Screening Noncitizen Clients for TAFDC Eligibility*

* Remember that there are other eligibility requirements for receiving TAFDC as well, such as income, household composition, etc.

Is the client...

- An Amerasian immigrant, Refugee, Asylee, Iraqi or Afghan special immigrant, victim of trafficking, or granted Withholding of Deportation or Removal?
  - Yes
    - Eligible for TAFDC
  - No

- A Cuban-Haitian Entrant? If from Cuba or Haiti, use Attachment A to screen for this status.
  - Yes
  - A Cuban-Haitian Entrant
  - No

- Client or spouse on active duty or veteran of the U.S. Armed Forces (including WWII Filipino veterans) or a Hmong or other Highland Lao veteran?
  - Yes
    - Probably eligible for TAFDC. Contact Legal Services for details.
  - No

- A legal permanent resident (LPR, or “green card” holder) or Parolee (with parole granted for at least a year)?
  - Yes
    - LPR or Parolee for at least 5 years?
      - Yes
        - Eligible for TAFDC
      - No
        - No and LPR
  - No and Parolee

- Did the client have any status listed in first 2 ovals before becoming an LPR?
  - Yes
    - Eligible for TAFDC
  - No

- Lived in the U.S. on 8/22/96?
  - Yes
  - No
Physically present in the U.S. \textit{continuously} (not absent for more than 30 days at once or 90 days total) from the last date of entry before 8/22/96 until got LPR or Parolee status?

Yes

Eligible for TAFDC.

No

Client or child abused by a family member who resided in the same household in the U.S.?

Yes

Still live with abuser?

Yes

NOT eligible for TAFDC at this time.

No

Actually live with abuser? NOT eligible for TAFDC at this time.

Yes

Filed self-petition under Violence Against Women Act and either approved or got \textit{Notice of Prima Facie Determination} of eligibility?

Yes

Client and children eligible for TAFDC.

No

Does the victim of abuse (i.e. client or child) have a spouse, parent or step-parent who is a U.S. citizen or LPR?

Yes

Has the U.S. citizen or LPR spouse/parent/step-parent filed an I-130 relative petition for victim of abuse?

Yes

Probably eligible for TAFDC. \textit{Contact Legal Services for assistance}.

No

NOT eligible for TAFDC at this time.

No

Does the victim of abuse (i.e. client or child) have a spouse, parent or step-parent who is a U.S. citizen or LPR?
Cuban and Haitian nationals who fall into the following categories qualify for TAFDC and SNAP as “Cuban-Haitian Entrants”:

- was paroled into the U.S. on or after 10/10/80, regardless of any later changes in immigration status (except that an individual paroled into the custody of law enforcement for criminal prosecution, or to testify as a witness, does not qualify). An individual paroled before this date may also qualify – contact Legal Services for assistance!
- has a pending asylum application and there is no indication that the person is subject to a final, non-appealable and enforceable order of removal, deportation or exclusion;
- is currently undergoing removal, deportation, or exclusion proceedings, but there is no indication that the person is subject to a final, non-appealable and enforceable order;
- is residing in the U.S. under an order of supervision;
- adjusted to legal permanent resident (LPR) status under the Cuban Adjustment Act, the Nicaragua Adjustment and Central American Relief Act (NACARA), or the Haitian Refugee Immigration Fairness Act.

See the Department of Transitional Assistance’s Field Operations Memorandum 2007-52 for more details, or contact Legal Services if you need assistance!