

Refugee (KEESM 2143.1(1))

- INS Form I-94 annotated with stamp showing admission under 207 of the INA;
- INS Form I-688B (Employment Authorization Card) annotated under “274a.12(a)(3)”;
- INS Form I-766 (Employment Authorization Document) annotated “A3”, or
- INS Form I-571 (Refugee Travel Document)

The date of inspection on the refugee stamp on INS Form I-94 will indicate the date of admission as a refugee; if the date is missing or if the applicant cannot present an I-94, file INS Form G-845 and Supplement, along with a copy of the pertinent documents with the local INS office to verify the date of admission as a refugee.

Asylees (KEESM 2143.1(2))

- INS Form I-94 annotated stamp showing grant of asylum under Section 208 of the INA;
- Grant letter from the Asylum Office of the INS;
- INS Form I-688B annotated 274.a12(a)(5); or
- I-766 annotated “A5”.

Alien Whose Deportation or Removal Was Withheld (KEESM 2143.1(3))

- INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(10)”,
- INS Form I-766 (Employment Authorization Document) annotated “A10”; or
- Order from an immigration judge showing deportation withheld under 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under 241(b)(3) of the INA.

The court order will include the date deportation was withheld; if the applicant does not present a court order, file INS Form G-845 and Supplement along with a copy of the pertinent documents with the local INS office to verify the date deportation was withheld.

Cuban/Haitian Entrants (KEESM 2143.1(4))

- INS Form I-551 (Alien Registration Receipt Card, commonly known as a “green card”) with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on INS Form I-94 with the code CU or CU7; or
- INS Form I-94 with stamp parole as “Cuban/Haitian Entrant” under Section 212(d)(5) of the INA.

The date on the INS Form I-551 or the date of inspection on the stamp on INS Form I-94 will indicate the date status was granted; if the date is missing on Form I-94, file INS Form G-845 and Supplement, along with a copy of the pertinent documents with the local INS office to verify the date status was granted.

Amerasian Immigrants (KEESM 2143.1(5))

- INS Form I-551 (Alien Registration Receipt Card, commonly known as a “green card”) with the code AM6, AM7, or AM8; or
- Unexpired temporary I-551 stamp in foreign passport or on INS Form I-94 with the AM1, AM2, or AM3.

The date on the INS Form I-551 or the date of inspection on the stamp on INS Form I-94, file INS Form G-845 and Supplement, along with a copy of the pertinent documents with the local INS office to verify the date of admission.

Honorably Discharged Veterans (KEESM 2143.3(2))

- A discharge certificate, DD Form 214 or equivalent, that shows active-duty in the Army, Navy, Air Force, Marine Corps, or Coast Guard and character of discharge (i.e., honorable) is acceptable to qualify for the veteran exemption without further inquiry, unless the certificate appears to have been altered or is otherwise irregular. A discharge certificate that shows character of discharge as anything but “honorable” is not acceptable for purposes of this exemption, and need not be referred to the Veterans Administration (VA). (NOTE: A character of discharge “Under Honorable Conditions” is NOT an “Honorable” discharge for these purposes.) A discharge certificate that shows “honorable” and any other branch of service or any other type of duty (e.g., “Active-duty for Training,” “Inactive-duty for Training.” etc.) should be referred to the local VA regional office for determination as veteran status.
- If veteran status is claimed but the individual has no papers showing services or discharge, refer the inquiry to the local VA regional office to determine veteran status.

- If a discharge certificate, DD Form 214 or equivalent shows two or more years of active-duty in the Army, Navy, Air Force, or Marine Corps, the individual meets the minimum active-duty service requirement. If such a discharge certificate is not available, or if it shows active-duty service of less than two years, refer the inquiry to the local VA regional office to determine satisfaction of the minimum active-duty service requirement.
- Applications for exception based on status as a spouse, unmarried dependent child, or unremarried surviving spouse of an honorably veteran require a determination of the veteran's status and a determination that the applicant is a spouse or child. Status of the veteran may be established by possession of a discharge certificate showing an "Honorable" discharge. If the applicant is not in possession of a discharge certificate, refer the question of veteran status to the VA for a determination. The determination as to whether the individual is a spouse or an unmarried dependent child should be made based on your agency guidance for marital and dependency status. VA will not make spousal or dependency findings in these cases.
- Applications for exception based on status as an unremarried surviving spouse of a veteran or active-duty personnel further require the following findings (set forth in 38 U.S.C. 1304):
 - that the surviving spouse was married to the veteran or active-duty personnel within fifteen years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated; or
 - that the surviving spouse was married to the veteran or active-duty personnel for one year or more; or
 - that a child was born of the relationship between the surviving spouse and the veteran or active-duty personnel, either during or before the marriage.

