

NON-CITIZEN TANF ELIGIBILITY DESK GUIDE and CHECK LIST

In order to determine whether or not a non-citizen applicant is eligible for federal TANF funding you must obtain information regarding the applicant's immigration status. An individual may be a legal immigrant and/or authorized to work, but not be eligible for federal TANF funding. Use or disclosure of information related to immigration status is restricted to persons and organizations directly connected with verification of immigration status for purposes of determining eligibility for program services. It is only necessary to collect immigration status information for the individual applying for services and not for other members of the household.

An individual is eligible for federal TANF services if his/her immigration status is one of those listed below. If the applicant is not a United States citizen, check the appropriate qualifying immigrant status below and include a copy of documentation in participant's file.

STATUS	Relevant Date for Eligibility	PROOF
1. <input type="checkbox"/> Refugees		I-94: stamped "Admitted under Section 207 of the INA," "Refugee," "RE1, RE2, RE3, or RE4" or I-551: stamped "R8-6, RE5, RE6, RE7, RE8 or RE9" or I-571: Refugee Travel Document or I-688B: Employment Authorization Card annotated with "274a12(a) (3)" or I-766: Employment Authorization Card annotated "A3"
2. <input type="checkbox"/> Cuban/Haitian Entrants		I-94: stamped "Cuban/Haitian Entrant (status pending)," "Section 212(d) (5) of the INA," "Form I-589 filed," or "CU6," or CU7" or I-94 stamp showing parole under Section 212(d)(5) of INA or stamp showing parole in US on or after 10/10/80 and reasonable evidence that parolee has been a National (citizen) of Cuba or Haiti ¹ or I-551: stamped "CU6, CU7, or CH6" or Temporary I-551 stamp in foreign passport. or USCIS notice or letters indicating ongoing exclusion or deportation proceedings or A letter from USCIS indicating individual applied for asylum.
3. <input type="checkbox"/> Asylees		I-94: stamped "Granted asylum under Section 208 of the INA" or I-551: Stamped "AS1, AS2, AS3, AS6, AS7, or AS8" or I-688B: Employment Authorization Card annotated with "274a12(a)(5)" or I-766: Employment Authorization Document annotated "A.5" or Grant letter from USCIS Asylum Office or Order of an immigration judge granting asylum.

¹**EXCEPTION:** This guideline does not apply when the individual was paroled solely to testify as a witness in a judicial, administrative or legislative proceeding or when the parolee is in legal custody pending criminal prosecution

