

Operations Bulletin 2016-4

Cross Program: Noncitizens Who Qualify as Cuban/Haitian Entrants

Eligibility

“Cuban/Haitian Entrants” are a category of noncitizens eligible for TAFDC, EAEDC and SNAP. To qualify as a Cuban/Haitian Entrant, an individual must be a Cuban or Haitian national and meet other specific conditions, as outlined in the Online Guide.

Many Cuban and Haitian nationals who apply for benefits at DTA were paroled into the United States (U.S.) or are applying for asylum. For the most part, these noncitizens will verify Cuban/Haitian Entrant status by providing an I-94 with citation 212.5(d), 212.5(b)5 or through documentation showing a pending asylum application.

Please also note that in many cases when verifying immigration status on SAVE for a Cuban/Haitian Entrant, the System Response will not return a response of “Cuban Haitian Entrant,” but may show that instead that the applicant is a parolee, as discussed above.

Please contact the Procedural Mailbox if:

- you are unsure about eligibility for a Cuban/Haitian national; or
- a Cuban/Haitian national presents any documents other than those listed in the Online Guide.

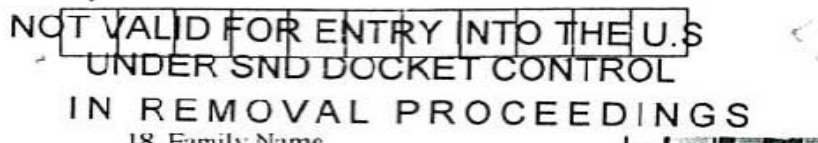
For a more comprehensive list of eligibility requirements and verifications for Cuban/Haitian Entrants, see the Online Guide, SNAP/ Eligibility Requirements/ Noncitizens/Eligible Qualified Noncitizens.

Lack of SSN

At application, some Cuban/Haitian Entrants may present without an SSN. This is happening because many of these newly arrived noncitizens cannot afford the fee to obtain their work authorization cards, so SSA denies their SSN applications. Subsequently, with the intervention of DTA or another government agency to which the individual has applied for assistance, the noncitizen is able to obtain a *nonwork* SSN from SSA. The *nonwork* SSN is a valid SSN. However, it is unlikely that a noncitizen will have an SSN at application. Despite this fact, for expedited cases, DTA must establish this case, if the applicant is otherwise eligible, using a facsimile number from the log available at each TAO. The restriction of *nonwork* will be lifted when the noncitizen receives his or her work authorization card.

Restrictive Language on I-94s

Some Cuban/Haitian Entrants may have the following information stamped on their I-94 Form:



NOT VALID FOR ENTRY INTO THE U.S
UNDER SND DOCKET CONTROL
IN REMOVAL PROCEEDINGS
18 Family Name

This language does not mean that the applicant is not eligible for benefits. Remember, a noncitizen is eligible for cash or SNAP benefits as a Cuban/Haitian Entrant if he or she is currently undergoing removal, deportation, or exclusion proceedings and there is no indication that the noncitizen is subject to a final, nonappealable and enforceable order (an individual under an order of supervision is NOT subject to

a final and enforceable order of removal). Accordingly, do not deny an application solely because the I-94 contains that printed language.

Similarly, the stamped language below on an I-94 card issued to a Cuban/Haitian Entrant does not disqualify a Cuban/Haitian Entrant from receiving SNAP or cash benefits. This language informs the holder of the I-94 that receipt of public benefits must be pursued separately.

	Departure Record
Port:	THIS DOES NOT CONVEY AUTHORIZATION TO RECEIVE ANY TYPE OF PUBLIC BENEFIT.
Date:	NOT VALID FOR REENTRY INTO THE U.S.
Carrier:	
Flight No./ Ship Name:	

Disqualifying Circumstances

Cuban and Haitian nationals without any valid documentation of status do not qualify as Cuban/Haitian Entrants. An individual who filed for Legal Permanent Resident (LPR) status through a family-based or employment-based petition, and who does not otherwise qualify under any of the categories described in the Online Guide, does not qualify as a Cuban/Haitian Entrant for purposes of receiving TAFDC or SNAP. However, that individual may be eligible for cash or SNAP or cash based on other noncitizen criteria.