

POTENTIAL ELIGIBILITY FOR LAWFULLY RESIDING NON-CITIZENS BASED ON IMMIGRATION STATUS

LOOK UP PROGRAM ELIGIBILITY FOR INDIVIDUALS WITH THE FOLLOWING STATUSES:

1. Refugees
2. Asylees
3. Asylum Seekers – those with a pending application for asylum
4. Lawful Permanent Residents (LPRs)
5. Deportees Whose Deportation is withheld
6. Cuban and Haitian entrants
7. Amerasian immigrants
8. Anyone who is lawfully present and qualifies as a battered spouse, battered child, or parent or child of a battered person with a petition pending
9. Iraqi Special Immigrants
10. Afghani Special Immigrants
11. American Indians born in Canada
12. Native Americans who are members of a Federally-recognized Indian tribe
13. Individuals paroled into the United States
14. Individuals granted conditional entrance
15. Individuals acquiring permanent resident status – “Amnesty Aliens”
16. Hmong and Highland Laotians
17. Victims of severe forms of trafficking
18. Lawfully present individuals with Military Status in the U.S.
19. Individuals with Temporary Protected Status (TPS)
20. Nonimmigrants with a U Visa
21. Individuals with a pending petition under the Violence Against Women Act (VAWA)

- **YES** means that the individual is potentially eligible based on immigration status.
- **Grandfathered** means that the person was receiving benefits, or had an application pending, on the date specified.
- **E, D, DV, H** stands for the hardship exceptions in Food Supplement and TANF, which include: (1) E = Elderly; (2) D = Disability; (3) DV = Domestic violence; and (4) H = Hardship of waiting for work documentation.

Immigration Status	Food Supplement	TANF	MaineCare	SSI
<p>1. Refugees</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-94 or I-94A Arrival/Departure Record or passport stamped “refugee” or “§ 207”; Form I-688B or I-766 EAD coded 274a.12(a)(3) or A3; or (a)(4) or “A4” (paroled as a refugee); Refugee travel document (I-571); <i>or</i> Any verification from USCIS (U.S. Citizenship & Immigration Services), or other authoritative document. NOTE: If adjusted to LPR status, I-551 may be coded RE-6, RE-7, RE-8, or RE-9. 	YES	YES	YES	YES
<p>2. Asylees</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-94, I-94A, or passport stamped “asylee” or “§ 208”; Order or letter granting asylum issued by the USCIS Asylum Office, an immigration judge, the BIA, or a federal court; Form I-688B or I-766 EAD coded 274a.12(a)(5) or A5; Refugee travel document (I-571); <i>or</i> Any verification from USCIS, or other authoritative document. <p>NOTE: If adjusted to LPR status, I-551 may be coded AS-6, AS-7, or AS-8.</p>	YES	YES	YES	YES
<p>3. Asylum Seekers *</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Receipt or notice showing filing or pending status of Form I-589 Application for Asylum; <i>or</i> I-797 filing receipt to confirm receipt of I-765 application/pending status for employment authorization Copy of the asylum interview notice 	<p>YES – But only if:</p> <p>(1) Grandfathered on January 1, 2012 <u>OR</u></p> <p>(2) Meets hardship exception: E,D,DV, H</p>	<p>YES – But only if:</p> <p>(1) Grandfathered on December 1, 2012 <u>OR</u></p> <p>(2) Meets hardship exception: E,D,DV, H</p>	<p>YES – But only if:</p> <p>(1) Pregnant; <u>OR</u></p> <p>(2) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI**</p>

