information.)
- Email the information collected from the participant to ORR. The email must include the name and telephone number of the worker requesting the determination.
- When emailing documents containing confidential information use Virtu to secure the email.
- Document the [case file\(q\)](#) 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 emailed information to USCIS and notifies the worker of the participant's status and potential eligibility by email.

Refugee Procedures

Any of the following are considered refugees for FAA case processing:

- Afghani Special Immigrant Visa (SIV) holders
- Amerasians
- Asylees
- Cubans or Haitian entrants (CHE)
- Refugees
- Ukrainian refugees

- Unaccompanied Refugee minors (URM)

NOTE URMs qualify for benefits provided by the Refugee Resettlement Program (RRP). Their cases are processed at special FAA Refugee Offices until they reach the age of 21 or they voluntarily leave the URM program.

- Victims of severe trafficking

Designated FAA staff in an FAA Refugee office determine the refugee participant's NA and CA program eligibility during their first 12 months in the United States.

The initial 12-month eligibility period for most refugees starts from the date of the refugee's entry into the United States (U.S.) and ends on the first day of the 13th month after entry. The arrival month is included in the 12-month count.

The initial 12-month eligibility period for Asylees starts from the date the asylum is approved and ends on the first day of the 13th month after approval.

NOTE Do not transfer refugee cases to the refugee offices when the household is in the U.S. for over 12 months. Confirm that the household meets refugee criteria before referring them to the FAA Refugee Offices.

After the first 12 months are completed, the refugee remains potentially eligible for NA and CA, and application processing is no longer completed by the FAA Refugee Office.

Most refugee applications are referred from a Refugee Resettlement Program (RRP) voluntary agency (VOLAG). See [RRP Referrals](#) for additional information.

When it is discovered that an application of a refugee is submitted to FAA and meets the criteria to be transferred to a Refugee Office, transfer the application and any supporting documents to the appropriate FAA Refugee Office within one [workday\(g\)](#) by completing **one** of the following:

- Upload the paper application and any supporting documents to OnBase and notify the FAA Refugee Office via an email at faarefugeeunit@azdes.gov

In the email, include the participant's first and last name, HEAplus Application ID, AZTECS case number when the application is in OnBase, or both when available.

When not already uploaded to HEA or OnBase, attach supporting documentation the participant provided with the application to the email.

- Fax the paper application to (623) 931-5676

When faxing the application there is no need to send an email. When faxing documents containing confidential information, use the Fax Cover Sheet (DES-1078A) form.

- When assisting the refugee by phone, data enter the application in HEAplus to preserve the application date. Transfer the application to the appropriate FAA Refugee Office via email.

When the case is already registered, ensure the site code on CARC is **one** of the following:

- 285 – Applications received in Pima County
- 169 – Applications received in all other counties

Additional Cuban and Haitian Entrant (CHE) Procedures

When a Cuban and Haitian entrant (CHE) does not have a social security number (SSN) or employment authorization and requests assistance in applying for an SSN, complete **all** of the following:

- Download the Verification of SSN Application for Noncitizens (FAA-1854A) letter from the document center.
- Complete and sign the FAA-1854A letter.

NOTE The FAA-1854A letter must include all budgetary unit participants. When the budgetary unit has more than five participants, complete an additional FAA-1854A letter.

- Provide the signed FAA-1854A to the participant and review the additional documents the participant needs to provide to the Social Security Administration (SSA) with the FAA-1854A.

Ensure that CHEs, during the first 12 months in the United States (U.S.), are not subject to a final, non-appealable, and legally enforceable order of removal, deportation, or exclusion.

NOTE When a CHE is subject to a final, non-appealable, and legally enforceable order of removal, deportation, or exclusion during the first 12 months in the U.S., the participant is not eligible for RRP benefits. The participant remains eligible for NA and CA as a CHE and benefits are no longer processed by the special FAA Refugee Offices.

Verification

System interface and the [case file\(g\)](#) must be reviewed before verification is requested. No additional verification is needed when AZTECS interface or HEAplus hubs have verified the participant's noncitizen status.

