



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

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To:	Subscribers
Suggested Distribution:	Commissioners, TA Directors, HEAP Coordinators, SNAP Directors, Employment Coordinators, Fair Hearing Officers, Staff Development Coordinators, WMS Coordinators
From:	Valerie Figueroa, Deputy Commissioner Employment and Income Support Programs
Subject:	Benefit Eligibility for Parolees Under the New Processes for Cubans, Haitians, Nicaraguans, and Venezuelans
Effective Date:	Immediately
Contact Information:	Temporary Assistance Bureau at: 518-474-9344 or: otda.sm.cees.tabureau@otda.ny.gov

Section 2

The purpose of this GIS message is to inform social services districts (districts) that the United States (U.S.) Department of Homeland Security (DHS) recently implemented new parole processes for Cubans, Haitians, Nicaraguans, and Venezuelans. The processes were announced for Venezuelans on October 12, 2022, and for Cubans, Haitians, and Nicaraguans on January 5, 2023. This GIS message also reminds districts of benefit eligibility for non-citizens paroled into the U.S.

As background, parole under Section 212(d)(5) of the Immigration and Nationality Act (INA) is a temporary authorization for a non-citizen to enter the U.S. for urgent humanitarian reasons or significant public benefit. Non-citizens of any nationality may be paroled into the U.S. and the duration of parole will typically be noted on the non-citizen’s immigration documentation. Non-citizens paroled for less than one year may be eligible for Safety Net Assistance (SNA), if otherwise eligible. Non-citizens paroled for one year or more are qualified non-citizens and may be eligible for federal public benefits such as Family Assistance (FA), the Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP). Please see below for additional details about parolee eligibility.

The new parole processes provide an additional means by which nationals of Cuba, Haiti, Nicaragua, and Venezuela, and their immediate family members, can request to come to the U.S. in a safe and orderly way. The processes allow qualified beneficiaries who are outside the U.S. and lack U.S. entry documents to be considered, on a case-by-case basis, for advanced authorization to travel and a temporary period of parole for up to two years for urgent humanitarian reasons or significant public benefit. Cubans, Haitians, Nicaraguans, and Venezuelans participating in these processes must have a

supporter in the U.S. who agrees to provide them with financial support for the duration of their parole in the U.S.

Cubans and Haitians

Cubans and Haitians paroled into the U.S., whether paroled through the new process or otherwise, who have not acquired any other status under the INA, and for whom a final, non-appealable, and legally enforceable order of removal, deportation, or exclusion has not been entered, are considered specially qualified non-citizens as Cuban or Haitian Entrants, indicated in the Welfare Management System (WMS) with an Alien Citizenship Indicator (ACI) code “H – Cuban/Haitian Entrant”. If otherwise eligible, Cuban and Haitian Entrants are eligible for FA, SNA, HEAP and SNAP. It is important to note that Cubans and Haitians who are paroled into the U.S. may be eligible for these same benefits, regardless of whether they arrive through the new processes or are granted parole in another way. Please note that Cubans and Haitians who enter the U.S. under these new processes may be paroled into the U.S. for up to two years.

When determining benefit eligibility for Cuban and Haitian Entrants, districts should refer to this GIS message, the [LDSS-4579](#): “Non-Citizen Eligibility Desk Aid”, [GIS 22 TA/DC003](#), and [GIS 16 TA/DC048](#).

Nicaraguans and Venezuelans

Nicaraguans and Venezuelans who enter the U.S. under the new processes or are granted parole in another way may be eligible for public benefits, if otherwise eligible. Nicaraguans and Venezuelans paroled into the U.S. for less than one year may be eligible for SNA, if otherwise eligible. Nicaraguans and Venezuelans paroled into the U.S. for one year or more may be eligible for federal public benefits such as FA, SNAP, and HEAP. Please note that Nicaraguans and Venezuelans who enter the U.S. under these new processes may be paroled into the U.S. for up to two years.

When determining benefit eligibility, districts should use the [LDSS-4579](#) as a guide when assigning the appropriate WMS ACI code of “G – Non-Citizen Paroled into the U.S. for at Least One Year”, or “T – Non-Citizen Paroled into the U.S. for Less Than One Year”.