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<p style="text-align: center;">4. Individuals Lawfully admitted for Permanent Residence (LPRs)</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • “Green card” (Form I-551) or earlier versions: I-151, AR-2 and AR-3; • Reentry permit (I-327); • Foreign passport stamped to show temporary evidence of LPR or “I-551” status; • Receipt from USCIS (U.S. Citizenship and Immigration Services) indicating that an I-90 application to replace LPR card has been filed; • Memorandum of Creation of Lawful Permanent Residence with approval stamp (I-181); • I-94 or I-94A with stamp indicating admission for lawful permanent residence; <i>or</i> • Any verification from the INS, DHS, or other authoritative document 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) LPR status for at least 5 years; (2) Under age 18; (3) Grandfathered on January 1, 2012; (4) Meets hardship exception: E,D,DV, H; (5) Over age 65 and resided in the U.S. on August 22, 1996; (6) Military Status (for veterans or those on active duty or their spouse or unmarried dependent child); (7) Receiving payments or assistance for blindness or disability; (8) Has 40 qualifying quarters of work experience; OR (9) Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) LPR status for at least 5 years; (2) Grandfathered on December 1, 2012; (3) Meets hardship exception: E,D,DV, H; <u>OR</u> (4) Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) LPR status for at least 5 years; (2) Pregnant; (3) Under age 21; OR (4) Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – state-funded SSI for those without 40 quarters of work who have been in U.S. for less than 5 years</p>

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<p>5. Deportees whose deportation is withheld</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Order granting withholding of deportation or removal issued by the INS, DHS, an immigration judge, the BIA, or a federal court; Form I-688B or I-766 EAD coded 274a.12(a)(10) or A10; <i>or</i> Any verification from the INS, DHS, or other authoritative document. 	YES	YES	YES	YES
<p>6. Cuban and Haitian entrants</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-94 with a stamp indicating “Cuban/Haitian entrant” or any other notation indicating “parole,” any documents indicating pending exclusion or deportation proceedings; Any documents indicating a pending asylum application, including a receipt from an USCIS Asylum Office indicating filing of Form I-589 application for asylum; Form I-688B or I-766 EAD coded coded 274a.12(A)(4) or A4, 274a.12(c)(8) or C8, or 274a.12(c)(11) or C11; <i>or</i> Any verification from the INS, DHS, or other authoritative document. I-551 coded CH6, HA6, HB6 	YES	YES	YES	YES
<p>7. Amerasian Immigrants</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Any of the LPR documents listed above with one of the following codes: AM-1, AM-2, AM-3, AM-6, AM-7, or AM-8; <i>or</i> Any verification from the INS, DHS, or other authoritative document. 	YES	YES	YES	YES

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<p>8. Anyone who is lawfully present and qualifies as a battered spouse, battered child, or parent or child of a battered person with a petition pending</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • Receipt or other proof of filing I-130 (visa petition) under immediate relative (IR) or 2nd family preference (P-2) showing status as a spouse or child; • Form I-360 (application to qualify as abused spouse, child, or parent under the VAWA); • Form I-797 Notice of Action referencing pending I-130 or I-360 or finding establishment of a prima facie case; • Form I-797 Notice of Action referencing pending I-918 application for a U Nonimmigrant visa; • Receipt or other proof of filing I-485 Application for Adjustment of Status on basis of an immediate relative or family 2nd preference petition or an I-360 VAWA application; • Any documents indicating a pending suspension of deportation or cancellation of removal case, including a receipt from an immigration court or USCIS indicating filing of Form EOIR-40 (Application for Suspension of Deportation) or EOIR-42B (Application for Cancellation of Removal); • Form I-688B or I-766 EAD coded 274a.12(a)(10) or A10 (applicant for suspension of deportation) or 274a.12(c)(14) or C14 (individual granted deferred action status); • I551 coded IB6, IB7, or IB8; <i>or</i> • Any verification from the INS, DHS, or other authoritative document. • Any documentation indicating domestic violence, including a protection from abuse order, police report, criminal record, or other similar evidence. 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) Has status for at least 5 years; (2) Under age 18; (3) Grandfathered on January 1, 2012; (4) Meets hardship exception: E,D,DV, H; (5) Over age 65 and resided in the U.S. on August 22, 1996; (6) Military Status (for veterans or those on active duty or their spouse or unmarried dependent child); (7) Receiving payments or assistance for blindness or disability; (8) Has 40 qualifying quarters of work experience; OR Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) Has status for at least 5 years; (2) Grandfathered on December 1, 2012; (3) Meets hardship exception: E,D,DV, H; OR (4) The date of entry to the U.S. is prior to August 22, 1996 	<p>YES – But only if:</p> <ol style="list-style-type: none"> (1) Has status for at least 5 years; (2) Pregnant; OR (3) Under age 21 <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>

