



# Office of Temporary and Disability Assistance

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## General Information System (GIS) Message

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### Section 1

<b>Transmittal:</b>	21 TA/DC059 Upstate and New York City
<b>Date:</b>	August 18, 2021
<b>To:</b>	Subscribers
<b>Suggested Distribution:</b>	Commissioners, HRA Center Directors, TA Directors, HEAP Coordinators, SNAP Directors, Fair Hearing Officers, Staff Development Coordinators, WMS Coordinators
<b>From:</b>	Alison Maura, Director of Temporary Assistance and HEAP Employment and Income Support Programs
<b>Subject:</b>	Non-Citizens Who are Special Immigrant Juveniles (SIJs) are Recognized as Permanently Residing Under Color of Law (PRUCOL) for Safety Net Assistance (SNA) Eligibility
<b>Effective Date:</b>	Immediately
<b>Contact Information:</b>	Temporary Assistance Bureau at: 518-474-9344 or <a href="mailto:otda.sm.cees.tabureau@otda.ny.gov">otda.sm.cees.tabureau@otda.ny.gov</a>

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### Section 2

#### Purpose

The purpose of this GIS message is to notify social services districts (districts) that effective immediately, the New York State Office of Temporary and Disability Assistance (OTDA) recognizes non-citizens who are Special Immigrant Juveniles (SIJs) as Permanently Residing Under Color of Law (PRUCOL) for Safety Net Assistance (SNA) eligibility.

#### Background

Some non-citizens presently living in the United States (U.S.) without legal immigration status may be in need of humanitarian protection because they have been abused, abandoned, or neglected by a parent. The term SIJ is an immigration classification that may allow for these vulnerable non-citizens to apply for lawful permanent resident (LPR) status, commonly referred to as a “Green Card.” To be eligible for SIJ classification, a non-citizen must be unmarried, under 21 years of age, physically present in the U.S., and have a qualifying juvenile court order issued by a state court.

#### Program Implications

Effective immediately, OTDA recognizes non-citizens approved by the United States Citizenship and Immigration Services (USCIS) for SIJ classification as PRUCOL for SNA eligibility. If otherwise eligible, SIJs can receive SNA (case types 16 and 17). Non-citizens designated as PRUCOL are ineligible for

Family Assistance (FA), the Home Energy Assistance Program (HEAP) and the Supplemental Nutrition Assistance Program (SNAP).

The following is a list of USCIS and government documents SIJs may present to districts that would establish their designation as PRUCOL, Welfare Management System (WMS) Alien Citizenship Indicator (ACI) code "O":

- Form I-797, Notice of Action, indicating approval of an I-360 petition for SIJs, or
- Any other authoritative USCIS or government document indicating that a non-citizen is an SIJ.

It is common for SIJs to seek another immigration status or receive an alternate status, and as a result, potentially be eligible for additional federally funded benefits. For example, SIJs may apply for LPR status, and if approved, present an I-551 Permanent Resident Card with a category code of SL6 (ACI codes "K" or "S"). In addition, it is possible that SIJs may be considered paroled into the U.S. in the public interest or temporarily for emergency reasons, and therefore be eligible to apply for USCIS employment authorization as parolees. If approved for employment authorization as a parolee, these non-citizens may present an I-766 Employment Authorization Document (EAD) with a category code of C11 (ACI codes "G," "T," or, possibly "H" if also receiving benefits or services as a Cuban/Haitian Entrant). In both of these instances, districts should refer to the [LDSS-4579](#): "Non-Citizen Eligibility Desk Aid" for guidance on determining eligibility.

As a reminder, when determining an SIJ's eligibility, districts must use the Systematic Alien Verification for Entitlements (SAVE) system to verify the non-citizen's immigration documentation. In accordance with [13-ADM-07](#), Temporary Assistance (TA) must not be delayed, denied, reduced, or terminated, pending verification of a non-citizen's documentation through the SAVE system. If all other factors of eligibility have been established and the non-citizen is otherwise eligible, TA must be granted while awaiting a response from the SAVE system.

## **Guidance and Questions**

Additional OTDA guidance regarding SIJs for districts will be forthcoming. For questions or further information on determining TA eligibility for non-citizens granted SIJ classification, please contact the OTDA TA Bureau for assistance by calling: (518) 474-9344 or emailing: [otda.sm.cees.tabureau@otda.ny.gov](mailto:otda.sm.cees.tabureau@otda.ny.gov).