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<p>4. <input type="checkbox"/> Amerasian Immigrants</p>		<p>I-94 : stamped "AM1, AM2 or AM3, AM6, AM7, AM8." Derive date of entry from inspection on stamp; if date is missing, obtain from I-551 or from USCIS or I-551: stamped "AM, AM2, AM3, AM6, AM7, or AM8" or Temporary I-551 stamp in foreign passport or I-571: Refugee Travel Document or Vietnamese exit visa or passport stamped "AM1, AM2, or AM3"</p>
<p>5. <input type="checkbox"/> Deportation or Removal Withheld</p>		<p>I-688B: Employment Authorization Card annotated with "274a12(a)(10)" or I-766: Employment Authorization Document annotated "A10" or Order from Immigration Judge showing the date deportation was withheld under Section 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under Section 241(b)(3) of INA</p>
<p>6. <input type="checkbox"/> Certain Hmong or Highland Laotian</p>		<p>I-94: stamped "Admitted under Section 207 of the INA," "Refugee," "RE1, RE3, or RE4" or I-551: Stamped "RE5, RE6, RE7, RE8, or RE9" or Has a signed affidavit sworn under penalty of law that s/he was a member of or Highland Laotian tribe between 8/5/64 and 5/7/75 or a verified spouse*, widower or unmarried dependent of a tribal member and Documents to show lawfully residing in the US *Divorced spouses do not qualify</p>
<p>7. <input type="checkbox"/> Lawfully Admitted For Permanent Residence (LPR) with 40 Qualifying Quarters or without 40 Qualifying Quarter</p>	<p>Entered Before 8/22/96</p> <hr/> <p>Entered on/after 8/22/96 and has been in the U.S. for 5 years or more.</p>	<p>I-551: (Alien Registration Card) or Temporary I-551 stamp in foreign passport or on I-94 or I-327: (Re-entry Permit) or I-181: Memorandum of Creation of Lawful Permanent Residence with appropriate stamp And Proof of qualifying quarters</p>
<p>8. <input type="checkbox"/> Veteran, spouse, unmarried surviving spouse and unmarried dependent child of a U.S. veteran who fulfilled minimum active duty requirement (2 years)</p>		<p>A Discharge Certificate (Form DD-214) that states "Honorable." A character discharge "Under Honorable Conditions" is not an "Honorable Discharge" for purposes. Narrative Reason for Separation block must not state that discharge for reason of "alienage" or lack of U.S. citizenship</p>
<p>9. <input type="checkbox"/> Active Military: Active duty or a member of the Armed Forces on full-time duty in the Army, Navy, Air Force, Marine Corps or Coast Guard, spouse and children</p>		<p>Military Identification Card (DD Form 2) (Active) that lists an expiration date of more than one year from the date of determination. If ID card is due to expire within one year from the date of determination use a copy of current military orders</p>
<p>10. <input type="checkbox"/> Conditional Entrant (status granted to refugees before 1980)</p>		<p>I-94 with stamp showing admitted under Section 203(a)(7) of INA or I-688B (Employment Authorization Card) annotated "274a12(a) (3)" or I-766 (Employment Authorization Document) annotated "A1," "A3"</p>
<p>11. <input type="checkbox"/> A US citizen's or LPR's battered spouse or child, or parent or child of such person, who obtains "Notice of Prima Facie Case from BCIS" or found prima facie eligible under the Violence Against Women Act (VAWA)</p>	<p>Entered Before 8/22/96</p> <hr/> <p>Entered on/after 8/22/96 and has been in the U.S. for 5 years or more.</p>	<p>I-797- indicating approved, pending or prima facie determination of I-36 (Petitioning by self-petitioning immigrant of abusive U.S.C. or LPR) under Section 204(a)(1)(iii) or (iv), or Section 204(a)(1)(B)(i) or (iii) or I-797 indicating approved or pending I-130 (visa petition) under Section 204(a)(1)(A)(i) or (ii), or Section 204(a)(1)(B)(i) or Order from EOIR granting of suspension of deportation under Section 244(a)(3) or cancellation of removal under Section 240A(b)(2)</p>

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<p>12. <input type="checkbox"/> Victim of Human Trafficking</p>		<p>Certification Document (for adults) or Eligibility Letter (for children) from the Office of Refugee Resettlement (ORR); Must call 1-866-401-5510 for verification or I-94 Coded T1 or T2 stating admission under Section 212(d)(5) of the INA if status granted for at least one year</p>
<p>13. <input type="checkbox"/> Parolee (for at least one year) (Non-citizens who have been allowed to come into the U.S. for humanitarian or public interest reasons)</p>	<p>Lawfully Residing in U.S. on 8/22/96</p> <hr/> <p>Entered on/after 8/22/96 and has been in the U.S. for 5 years or more.</p>	<p>I-94 with annotation "Paroled pursuant to Section 212(d)(5) or "parole" or PIF with date of entry and date of expiration indicating one year or I-688B annotated "Section 274a. 12(a)(4), 274(a) 12(c)(11)" or I-766 annotated "C11" or A4, and I-94 indicating admitted for at least one year</p>
<p>14. <input type="checkbox"/> North American Indian born in Canada</p>		<p>I-551: (Alien Registration Card): stamped "S13;" temporary I-551 stamp in a Canadian passport or I-94 stamped "S13" or A letter or other tribal document certifying at least 50% American Indian blood as required by Section 289 of the INA or School records, or A birth or baptismal certificate issued on a reservation, or Other satisfactory evidence of birth in Canada</p>
<p>15. <input type="checkbox"/> Member of federally recognized tribe born outside U.S.</p>		<p>Membership card or other tribal document demonstrating membership in a federally recognized Indian tribe under Section 4(e) of the Indian Self-Determination and Education Assistance Act</p>

Counselor/Intake Specialist must check appropriate status above, if applicable, and complete the following:

_____ Name of applicant

Applicant is TANF qualified based on status checked above. (Include a copy of documentation in participant's file.)

No evidence that applicant is TANF eligible

_____ Signature of Counselor/Intake Specialist

_____ Signature of Applicant