Immigration Status	Food Supplement	TANF	MaineCare	SSI
<p>9. Iraqi Special Immigrants</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> special immigrant visa under INA Section 101(a)(27) I551 with code SQ6, SQ7, or SQ9 	YES	YES	YES	YES
<p>10. Afghani Special Immigrants</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> special immigrant visa under INA Section 101(a)(27) I551 with code SQ6, SI6, SQ7, SI7, SQ9, SI9 	YES	YES	YES	YES
<p>11. American Indians born in Canada to whom provisions of sect. 289 of IWA (8 U.S.C. 1359) apply and members of an Indian tribe as defined in sect. 4(e) of the Indian Self-determination and Education Assistance Act (25 U.S.C. 450(e))</p>	YES	YES	YES	YES
<p>12. Native Americans who are members of a Federally-recognized Indian tribe</p>	YES	YES	YES	YES

<p>13. Individuals paroled into the United States under Sec. 212(d)(5) of INA for at least one year</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • Form I-94 or I-94A indicating “parole” or “PIP” or “212(d)(5),” or other language indicating parole status; • Form I-688B or I-766 EAD coded 274a.12(a)(4), 274a.12(c)(11), A4, or C11; <i>or</i> • Any verification from the INS, DHS, or other authoritative document. 	<p>YES – But only if:</p> <p>(1) Has status for at least 5 years;</p> <p>(2) Under age 18;</p> <p>(3) Grandfathered on January 1, 2012;</p> <p>(4) Meets hardship exception: E,D,DV, H;</p> <p>(5) Over age 65 and resided in the U.S. on August 22, 1996;</p> <p>(6) Military Status (for veterans or those on active duty or their spouse or unmarried dependent child);</p> <p>(7) Receiving payments or assistance for blindness or disability;</p> <p>(8) Has 40 qualifying quarters of work experience; OR</p> <p>(9) Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant</p>	<p>YES – But only if:</p> <p>(1) Has status for at least 5 years;</p> <p>(2) Grandfathered on January 1, 2012;</p> <p>(3) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(4) The date of entry to the U.S. is prior to August 22, 1996</p>	<p>YES – But only if:</p> <p>(1) Has status for at least 5 years;</p> <p>(3) Pregnant; <u>OR</u></p> <p>(4) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>
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Immigration Status	Food Supplement	TANF	MaineCare	SSI
<p>14. Individuals granted conditional entrance pursuant to Sec. 230(a)(7) of INA as in effect prior to April 1, 1980</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-94, I-94A, or other document indicating status as “conditional entrant,” “Seventh Preference,” § 203(a)(7), or P7; <i>or</i> Any verification from the INS, DHS, or other authoritative document. 	<p>YES – But only if:</p> <p>(1) In the U.S. more than 5 years;</p> <p>(2) Under age 18;</p> <p>(3) Grandfathered on January 1, 2012;</p> <p>(4) Meets hardship exception: E,D,DV, H;</p> <p>(5) Over age 65 and resided in the U.S. on August 22, 1996;</p> <p>(6) Military Status (for veterans or those on active duty or their spouse or unmarried dependent child);</p> <p>(7) Receiving payments or assistance for blindness or disability;</p> <p>(8) Has 40 qualifying quarters of work experience; OR</p> <p>(9) Prior to having LPR status, individual was a Refugee, Asylee, Deportee (deportation withheld), Amerasian immigrant, or Cuban/Haitian entrant</p>	<p>YES – But only if:</p> <p>(1) In the U.S. more than 5 years;</p> <p>(2) Grandfathered on December 1, 2012;</p> <p>(3) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(4) The date of entry to the U.S. is prior to August 22, 1996</p>	<p>YES – But only if:</p> <p>(1) In the U.S. more than 5 years;</p> <p>(2) In the U.S. less than 5 years and pregnant;</p> <p>(3) In the U.S. less than 5 years and under age 21; <u>OR</u></p> <p>(4) In the U.S. less than 5 but the initial date of entry is prior to August 22, 1996;</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>

