



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT


PO BOX 716
TRENTON, NJ 08625-0716

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SARAH ADELMAN
Commissioner

NATASHA JOHNSON
Assistant Commissioner

		DIVISION OF FAMILY DEVELOPMENT
PROGRAM INSTRUCTION		
SUBJECT: Afghan Special Immigrants and Humanitarian Parolees		
ISSUE DATE: November 1, 2022	DFDI No.: 22-11-01	
IMPACTED PROGRAMS: NJ SNAP, WFNJ, and Child Care Program		
HISTORY: Rescinds DFDI No.: 21-11-03		

I. PURPOSE

The purpose of this Instruction is to advise County Welfare Agencies/Municipal Welfare Agencies (CWAs/MWAs) and the Child Care Resource and Referral Agencies (CCR&Rs) that, in response to the recent evacuations from Afghanistan, the United States Citizenship and Immigration Services (USCIS) has created new immigration codes for Afghan citizens or nationals. Additionally, the categories of noncitizens who are immediately eligible for Federally funded means-tested public benefits has been expanded.

This Instruction is a reissuance of DFDI No. 21-11-03 and implements changes in federal law. The timeframe during which Afghan humanitarian parolees may enter the United States and be considered eligible for public assistance has been extended from September 16, 2022 to December 16, 2022.

II. AUTHORITY

8 USCS § 1601.

8 USCS, Ch. 12.

Afghan Allies Protection Act of 2009 (P.L. 111-8).

Afghanistan Supplemental Appropriations Act, 2022 (P.L. 117-43).

Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (P.L. 117-180).

III. OVERVIEW

Due to the recent evacuation of Afghan citizens and nationals from Afghanistan, there has been an increase in the number of Afghan individuals relocated to the United States. The majority of these individuals fall into four groups:

- 1) Special Immigrant Visa (SIV);
- 2) Special Immigrant Parole (SQ/SI);

- 3) Special Immigrant Conditional Permanent Residents; and
- 4) Humanitarian Parolees entering the United States **without** SQ/SI parole or conditional permanent residency.

Under federal law, citizens or nationals of Afghanistan who have worked on behalf of the United States are eligible for an SIV. Due to the difficulty in processing SIV applications, individuals who are likely eligible for an SIV have been granted Special Immigrant Parole or Special Immigrant Conditional Permanent Residency. All citizens or nationals of Afghanistan with a “Special Immigrant” status are immediately eligible for federally funded means-tested public benefits to the same extent as Refugees. The benefits “Special Immigrants” are eligible for include:

- Office of Refugee Resettlement benefits;
- Work First New Jersey (WFNJ);
- New Jersey Supplemental Nutrition Assistance Program (NJ SNAP); and
- Child Care subsidies.

In addition to Special Immigrant Parolees, many citizens or nationals of Afghanistan were brought to the United States as Humanitarian Parolees. The Afghanistan Supplemental Appropriations Act, 2022 provides that citizens or nationals of Afghanistan are eligible for benefits to the same extent as refugees if they were paroled into the United States under certain conditions.

IV. POLICY

A. A citizen or national of Afghanistan satisfies the non-citizen eligibility requirements for Temporary Assistance for Needy Families (TANF), NJ SNAP and Child Care subsidies if they have been granted:

- 1) Special Immigrant Visa;
- 2) Special Immigrant Conditional Permanent Residency; or
- 3) Special Immigrant Parole.

These individuals are eligible for benefits immediately if all other program eligibility requirements are met.

****Please note:** all eligibility rules pertaining to other status types (e.g. refugee, asylee, etc.) remain unchanged.

B. A citizen or national of Afghanistan without any Special Immigrant status can satisfy the non-citizen eligibility requirements for TANF, NJ SNAP and Child Care subsidies if they were paroled into the United States between July 31, 2021 and December 16, 2022.

- a. A citizen or national of Afghanistan paroled into the United States after December 16, 2022 can satisfy the non-citizen eligibility requirements if they are:

- i. The spouse or child of an individual paroled into the United States between July 31, 2021 and December 16, 2022; or
- ii. The parent or legal guardian of an individual determined to be an unaccompanied child who was paroled into the United States between July 31, 2021 and December 16, 2022.

These individuals are eligible for benefits immediately if all other program eligibility requirements are met.