Members on Active-Duty (KEESM 2143.3(2))

- Active-duty as a member of the Armed Forces means the individual is on full-time duty in the U.S. Army, Air Force, Marine Corps, or Coast Guard. It does not include full-time National Guard duty.
- Service members on active-duty shall establish their status by presenting a current Military Identification Card (DD Form 2(Active)) that lists an expiration date of more than one year from the date of determination.
- If the Military Identification Card is due to expire within one year from the date of the determination, the service member shall verify active-duty by showing a copy of his or her current military orders. If the service member is unable to furnish a copy of his or her military orders, active-duty may be verified through the nearest RAPIDS (Real

Time Automated Personnel Identification System) (located at many military installations) or by notifying the following office in writing (which can be transmitted by facsimile):

DEERS Support Office
ATTN: Research and Analysis
400 Gigling Road
Seaside, California 93955-6771
Fax Number: (408) 655-8317

Reserve Members (not on active-duty for training) (KEESM 2143.3(2))

- Active-duty for training is temporary full-time duty in the Armed Forces performed by members of the Reserves, Army National Guard, or Air National Guard for training purposes. Active-duty for training does not establish eligible status. However, a discharge from active-duty for training may establish veterans status and should be referred to VA for a determination.
- A member of a reserve component shall establish status by showing a current DD Form 2 (Reserve) [red] and military active-duty orders showing such person is on active-duty, but not an active-duty for training. No other method for verifying this status is currently available.

Spouse, Children, or Unremarried Surviving Spouse of Active-duty Members of Veterans (KEESM 2143.3(2))

- Establish that the individual is a spouse, dependent child, or unremarried surviving spouse of an active-duty member or veteran.
 - The determination as to whether an individual is a spouse of an active-duty member or veteran should be made based on your agency guidance. Possession of a current Military Identification Card showing that the individual is married to a veteran or active-duty member may be considered as evidence of marriage to the member.
 - The determination as to whether an individual is an unremarried surviving spouse of an active-duty member or veteran should be made based on agency guidance, in accordance with the following requirements, set forth in 38 U.S.C. 1304:
 - the surviving spouse was married to the veteran or active-duty personnel within fifteen years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated;
 - or

- the surviving spouse was married to the veteran or active-duty personnel for one year or more; or
 - that a child was born of the relationship between the surviving spouse and the veteran or active-duty personnel; either during or before the marriage.
- The determination as to whether an individual is an unmarried legally adopted or biological dependent child of an honorably discharged veteran or active-duty member of the Armed Forces should be made based on your agency guidance. Possession of a Military Identification Card may be considered as evidence that a child is dependent on the veteran or on the active-duty member of the Armed Forces for his or her support and is under the age of eighteen or, if a full-time student, under age 22.

American Indians born in Canada (KEESM 2143.3(3))

American Indians born in Canada to whom section 289 of the INA applies and members of a Federally-recognized tribe are eligible for food assistance benefits on the same basis as citizens. Some American Indians born in Canada to whom section 289 of the INA applies may have INS documentation establishing LPR status which can be verified through SAVE or other procedures States use to verify immigration status. Applicants without INS documents may present a letter or other tribal document certifying at least 50 percent Indian Blood, as required by 289 of INA, combined with a birth certificate or other evidence of birth in Canada.

Applicants can establish membership in a Federally-recognized tribe by presenting a membership card or other tribal document establishing membership in an Indian tribe. If an applicant has no documentation, the State can verify membership by contacting the applicable tribe. A list of Indian Tribes and tribal government contacts may be obtained from DOJ's Office of Tribal Justice.

Victims of Trafficking (KEESM 2144)

The Office of Refugee Resettlement (ORR) of the U.S. Department of Health and Human Services has been given the authority to certify that an individual is a victim of a severe form of trafficking and will issue a certification letter to such individuals. Applicants in this category must submit their original certification letter from ORR. Victims of severe form of trafficking are not required to provide immigration documents to verify their status. The date of certification on the letter should be used as the "date of entry" for eligibility purposes, as well as the expiration date. State agencies must call the "Trafficking Verification Line" at (202) 401-5510 to confirm the validity of the certification letter.

Hmong or Highland Laotian Tribal Members (KEESM 2143.3(4))

Food assistance eligibility extends to an individual lawfully residing in the United States who was a member of a Hmong or Highland Laotian tribe that rendered assistance to the United States during the Vietnam era as well as to that individual's spouse or unremarried surviving spouse) or unmarried dependent children. To verify status in this category, a State agency may refer to FNS' guidance dated September 28, 1998 - "Technical Assistance Guide for the Implementation of Section 508 of the Agriculture Research, Extension, and Education Reform Act of 1998" and a follow-up to this guidance dated February 24, 1999 - "Hmong and Highland Laotian Guidance on Verifying Status". Contact EES Administration if additional guidance is needed in determining eligibility for persons in this category.

Expired or Absent Documentation:

If an applicant presents expired documents or is unable to present any documentation evidencing his or her immigration status, refer the applicant to the local INS office to obtain documentation of status. In unusual cases involving applicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation, and for whom securing such documentation would constitute an undue hardship, if the applicant can provide an alien registration number, you may file INS Form G-845 and Supplement, along with the alien registration number and a copy of any expired INS document presented, with the local INS office to verify status. As with any documentation of immigration status, you should confirm that the status information you receive back from INS pertains to the applicant whose identity you have verified.