



REC'D SEP 03 2000

George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Brian J. Wing
Commissioner

INFORMATIONAL LETTER

TRANSMITTAL: 00 INF-17

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: August 23, 2000

SUBJECT: Obsolete Form: DSS-4404: "PA and FS Citizenship/Alien Status
Desk Aid Worksheet" (Rev.3/93)

SUGGESTED

DISTRIBUTION: Temporary Assistance Staff
Food Stamp Staff
Employment Coordinators
WMS Coordinators
Corrective Action Coordinators
Forms Coordinators
Staff Development Coordinators

CONTACT PERSON: Program Questions:
TA Policy - Central Team at 1-800-343-8859,
extension 4-9344;
FS Policy - Eastern Team at 1-800-343-8859,
extension 3-1469

Forms Questions:
Bob Gullie, DTA/IATT, 1-800-343-8859,
extension 4-6055 (AV1060)

ATTACHMENTS: Obsolete Department Form DSS-4404 (Rev.3/93) -
(not available on line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
93 INF-46	93 INF-46	349		PASB XXIII-C-all	
				FSSB V-B-3-all	
OTDA-329EL (Rev. 11/98)					

"providing temporary assistance for permanent change"

Date August 23, 2000

Trans. No. 00 INF-17

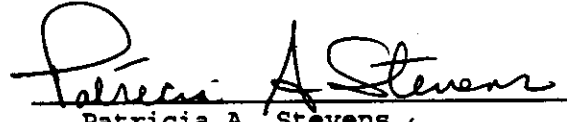
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The purpose of this release is to notify local districts that the following form will be made obsolete:

DSS-4404: "PA and FS Citizenship /Alien Status Desk Aid" (Rev.3/93)

Effective Immediately, the DSS-4404 (Rev.3/93): "PA and FS Citizenship /Alien Status Desk Aid" form will be made obsolete because this desk aid has been replaced by LDSS-4579: "Alien Eligibility Desk Aid" (Rev.4/00) as introduced in 00 INF-13.

Any remaining supplies of this form should be destroyed.



Patricia A. Stevens,
Deputy Commissioner
Division of Temporary Assistance

PA AND FS CITIZENSHIP/ALIEN STATUS DESK AID

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

Citizenship/Alien Status	Usual Verification Provided	Eligible for the Following Benefits If Otherwise Eligible	References
I. U.S. Citizen/National	Birth Certificate Naturalization Papers U.S. Passport Hospital Record of Birth Service Records	ADC, HR, PG-ADC, VA, EAF, EAA FS	SSL 131k 18 NYCRR 349.3 PASB iv-31.3 & XXIII-C-1.1 FSSB V-B-3-All & V-E-2.2
II. Permanent Resident Alien (PRA) or Legally Admitted for Permanent Residence (LAPR)	I-551 with an A# of 0 to 89,999,999*	ADC, HR, PG-ADC, VA, EAF, EAA FS	SSL 131k 18 NYCRR 349.3 351.1 351.2 352.33 PASB XXIII-C-1.1 & C-7-All FSSB V-B-3-All
	I-551 with an A# of 90,000,000 or above** 245A = INS Class Code W16, W26, or W36 210 = INS Class Code S16 or S26	HR, PG-ADC, VA, EAF, EAA FS - if adjusted under 210 - if adjusted under 245A, only if aged, blind or disabled 5 years after LTR status was granted: ADC FS if adjusted under 245A and not aged, blind or disabled	PL 99-603 (IRCA) SSL 131k 18 NYCRR 349.3 88 ADM-22 89 INF-12 PASB XXIII-C-7-All FSSB V-B-3-All
III. Legal Temporary Resident Alien (LTR)	I-688A (the individual has applied for LTR status)	EAF	PL 99-603 (IRCA) SSL 131k 18 NYCRR 349.3 88 ADM-22 92 INF-32 PASB XXIII-C-7-All FSSB V-B-3-All
	I-688 (LTR status has been granted) a. adjusted under Section 245A b. adjusted under Section 210**	a. EAA, EAF FS (if aged, blind or disabled) b. HR, PG-ADC, VA, EAA, EAF FS 5 years after LTR status was granted and case has been adjusted to PRA: ADC FS if adjusted under 245A and not aged, blind or disabled	PL 99-603 (IRCA) SSL 131k 18 NYCRR 349.3 88 ADM-22 89 INF-12 PASB XXIII-C-7-All FSSB V-B-3-All
IV. Temporary Protected Status	I-688B: citation 274A.12(a)(12) 274A.12(c)(19)	EAF	Immigration Act of 1990 (Section 302) 92 INF-32
V. Native North American Indian (Born in U.S. or Canada)	Birth Certificate Indian Census Records Letter from Canadian Dept. of Indian Affairs	ADC, HR, PG-ADC, VA, EAF, EAA FS	PASB XXIII-C-3.1
VI. Illegal or Undocumented Alien***	NA	EAF	92 INF-32 PASB XXIII-C-8.1 FSSB V-B-3.11&12
VII. Permanently Residing in the U.S. Under Color of Law****	I-94 I-210 I-220B Letter from INS	ADC, HR, PG-ADC, VA, EAF, EAA FS (as indicated by the symbol "+ + " on reverse).	88 INF-77 PASB XXIII-C-6-All FSSB V-B-3-All

