



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: #10-24

Effective Date: IMMEDIATELY

Supersedes AT 08-30 and AT 09-28

Issuance Date: March 15, 2010

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

**FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR,
FAMILY INVESTMENT ADMINISTRATION
DEBBIE RUPPERT, EXECUTIVE DIRECTOR, DHMH/OES**

**RE: ELIMINATION OF THE EIGHT-MONTH TIME LIMIT FOR IRAQI AND
AFGHAN SPECIAL IMMIGRANTS**

PROGRAM AFFECTED: ALL PROGRAMS

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

Action transmittals 08-30 issued April 28, 2008 and 09-28 issued March 16, 2009 described the immigration status for certain Iraqi and Afghan immigrants. Under this policy these immigrants were treated on the same basis as refugees admitted under section 207 of the Immigration and Nationality Act (INA) except this period of special eligibility was limited.

The Department of Defense Appropriations Act of 2010 (Section 8120, P. L. 111-118) enacted on December 19, 2009, provides that Iraqi and Afghan Special Immigrants (SIVs) are eligible for federal public benefits to the same extent and for the same time period as refugees. The new legislation supersedes the policy in Action transmittals 08-30 and 09-28, which limited SIVs to refugee status for a specified period. The new legislation provides that SIVs are eligible for all available benefits to the same extent and for the same period of time as refugees pursuant to Section 207 of the Immigration and Nationality Act. Provided that other eligibility requirements are met, refugees are eligible for benefits indefinitely.

ACTION REQUIRED

Consider SIVs as eligible for benefits to the same extent and for the same period of time as refugees pursuant to Section 207 of the Immigration and Nationality Act.

This policy is not retroactive. Persons whose eligibility expired due to the 8 month eligibility time period under the prior legislation must reapply for benefits. However, current SIV recipients who were certified prior to the legislation remain eligible until their certification period ends and they are recertified.

If you become aware of any Iraqi and Afghan special immigrants who were denied benefits because of the expiration of their eligibility time period on or after the date of enactment of this provision, reconsider those denials based on the new eligibility provisions.

Attached is a chart that describes the documents that you may use to verify this special immigrant status.

Reminder:

Generally refugees, asylees and victims of trafficking must apply for benefits in the area in which they live, with certain exceptions. The Baltimore Resettlement Center (BRC) serves refugees and asylees and victims of trafficking who reside in Baltimore City, Baltimore County, Anne Arundel County, Carroll County, Howard County and Harford County. The BRC is located at 3516 Eastern Avenue, Baltimore MD 21224.

The Suburban Washington Resettlement Center (SWRC) in Montgomery County serves refugees and asylees from Prince George's and Montgomery Counties. The address of the SWRC is 8700 Georgia Avenue, Suite 500, Silver Spring, 20910.

QUALITY CONTROL (QC):

Quality control will not cite a Food Supplement Program variance related to the treatment of Iraqi and Afghan SIVs beginning December 19, 2009 through July 4, 2010.

INQUIRIES:

Please direct questions to Kay Finegan at 410-767-7939 or Rick McClendon 410-767-7307.

Attachment

cc: FIA Management Staff
Constituent Services
DHR 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