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<p>15. Individuals acquiring permanent resident status who were admitted to the United States under Sec. 245A of the Immigration Reform and Control Act aka Amnesty aliens</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • I-797 to confirm receipt of application/pending status for work or a copy of the asylum interview notice. • I-551 with code W16, W26, W36, S16, S26, or R16 • Form I-688 referencing sections INA Section 245A, 210 or 210A. 	<p>YES – But only if:</p> <p>(1) Qualified status for at least 5 years;</p> <p>(2) Grandfathered on January 1, 2012;</p> <p>(3) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(4) Receiving payments or assistance for blindness or disability</p>	<p>YES – But only if:</p> <p>(1) Qualified status for at least 5 years;</p> <p>(2) Grandfathered on December 1, 2012;</p> <p>(3) Meets hardship exception: E,D,DV, H</p>	<p>YES – But only if:</p> <p>(1) Qualified status for at least 5 years;</p> <p>(2) Pregnant; <u>OR</u></p> <p>(3) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>
<p>16. Hmong and Highland Laotians (including the spouse, unmarried dependent children of such individuals or un-remarried surviving spouse of such deceased individuals) who are lawfully residing in the U.S. and were a member of a tribe at the time that tribe aided U.S. personnel during the Vietnam conflict.</p>	<p>YES</p>	<p>YES – But only if:</p> <p>(1) Grandfathered on December 1, 2012; <u>OR</u></p> <p>(2) Meets hardship exception: E,D,DV, H; <u>OR</u></p>	<p>YES – But only if:</p> <p>(4) Pregnant; <u>OR</u></p> <p>(5) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>
<p>Immigration Status</p>	<p>Food Supplement</p>	<p>TANF</p>	<p>MaineCare</p>	<p>SSI</p>

<p>17. Victims of severe forms of trafficking including spouses, minor children, parents and siblings.</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • Certification from U.S. Dept. of Health and Human Services (HHS) Office of Refugee Resettlement (ORR); • ORR eligibility letter (if under 18); • Certification status verified through HHS Trafficking Verification Line 202-401-5510 or 866-401-5510 ; • Receipt for Form I-914 (T status application); • I-766 EAD coded (a)(16); • Form I-797 approval notice or DHS letter granting “CP” (continued presence); • Form I-797 indicating approval of T-1 Status; • <i>Bona fide</i> case determination on a T status application; <i>or</i> • Form I-797 “Extension of T or U Nonimmigrant Status”; • I-512 authorization for parole, indicating T-1 status; • I-551 coded ST6; <i>or</i> • Any verification from HHS, INS, DHS, or other authoritative document. 	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>
<p>18. Lawfully Present Individuals with Military Status in the U.S. who have a qualified alien status (for veterans or those on active duty or their spouse or unmarried surviving spouse or child)</p>	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>	<p style="text-align: center;">YES</p>

Immigration Status	Food Supplement	TANF	MaineCare	SSI
<p>19. Temporary Protected Status (TPS) under 244(a)(3) of INA</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-688B or I-766 EAD coded 274a.12(a)(12) or A12; Form I-797 Notice of Action showing grant of TPS status; <i>or</i> Any verification from the INS, DHS, or other authoritative document. 	<p>YES – But only if:</p> <p>(1) Grandfathered on January 1, 2012</p> <p>(2) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(3) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(1) Grandfathered on December 1, 2012;</p> <p>(2) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(3) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(1) Pregnant; <u>OR</u></p> <p>(2) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>
<p>20. Nonimmigrants with a U Visa (victims of violent crimes)</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> Form I-94 or I-94A Arrival/Departure Record or passport indicating admission to U.S. with U-1, U-2, U-3, U-4 or U-5 nonimmigrant visa; Receipt for Form I-102 Application for Replacement/Initial Nonimmigrant Arrival-Departure Document; I-797 approving application to extend/change to U nonimmigrant status; I-797 approving I-918 application for U nonimmigrant status; Form I-688B or I-766 EAD or other INS/DHS document indicating nonimmigrant status; <i>or</i> Any verification from the INS, DHS, or other authoritative document 	<p>YES – But only if:</p> <p>(1) Grandfathered on January 1, 2012</p> <p>(2) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(3) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(1) Grandfathered on December 1, 2012;</p> <p>(2) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(3) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(1) Pregnant; <u>OR</u></p> <p>(2) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>

