



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: #08-30

Effective Date: IMMEDIATELY

Issuance Date: April 28, 2008

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF
HEALTH OFFICERS, LOCAL HEALTH DEPARTMENTS
LOCAL HEALTH DEPARTMENT ELIGIBILITY STAFF**

**FROM: KEVIN MCGUIRE, EXECUTIVE DIRECTOR
CHERYL A. CAMILLO, EXECUTIVE DIRECTOR, DHMH/OES**

RE: IRAQI AND AFGHAN SPECIAL IMMIGRANTS

PROGRAM AFFECTED: ALL PROGRAMS

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

Recent federal laws have given certain Iraqi and Afghan immigrants special status beyond their status as a legal permanent resident (LPR). Individuals and family members granted this special immigration status are eligible for resettlement assistance, food stamps, Temporary Cash Assistance, Refugee Cash Assistance and Refugee Medical Assistance on the same basis as refugees admitted under section 207 of the Immigration and Nationality Act (INA), except this period of special eligibility cannot exceed 6 months from the date of entry into the United States for Afghans or 8 months from the date of entry into the United States for Iraqis.

After this 6 or 8 month period, the immigrant is not eligible for benefits on the same basis as a refugee, but since they are legal permanent residents (LPR), they are qualified immigrants. The case manager must determine the eligibility of recipients beyond the 6 or 8 month period, based on each program's policy.

ACTION REQUIRED:

Verification of Special Immigrant Status

Iraqi and Afghan immigrants and their family members who claim special immigrant status must provide verification that they have been admitted under section 101(a)(27) of the INA. See the attached chart for forms of documentation that these immigrants will have to verify their immigration status.

Date of Eligibility for Programs

The effective date of eligibility for an immigrant in this status is the application date, but can be no earlier than the effective date of the two laws granting benefits to these immigrants.

Eligibility/Certification Period

Afghan immigrants in this special status are eligible for a period not to exceed 6 months from their date of entry into the U.S. unless they are otherwise eligible.

Iraqi special immigrants are eligible for up to 8 months from the date of entry into the U.S., unless they are otherwise eligible.

The beginning date to determine the eligibility/certification period of special eligibility for benefits and services does not begin with the date of application for benefits and services. The beginning date of the 6-8 month period is the date the special immigrant enters the United States.

Reminder: After this 6 or 8 month period, the immigrant is not eligible for benefits on the same basis as a refugee, but since they are legal permanent residents (LPR), they meet the definition of a qualified alien/immigrant. The case manager must determine if the immigrants are eligible for benefits beyond the 6 or 8 month period based on each program's policy.

- ❖ MA — there is a 5 year bar on benefits for most qualified aliens/immigrants.
- ❖ Food stamps — there is a 5 year bar with some exceptions. The most likely exceptions for this population include individuals with a federally defined disability and children under the age of 18. See Food Stamp Manual Section 120.
- ❖ There is no limit for TCA as long as they meet the eligibility requirements of the program.
- ❖ The immigrant is only eligible for RCA or RMA and other refugee program services for the 6 or 8 month period.

Example: An Iraqi family that includes the mother, father and two minor children enter the United States on November 5. They apply for food stamps and TCA on December 2. They are eligible for benefits on the same basis as a refugee until June 30. Before the end of this eligibility period the case manager evaluates the case for continued benefits. For TCA the entire family can continue to receive benefits if otherwise eligible and for food stamps, the two children are potentially eligible for further benefits.

Date of Eligibility and Certification Charts:

Date of Entry for <u>Afghan</u> Immigrants	Date of Application	Certification/Eligibility Period -
October 11, 2007 – Six months from date of entry is October 11 th through March 31 st ,	January 8, 2008	3 months- January 8, 2008 through March 31 st , 2008.
December 12, 2007 – Six months from the date of entry is December 12 th through May 31 st .	February 26, 2008	4 months – February 26 th 2008 through May 31 st , 2008.
September 30, 2008 – Six months from date of entry is September 30 th through February 28 th .	October 16, 2008	5 months – October, 16, 2008 through February 28, 2009.

Date of Entry for <u>Iraqi</u> Immigrants	Date of Application	Certification Period –
October 11, 2007 – Eight months from date of entry is October 11 th through May 31 st .	January 8, 2008	5 months - January 8, 2008 through May 31 st , 2008.
December 12, 2007 – Eight months from date of entry is December 12 th through July 31 st .	February 26, 2008	6 months - February 26 th 2008 through July 31 st 2008.
September 30, 2008 – Eight months from date of entry is September 30 th through April 30 th ,	October 16, 2008	7 months – October 16 th 2008 through April 30 th 2009.

Because this is a provision of an appropriations bill, it is only in effect through the end of the fiscal year (September 30, 2008) unless extended by Federal law. We will notify you of any change.

Case managers that discover or become aware of any special immigrants who were denied prior to the implementation of the action transmittal should reconsider those denials using this policy.

ACTION DUE:

Upon receipt of this action transmittal.

INQUIRIES:

Please direct food stamp and RCA policy questions to Rick McClendon at 410 767-7307 or Kay Finegan at 410 767-7939. Direct TCA questions to Marilyn Lorenzo at 410-767-7333 and Medical Assistance questions to the policy unit at 410-767-1463.

cc: FIA Management Staff Constituent Services OTHS Help Desk

Acceptable Verification:

Applicant	Documentation
Principal Applicant Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 or SQ1 and DHS stamp or notation on passport or I-94 showing date of entry
Spouse of Principal Applicant Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 or SQ2 and DHS stamp or notation on passport or I-94 showing date of entry
Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 or SQ3 and DHS stamp or notation on passport or I-94 showing date of entry
Principal Applicant Iraqi or Afghan Special Immigrant Principal Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (Immigrant Visa) code of SI6 or SQ6
Spouse of Principal Applicant Iraqi or Afghan Special Immigrant in P6 Category	DHS Form I-551 ("green card") showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (Immigrant Visa) code of SI7 or SQ7
Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant in P6 Category	DHS Form I-551 ("green card") showing Iraqi or Afghan Nationality (or Iraqi or Afghan passport), with an IV (Immigrant Visa) code of SI9 or SQ9