

Home Energy Assistance Program Qualified Non-Citizen

A qualified non-citizen is a person who meets one of the following requirements:

- Granted permanent resident non-resident status under the Immigration and Nationality Act (INA); or
- Granted asylum under section 208 of the INA; or
- A refugee admitted to the United States under section 207 of the INA; or
- Paroled into the United States under section 212(d)(5) of the INA for a period of at least one year; or
- Whose deportation is being withheld under section 243(h) of INA as in effect prior to April 1, 1997, or whose removal is has been withheld under section 241(b)(3) of INA; or
- Granted conditional entry under section 203(a)(7) of INA as in effect prior to April 1, 1980; or
- Granted status as Cuban or Haitian entrants as defined in section 501(e) of the Refugee Education Assistance Act of 1980; or
- Certain battered non-citizens or non-citizens who are victims of human trafficking as defined in 8 U.S.C. 1641(c); or
- Native North American Indian born in Canada to whom the provisions of Section 289 of the Immigration and Nationality Act apply; or
- Members of a federally recognized Indian tribe, as defined in Section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)), who were born outside of the United States; or
- Admitted to the United States as Amerasian immigrants as described in section 402(a)(2)(A)(i)(V) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U. S. C. 1612(a)(2)(A)(v)); or
- Certain Hmong or Highland Laotian tribe members; or
- Active Military duty, other than active duty for training, in the United States Armed Forces, or their spouses, un-remarried surviving spouses, or unmarried dependent children of any such non-citizens if such spouses or dependent children are also qualified non-citizens; or

- Qualified non-citizens who are veterans and who (1) have received a discharge from the United State Armed Forces characterized as honorable and not on account of alienage, or (2) have a qualifying condition, as defined in Section 350 of the New York State Executive Law, and have received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the Armed Forces, or (3) are discharged LGBT veteran, as defined in Section 350 of the New York State Executive Law, and have received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the Armed Forces; or their spouses, un-remarried surviving spouses, or unmarried dependent children if such spouse or dependent children are also non-citizens in a qualified status; or
- Granted Afghan Humanitarian parole under Section 212(d)(5)(A) of the Immigration and Nationality Act who were (1) paroled into the United States between July 31, 2021 and September 30, 2022, or (2) paroled into the United States after September 30, 2022 and are: (a) the spouse or child of an evacuee from Afghanistan paroled between July 31, 2021 and September 30, 2022, or (b) the parent or legal guardian of an unaccompanied child paroled between July 31, 2021 and September 30, 2022; or
- Victim of a severe form of trafficking who are in receipt of a certification or eligibility letter from the United States Department of Health and Human Services in accordance with the Victims of Trafficking and Violence Protection Act of 2000, as amended; or
- Granted Ukrainian Humanitarian parole under Section 212(d)(5) of the Immigration and Nationality Act or 8 U. S. C. 1182(d)(5) who were (1) paroled into the United States between February 24, 2022, and September 30, 2023, or (2) paroled into the United States after September 30, 2023, and are: (a) the spouse or child of a citizen or national of Ukraine, or a person who last habitually resided in Ukraine, paroled into the United States between February 24, 2022, and September 30, 2023, or (b) the parent, legal guardian, or primary caregiver of an unaccompanied child who is a Ukrainian citizen or nation and the child was paroled into the United States between February 24, 2022 and September 30, 2023; or
- Iraqi and Afghan nationals granted special immigrant status under section 101(a)(27) of the Immigration and Nationality Act or section 602(b)(1) of the Afghan Allies Protection Act of 2009 (AAPA)/Sec 1059(a) of the Nation Defense Authorization Action of 2006 (NDAA).