(over)

* An alien not exempt from the three year alien deeming requirement (see 349.3) must have the sponsor's income and resources deemed (see 352.33). However, if the sponsor's whereabouts are unknown or the sponsor refuses to cooperate or if deemed income is sufficient but not actually available to meet the alien's needs, evaluate the case for HR. If the sponsor actually contributes the deemed amount and it is equal to or greater than the applicant's needs, the contribution is budgeted to meet the applicant's needs and the applicant is ineligible for PA.

* * IRCA provides SLIAG funding for individuals eligible for HR, PG-ADC or VA for 5 years from the date they are granted LTR status, as long as money is available from HHS.

Federal Charge Codes: 40 - Section 245A - Pre-82 individuals
41 - Section 210 - Migrant Farm Workers (SAWS)

* * * Form G-641 "Application for Verification of Information from INS Records", when presented by an alien and signed by an INS representative, is considered documentation of lawful admission (see FSSB V-B-3.11).

*** * * * Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

Whether an alien is PRUCOL for public assistance purposes is predicated on evidence confirming two factors:

1. An official determination by the Immigration and Naturalization Service (INS) that an alien is legitimately present in this country; and
2. A determination that this alien is legitimately present for an indefinite period of time.

Aliens in the following status categories are considered to be PRUCOL. Please note that this list is not all inclusive.

- ‡+ 1. Refugees per Section 207(c) of Immigration and Naturalization Act (INA).
- + 2. Political asylees per Section 208 of INA.
- + 3. Aliens granted temporary parole status per Section 212(d)(5) of INA.
- ‡+ 4. Cuban/Haitian Entrants per Section 212(d)(5) of INA.
- 5. Aliens under an INS Order of Supervision per Section 242(d) of INA.
- 6. Aliens granted an indefinite stay of deportation.
- 7. Aliens granted an indefinite voluntary departure status per Section 244 of INA.
- 8. Aliens granted a voluntary departure status per Section 242(b) of INA.
- 9. Aliens granted deferred action status.
- 10. Aliens granted suspension of deportation per Section 244 of INA.
- + 11. Aliens who have resided continuously in the U.S. prior to 1/1/72 per Section 249 of INA.
- 12. Cubans or Haitians granted Lawful temporary resident status per Section 201 or 302 of INA.
- 13. Aliens granted voluntary departure status when an immediate relative petition has been approved by INS.

- ‡ - 100% Federal funding for HR/PG-ADC for 8 months from date of entry into the U.S.
- Possible enriched federal funding for ADC for 4 months from the date of entry into the U.S.
- Federal Charge Codes: 30 - Refugees
34 - Cuban Entrants
36 - Haitian Entrants
- + - Aliens granted this status are eligible for Food Stamps.
- In addition, an alien living within the U.S. for whom the Attorney General withheld deportation pursuant to Section 243(h) of INA is eligible for Food Stamps.

NYSDSS Contact Person: Call 1-800-342-3715:
For Public Assistance contact Charles Giambalvo at extension 4-9327,
For Food Stamps contact your Food Stamp County Representative at extension 4-9225.