Acceptable Immigration Documentation

Parolees under the new processes for Cubans, Haitians, Nicaraguans, and Venezuelans can obtain a copy of their electronic Form I-94, Arrival/Departure Record, from the U.S. Customs and Border Protection (CBP) website at: [I94 - Official Website \(dhs.gov\)](#). The following is a list of U.S. Citizenship and Immigration Services (USCIS) documents parolees under the new processes for Cubans, Haitians, Nicaraguans, and Venezuelans may present to districts to verify they were granted humanitarian parole:

- Electronic or Paper Form I-94, Arrival/Departure Record, with a class of admission (COA) of Cuban Humanitarian Parolee (CHP), Haitian Humanitarian Parolee (HHP), Nicaraguan Humanitarian Parolee (NHP), or Venezuelan Humanitarian Parolee (VHP); or
- Foreign passport with parole stamp that includes a COA of CHP, HHP, NHP, or VHP; or
- Form I-766, Employment Authorization Document (EAD) with a C11 category, if they have applied for and received one, along with documentation indicating parole under the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans; or
- Any other authoritative USCIS document indicating parole under the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans.

The documents listed above are not the only forms of acceptable immigration documentation to support a non-citizen parolee status under the new processes for Cubans, Haitians, Nicaraguans, and Venezuelans. For guidance on common documentation for other types of parolees, districts should refer to the [LDSS-4579](#). If a district has eligibility questions regarding any type of immigration documentation that a non-citizen presents, the district may contact the Temporary Assistance (TA) Bureau by calling: 518-474-9344 or emailing: tabureau@otda.ny.gov.

The Office of Temporary and Disability Assistance (OTDA) will release further guidance, if necessary, should additional federal immigration policy changes occur.

Treatment of Financial Support from U.S. Supporter

As noted above, non-citizens who arrive in the U.S. through the new parole processes for Cubans, Haitians, Nicaraguans, and Venezuelans are required to have a supporter in the U.S. who agrees to provide them with financial support for the duration of their parole. Other parolees who enter the U.S. through another way may not be required to have a financial supporter. For parolees who **have a supporter**, districts must explore the financial assistance that was promised by the supporter, but only the assistance available and being provided to the non-citizens should be included in making the TA or SNAP eligibility determination. For TA and SNAP purposes, the U.S. supporters must not be treated as sponsors who sign the affidavit of support, I-864, as described in [99-ADM-02](#).

SAVE System Verification

Based on information from the non-citizen's immigration documentation, the Systematic Alien Verification for Entitlements (SAVE) system will provide an initial verification response of Parolee with a COA of CHP, HHP, NHP, or VHP for non-citizens granted parole through the new parole processes. The initial SAVE system response may also include employment authorization information if the parolee has an EAD. Additional verification may be required in limited circumstances, such as when the non-citizen information submitted by the district does not match federal immigration records.

Cuban, Haitian, Nicaraguan, and Venezuelan non-citizens paroled into the U.S. through other processes will typically have a general parole COA, such as DT or PAR.

As a reminder, in accordance with [13-ADM-07](#): "Systematic Alien Verification for Entitlements (SAVE) Program: Replacement of Manual Form G-845 (Document Verification Request) with Verification Information System Web-3 Access", districts must use the SAVE system to verify non-citizens' immigration documentation when determining their eligibility for TA and SNAP. Benefits must not be delayed, denied, reduced, or terminated, pending verification of non-citizens' documentation through the SAVE system. If all other factors of eligibility have been established and the non-citizens are otherwise eligible, benefits must be granted while awaiting responses from the SAVE system.

Other Guidance

Districts are reminded to follow the guidance included in [07-INF-01](#): "Social Security Numbers for Aliens without United States Citizenship and Immigration Services (USCIS) Work Authorization," when determining eligibility for non-citizens who have not met the benefit eligibility requirement to apply for/have a Social Security Number (SSN).

For guidance on determining benefit eligibility for other types of parolees, districts should refer to the [LDSS-4579](#), [GIS 21 TA/DC071](#), [GIS 22 TA/DC059](#), [GIS 23 TA/DC006](#) and [GIS 23 TA/DC017](#).

In instances where a non-citizen applies for TA, HEAP, and/or SNAP and is denied because they are unable to provide immigration documentation that supports a non-citizen status that would be satisfactory for benefit eligibility, districts are encouraged to refer those non-citizens to contact their immigration attorney and/or call the New York State Office for New Americans (ONA) hotline: 1-800-566-7636.