<p>21. Individuals with a pending petition under the Violence Against Women Act (VAWA)</p> <p>Examples of documentation:</p> <ul style="list-style-type: none"> • Form I-360 (application to qualify as abused spouse, child, or parent under the VAWA); <i>or</i> • Receipt or other proof of filing I-485 Application for Adjustment of Status on basis of an immediate relative or family 2nd preference petition or VAWA application 	<p>YES – But only if:</p> <p>(4) Grandfathered on January 1, 2012</p> <p>(5) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(6) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(4) Grandfathered on December 1, 2012;</p> <p>(5) Meets hardship exception: E,D,DV, H; <u>OR</u></p> <p>(6) Qualifies Under Another Category, such as a Battered Spouse or Battered Child</p>	<p>YES – But only if:</p> <p>(3) Pregnant; <u>OR</u></p> <p>(4) Under age 21</p> <p><i>If not, Emergency MaineCare only</i></p>	<p>YES – for state-funded SSI</p>
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*** Working with Asylum Seekers**

Asylum Seekers are potentially eligible for Food Supplement benefits (FS), Temporary Assistance for Needy Families (TANF), Replacement Supplemental Security Income (State-funded SSI), and MaineCare (only if they are under age 21 or pregnant).

Eligibility for FS and TANF for Asylum Seekers: In order to receive Food Supplement or TANF, the asylum seeker must either be “grandfathered” into the program (was receiving assistance, or had an application pending, on January 1, 2012 for FS or December 1, 2012 for TANF) **OR** the individual must fall within one of the four hardship exceptions: (1) elderly; (2) disabled; (3) domestic violence; or (4) waiting for work documentation.

Any asylum seeker with a pending I-589 application for asylum or a pending I-765 application for employment authorization qualifies for hardship exception (4). Asylum seekers are eligible for FS and TANF once they can provide proof of application for asylum. If the individual is in fact found to be eligible, benefits begin as of the date of application if the applicant is able to provide proof of application for asylum, such as an I-797 receipt for form I-589 (asylum application) or a receipt for form I-765 (application for employment authorization) from USCIS, when they apply.

Waiting for Work Documentation: Asylum Seekers will often fall into the “waiting for work documentation” hardship category because once the asylum application is filed, there is a 6-month wait period before an asylum seeker can receive work documentation (what is known as employment authorization documentation (EAD)). This 6-month clock does not start ticking until the person applies for asylum. If the EAD has not been issued within the 6-month wait period, please contact the appropriate Program Manager (i.e., MaineCare, TANF, Food Supplement) for further guidance.

If an asylum seeker receives FS or TANF based on the waiting for documentation hardship exception then they will then remain eligible up until the time they actually receive their work documentation.

**** Replacement Supplemental Security Income (SSI) for Immigrants (Super Supp)**

Under state law, immigrants who are not eligible for federal SSI because of the provisions of Sections 401, 402 and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) are eligible for state-funded SSI. (See **POTENTIAL ELIGIBILITY FOR LAWFULLY RESIDING NON-CITIZENS BASED ON IMMIGRATION STATUS TABLE** for eligibility guidelines based on immigration status.)

Application Process: The rules state that individuals will be considered for eligibility for state-funded SSI when they are determined ineligible for federal benefits based on immigration status. When someone applies for State-funded SSI for immigrants, the date that person applies should be saved as the date of application. Individuals will then need to get a technical denial from SSA based on immigration status as part of the application process for state-funded benefits. A technical denial from SSA should not require a disability determination. The Department will process an application based on disability through MRT.