- C. Individuals who satisfy the non-citizen eligibility requirements based on Policy B, above, are only eligible for benefits until March 31, 2023, or until the end of their parole term, whichever is later.
- D. As per current policy, a citizen or national of Afghanistan paroled in the United States without any Special Immigrant status who is under eighteen (18) years of age is immediately eligible for NJ SNAP benefits if they have been paroled into the United States for more than one (1) year and meet all other program eligibility requirements.
 - a. A parolee receiving benefits according to this provision remains eligible for NJ SNAP after March 31, 2023 if they are under eighteen (18) years of age.
- E. The CWA/MWA must refer citizens or nationals of Afghanistan who are single adults or couples without dependent children who are seeking cash assistance to the appropriate refugee resettlement agency so that they may apply for refugee cash assistance in lieu of General Assistance (GA), as detailed in DFDI No.16-10-2.

V. PROCEDURES

A. Eligibility and Citizenship Verification

As part of the eligibility determination, the CWA/MWA or CCR&R verify applicants' citizenship or immigration status. Applicants provide any reasonable documentation to the CWA/MWA or CCR&R to demonstrate their citizenship or immigration status.

All non-citizens must be matched using the Systematic Alien Verification for Entitlements (SAVE) system. The CWA verifies an applicant's immigration status by entering the Registration number in FAMIS. ONETrac will then automatically verify an applicant's immigration status by performing the SAVE match. The CWA **does not** need to perform an additional SAVE verification.

The MWA and CCR&R verify an applicant's immigration status by entering the Registration number in SAVE.

****Please Note:** Due to the current high volumes of individuals being admitted, the U.S. Citizenship & Immigrations Services (USCIS) has reported delays with entering individual information into SAVE; therefore, some eligible individuals may not yet be found in SAVE and must be determined based upon the documentation presented. The following lists of documentation are examples and not meant to be an exhaustive

list of the documentation citizens or nationals of Afghanistan may provide to the agency. The CWA/MWA and CCR&R accept any reasonable documentation which allows the agency to verify an applicant's immigration status.

B. Special Immigrant Visa

Citizens or nationals of Afghanistan with Special Immigrant Visas generally have:

- Foreign passports with a Department of Homeland Security, Customs and Border Protection stamp admitting them with an SQ1, SQ2, or SQ3 Class of Admission; or
- A Form I-551, Permanent Resident Card. SAVE provides an initial verification for these Special Immigrants. Certain cases may require additional verification.

C. Special Immigrant Parole

Citizens or nationals of Afghanistan who are Special Immigrant Parolees have a separate printed page on Customs and Border Protection letterhead with their Form I-94, Arrival Departure Record, information and the following notation, signed and dated by a USCIS officer:

Special Immigrant Status (SQ/SI) Parolee
Sec 602(b)(1) AAPA / Sec 1059(a) NDAA 2006
Date_____USCIS officer:_____

The USCIS has created a new Code of Admission for Afghan nationals who qualify for Special Immigrant parolee status. In addition to the existing codes, USCIS has added new SQ4 and SQ5 codes. These individuals may also have a Form I-766, Employment Authorization Document, with a C11 parolee category. SAVE can provide an initial verification response of "Parolee" with an SQ4 or SQ5 Class of Admission. Certain cases may require additional verification.

D. Special Immigrant Conditional Permanent Resident

Special Immigrant Conditional Permanent Residents generally have foreign-issued passports with a Department of Homeland Security, Customs and Border Protection admission stamp admitting them with a CQ1, CQ2, or CQ3 Class of Admission. Additionally, these individuals may have a:

- Form I-551, Permanent Resident Card (Green Card), with an Immigrant Visa (IV) code for category CQ1, CQ2, or CQ3;
- DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp; or
- DHS/USCIS temporary Form I-551 ADIT stamp.

Based on the information from the Green Card or the admission stamp, SAVE can provide an initial verification response of Conditional Permanent Resident and provide the class of admission in the “Comments to Agency” field in SAVE.

E. Non-Special Immigrant Parole

Citizens or nationals of Afghanistan who are paroled into the United States status may have a:

- Form I-94 noting Humanitarian Parole;
- Form I-766, Employment Authorization Document, with a C11 category, or a CBP “PAROLED” stamp in their passports;
- Foreign passport with DHS/CBP admission stamp noting Operation Allies Refuge or “OAR”;
- Foreign passport with DHS/CBP admission stamp noting Operation Allies Welcome or “OAW”; or
- Foreign passport with DHS/CBP admission stamp noting “DT”.

SAVE can provide an initial verification with a “parolee” response.

Additional verifications can be performed using SAVE in cases where an applicant’s immigration status is not clear. Any NJ SNAP or WFNJ questions may be directed to your Program Operations County Liaison. Any Child Care questions may be directed to the Child Care Supervisor assigned to your county.

Sincerely,

Natasha Johnson

Natasha Johnson
Assistant Commissioner

NJ:LB:jl