System interface that FAA has with the United States Citizenship and Immigration Services (USCIS) and collateral contact to other agencies are primarily used to verify noncitizen status from the information provided on the application. However, system interface and collateral contact are not always available. The participant has the primary responsibility for providing verification. (See [Participant Responsibilities – Providing Verification](#) for additional policy.)

Contact the Executive Office for Immigration Review (EOIR) automated immigration court information system at (800) 898-7180 to verify that Cuban and Haitian entrants, during the first 12 months in the United States (U.S.), are not subject to a final, non-appealable, and legally enforceable order of removal, deportation, or exclusion.

Noncitizen status is verified only with new applications or when FAA is notified that the status of a participant has changed.

See **any** of the following policy sections for examples of what can be used for proof of noncitizen status:

- [Afghani Special Immigrant Visa \(SIV\) holder](#)
- [Amerasian](#)
- [American Indians born outside of the United States](#)
- [Asylee](#)
- [Battered noncitizen](#)
- [Cuban or Haitian entrant \(CHE\)](#)
- [Deportation withheld](#)
- [Hmong and Highland Laotians](#)
- [Indefinite detainee](#)
- [Parolee](#)
- [Refugee](#)
- [Ukrainian refugee](#)
- [Unaccompanied Refugee minor \(URM\)](#)
- [Victim of severe trafficking](#)

AZTECS Keying Procedures

Keying Eligibility

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.

Key **one** of the following Class of Admissions (COA) Codes on IDCI for an American Indian born outside of the United States:

- S13 for Canadian born American Indians
- TOH for members of the federally recognized Tohono O'odham Tribe born on Tohono O'odham Tribal Land in Mexico
- FR for all other American Indian tribal members enrolled in a [federally recognized tribe](#) (PDF 74 KB)

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

- IN in the PT field on SEPA for NA and CA.
- EA in the CI field on IDCI.
- Key NOCS, when applicable. (See [Updating NOCS](#) for guidance.)

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

- IN in the PT field on SEPA for NA.

- DI in the PT field on SEPA for CA.
- EA in the CI field on IDCI.
- Key NOCS, when applicable. (See [Updating NOCS](#) for guidance.)
- For CA, when there are no other eligible participants in the case, key US in the DENIAL/CLOSURE REASON field on AFED

When the noncitizen is not eligible for NA or CA, see [Nonqualified Noncitizen AZTECS Keying Procedures](#).

Updating NOCS

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

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

- Type of United States Citizenship and Immigration Services (USCIS) document provided by the participant, when appropriate
- USCIS Class of Admission (COA) Code held by the participant
- Noncitizen status of the participant
- Date the status was granted by USCIS
- Date the status expires
- Date the Systematic Alien Verification for Entitlements (SAVE) was completed
- Secondary SAVE 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 SAVE information is not in the [case file\(g\)](#), complete a SAVE verification before approval for all noncitizens who have valid USCIS documentation and are included in the budgetary unit.

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

See [Refugee Resettlement Program \(RRP\) Referrals – AZTECS Keying Procedures](#) for instructions on keying NOCS for refugee participants.

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.

DBME BEST Google Job Aids

[Noncitizen Job Aid](#)

Legal Authorities

7 CFR 273.2(b)(1)(iii)

7 CFR 273.2(f)(1)(ii)(A)

7 CFR 273.4

7 CFR §273.4(a)

7 CFR 273.4(a)(1)-(3)

7 CFR 273.4(a)(5)

7 CFR 273.4 (a)(6)

7 CFR 273.4 (a)(6)(i-iii)

7 CFR 273.4(a)(6)(i)(H)

7 CFR 273.4(a)(7)

7 CFR 273.4(c)

8 CFR §204.2

45 CFR 233.50

AAC R6-12-305

ARS 46-292A.1(b)-(d)

ARS 46-292B.1(a)

62 FR 61344

Public Law 104-193

Public Law 104-208

PRWORA Section 401 & 402

TANF State Plan

[Prior Policy](#)

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