

EES Policy No. 21-11-12	<b>RE:</b> Afghan Parolees Now Eligible for TANF, Food Assistance and Child Care
<b>Policy Memo</b>	<b>Contact Persons:</b> Sarah Van Straaten, Sally Hargis or Angela Stinson
<b>From:</b> Dr. Carla Whiteside-Hicks	KEESM Reference: 2140, 2142, 2143, 2146.4, 2146.6, 4120,
<b>Date:</b> November 1, 2021, Revised September 27, 2022, Updated 11/29/2022, Revised January 9, 2023, Updated December 14, 2023, Updated July 24, 2024	Other Manual Reference: EES Policy No. 21-08-08 and Appendix A-1
<b>Primary DCF Areas Affected:</b> <b>Food Assistance, TANF and Child Care</b>	<b>Where Posted on Web:</b> <a href="http://content.dcf.ks.gov/EES/KEESM/Policy_Memo/21-11-12EESAfganParoleesNowEligibleforTANFandFoodAssistance.pdf">http://content.dcf.ks.gov/EES/KEESM/Policy_Memo/21-11-12EESAfganParoleesNowEligibleforTANFandFoodAssistance.pdf</a>

On September 30, 2021, Congress passed the Afghanistan Supplemental Appropriations Act, 2022 (Public Law 117-43) and Immigration and Nationality Act under section 207. Additional guidelines have been issued by the Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement and USDA Food and Nutrition Service, regarding access to such assistance for the resettlement of non-special immigrant parolees (non-SI paroles) who have assisted the U.S. Government overseas, have now been relocated to the United States and the mandatory federal requires associated with providing or denying access to such individuals in the Temporary Assistance for Needy Families (TANF) program, Food Assistance (FA) program and Child Care program. Section 2502 of this legislation provides that Afghan humanitarian parolees (also known as non-SI parolees) are now eligible to receive federal benefits, including TANF, Food Assistance and Child Care, from the date of enactment. The Immigration and Nationality Act under section 207 provides that Afghan nationals, citizens, or those who last habitually lived in Afghanistan who are granted parole between July 31, 2021, and September 30, 2023, are eligible to receive resettlement assistance, entitlement program (including Food Assistance), and other benefits available to refugees admitted. These individuals are not subject to the five-year waiting period and are immediately eligible for benefits as long as they meet all financial and non-financial eligibility requirements. The following individuals are eligible for TANF, Food Assistance and Child Care until March 31, 2023, (or the term of parole, whichever is longer) in the same way a refugee is eligible for TANF and Food Assistance:

- Afghan citizens and nations paroled into the US between July 31, 2021, and September 30, 2023.
- Their spouses or children paroled after, September 30, 2023, and
- Their parents or guardians paroled after September 30, 2023, if the Afghan citizen or national is an unaccompanied child.

On June 8, 2023, the Department of Homeland Security (DHS) implemented a re-parole process for certain Afghan nationals paroled into the United States **(Staff will need to verify parole status at time of review)**:

- Afghan nationals granted re-parole with a new parole date on or before September 30, 2023, continue to be eligible for benefits.
- Afghan nationals granted re-parole with a new parole date after September 30, 2023, are no longer eligible for benefits without meeting one of the additional eligibility criteria listed in KEESM 2142 (TANF/CC) and KEESM 2143 (FA) or (7 CFR 273.4(a)(6)(ii).
- Afghan nationals granted an extension of parole maintain eligibility as long as they meet other eligibility requirements such as income and resource limits as they are not assigned a new period of parole.

Note: If an application for re-parole is denied or an application for re-parole is approved but the new parole date is after September 30, 2023, and they do not meet any additional qualifying criteria as listed in KEESM 2142 or KEESM 2143, DCF will not process any overpayments for benefits received while the re-parole application was pending.

Following is a list of additional categories of ORR-eligible Afghan populations published on August 3, 2022, by the Administration for Children & Families regarding Afghan refugees, asylees, and Special Immigrant Visa holders:

- Afghan individuals with SI/SQ Parole (aka Special Immigrants)
- Afghan individuals with Special Immigrant Conditional Permanent Residence (SI CPR)
- Afghan humanitarian parolees (AHP) admitted to the United States on or after July 31, 2021, due to urgent humanitarian reasons or significant public benefit

Required documentation is proof of humanitarian parole and date it was received. Types of proof include:

- Form I-94 with COA codes – “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole (per INA section 212(d)(5)(A),
- Form I-94 noting SI or SQ parole (per section 602(B)(1) AAPA/Sec 1059(a) NDAA 2006)
- Foreign passport with DHS/CBP admission stamp with COA codes “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole (per INA section 212(d)(5)(A),
- Foreign Passport with Machine Readable Immigrant Visa (MRIV)
- Foreign passport with Machine Readable Immigrant Visa (MRIV) with code CQ1, CQ2, or CQ3
- Foreign passport with DHS/CBP admission stamp noting that the individual has been classified under IV (immigrant visa) category CQ1, CQ2, or CQ3
- Form I-551 Permanent Resident Card (aka: Green Card)
- DHS Form I-551 (“green card”) with an IV (immigrant visa) code for category CQ1, CQ2, or CQ3
- DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp
- DHS/USCIS temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp
- Form I-765 Employment Authorization Document (EAD) receipt notice with code C11
- Form I-765 Employment Authorization Document (EAD) receipt notice with code SQ1, SQ2, SQ3, SQ6, SQ7 or SQ8
- Form I-766 Employment Authorization Document (EAD) with code C11
- Form I-766 Employment Authorization Document (EAD) with code SQ1, SQ2, SQ3, SQ6, SQ7 or SQ8
- Interim Notice Authorizing Parole (INAP) noting parole under INA 212(d)(5)(A)

Note: For child care assistance, only the children applying to receive benefits are required to provide verification of parolee status.

Each individual in a family applying for TANF or Food Assistance benefits should bring their own proof and the date their humanitarian parole was granted. See ACF and ORR (Office of Refugee Resettlement) links below:

<https://www.acf.hhs.gov/ofa/policy-guidance/tanf-acf-pi-2021-06>

<https://www.acf.hhs.gov/sites/default/files/documents/orr/Benefits-for-Afghan-Humanitarian-Parolees-English.pdf>

<https://www.acf.hhs.gov/sites/default/files/documents/orr/ORR-PL-22-02-Additional-ORR-Eligibility-Categories-and-Documentation-Requirements-for-Afghan-Nationals.pdf>

Documentation requirement for Afghan humanitarian parolees (also known as non-SI parolees) program considerations:

- Staff will follow the same process they use now and enter the information provided by SAVE.
- Afghan non-SI/SQ parolees may have an “OAR” or “OAW” notation in the parole stamp in their foreign passport.
  - This means that the Afghan is an Afghan Humanitarian Parolee and not an Afghan Special Immigrant.

Note: A KEES workaround is no longer needed for Afghan nationals providing I-94s (I-94 or I-94A).

Staff can use any of the SI or SQ section codes, except for S19 and SQ9. Using the appropriate codes will allow KEES to authorize benefits without applying the five-year rule. The SI and SQ section codes should dynamically populate for the I-94, I-94A, and I-551 USCIS documents.

The information below shows the appropriate workaround in KEES for Afghan Parolees that provided a Foreign Passport or Employment Authorization Document.

- USCIS Document: Resident of American Samoa
- Country of Citizenship: Afghanistan
- Non-Citizenship Record: Verified
- Initial SAVE Record: Refugee
- Begin Date: First day of month of application

NOTE: This workaround will give an Alien Type of Lawful Permanent Resident, not refugee.