

April 18, 2025

**GENERAL LETTER NO. 4-L-21**

ISSUED BY: Bureau of Financial, Food, and Work Supports  
Division of Community Access and Eligibility

SUBJECT: Employees' Manual, Title 4, Chapter L, **Aliens and Migrants**, Contents 1, 5  
and 6, 20, 21, 34 and 35, 39-44, revised.

**Summary**

This chapter is revised to

- Add acceptable documents for COFA individuals.
- Update policy to require that SAVE must be checked for every individual claiming to have an eligibility alien status at application and at every review.
- Add clarifying policy that HHS must have acceptable documentation of alien status on file prior to using SAVE to verify the person's current alien status.
- Add the 2024-dollar amount needed to earn a qualifying quarter.

**Effective Date**

Upon receipt.

**Material Superseded**

Remove the following pages from Employees' Manual, Title 4, Chapter L, and destroy them:

| <u>Page</u>                       | <u>Date</u>        |
|-----------------------------------|--------------------|
| Contents 1                        | September 27, 2024 |
| 5 and 6, 20, 21, 34 and 35, 39-44 | September 27, 2024 |

**Additional Information**

Refer questions about this general letter to your eligibility determinations manager.

|  |           |
|--|-----------|
| <b>Overview</b> .....  | <b>1</b>  |
| <b>Aliens</b> .....  | <b>1</b>  |
| Declaration of Citizenship or Alienage.....                      | 1         |
| Evidence of United States Citizenship.....                       | 2         |
| Alien Status.....  | 4         |
| Alien Status Verification.....                                   | 5         |
| Alien Status Documentation Chart.....                            | 6         |
| Using SAVE (Systematic Alien Verification for Entitlements)..... | 20        |
| Qualified Aliens Exempt from Five-Year Bar.....                  | 21        |
| Battered Aliens.....   | 22        |
| Victims of Trafficking.....                                      | 28        |
| Iraqi and Afghan Special Immigrants.....                         | 29        |
| Qualified Aliens Subject to Five-Year Bar.....                   | 30        |
| Sponsor Affidavits of Support and Deeming.....                   | 31        |
| Affidavits of Support.....                                       | 32        |
| Verifying Sponsor's Information.....                             | 32        |
| Exceptions to Deeming.....                                       | 33        |
| Calculating Deemed Sponsor Income and Resources.....             | 39        |
| Nonqualified (Ineligible) Aliens.....                            | 41        |
| Reporting Undocumented Aliens.....                               | 42        |
| Social Security Number Requirement.....                          | 43        |
| Income and Resources.....  | 44        |
| <b>Migrants</b> .....  | <b>45</b> |
| Residency.....   | 45        |

### **Alien Status Verification**

Legal reference: Section 121 of the Immigration Reform and Control Act of 1986 (Public Law 99-603); Public Law 104-193; 441 IAC 9.10(4)“d”; 41.23(5)

Aliens must provide documentation of their alien status, and you must check SAVE for each individual claiming to have an eligible status before you approve a FIP application, add an alien to an existing FIP case, or process a review. (Refer to [Alien Status](#) for the effect of a person’s alien status on PROMISE JOBS participation.) Aliens listed under [Qualified Aliens Subject to Five-Year Bar](#) or under [Qualified Aliens Exempt from Five-Year Bar](#) must also provide verification of the entry or admission date from which their status started.

Draw a distinction between situations that result in FIP ineligibility for just the alien or those that result in ineligibility for the entire family.

- When the alien provides documentation of an ineligible alien status, the alien status does not affect your ability to determine the eligible group. Thus, exclude only the needs of the ineligible alien.
- However, when a person is unwilling to provide documentation of alien status, do not attempt to get verification from the U.S. Citizenship and Immigration Services (USCIS). Deny FIP for the entire family, because the eligible group cannot be determined until the person’s alien status has been established.

Do not verify an alien’s documentation with USCIS if it clearly shows the alien has an ineligible status. In this situation, deny FIP for the person and determine eligibility for the remaining family members.

All aliens must also provide verification of their identity. This means that if the alien’s documentation does not contain a photograph, you must get another form of verification of the person’s identity. Additional verification of identity may be necessary because:

- An immigration document contains a photo that does not allow for reasonable identification of the person, or
- The document contains the person’s maiden name or a misspelling of the person’s name.

When an alien provides documentation and you have checked SAVE, refer to [Alien Status Documentation Chart](#) to determine if the person is eligible for FIP and for PROMISE JOBS participation. The chart lists:

- The types of documentation that can be used to verify alien status.

- Additional verification that certain aliens must provide to prove they are eligible for FIP or PROMISE JOBS (e.g., the date they were admitted to the United States, or the date a particular alien status was granted or adjusted).

NOTE: The USCIS does not require children under age 14 to have documentation of their alien status. Therefore, if the adult who is applying for benefits has a documented legal alien status and attests to the child’s legal status, the adult’s attestation is sufficient proof of the child’s alien status.

Children aged 14 through 17 are required to have immigration documentation, but they are not required to carry it on their persons. The Immigration and Nationality Act does require all aliens who are 18 or older to carry the documentation on their persons at all times.

**Alien Status Documentation Chart**

| Status              | Acceptable Documentation   | FIP Status                             | PJ Status |
|---------------------|--|--|-----------|
| Amerasian Immigrant | <ul style="list-style-type: none"> <li>▪ Form I-551, <i>Permanent Resident Card</i>,* annotated AM6, AM7, or AM8.</li> <li>▪ Unexpired temporary I-551 stamp in a foreign passport annotated AM1, AM2, or AM3.</li> <li>▪ Form I-94, <i>Arrival/Departure Record</i>, annotated AM1, AM2, or AM3.</li> </ul>   | Eligible regardless of U.S. entry date | Mandatory |
| Asylee              | <ul style="list-style-type: none"> <li>▪ Form I-94, <i>Arrival/Departure Record</i>, or passport stamped “asylee” or section 208. AS-1, AS-2, or AS-3, Visa 92 (or V-92).</li> <li>▪ Order of an immigration judge, the Board of Immigration Appeals or a federal court, granting asylum.</li> <li>▪ Form I-688B or I-766, <i>Employment Authorization Card</i>, coded 274a.12(a)(5) or A5.</li> <li>▪ Form I-730, <i>Approval Letter</i>.</li> <li>▪ Form I-571, <i>Refugee Travel Document</i>.</li> </ul> | Eligible as of date asylum is granted  | Mandatory |

| Status   | Acceptable Documentation   | FIP Status   | PJ Status |
|--|--|--|-----------|
| Citizens of nations under Compact of Free Association Agreements (Palau, Micronesia, and the Marshall Islands) | Individuals under the existing Compact of Free Association Agreements may reside, work, and study in the United States with a non-immigrant status but they are still citizens of their respective country and not U.S citizens or nationals.<br><br>I-94 Class of Admission typically will state: <ul style="list-style-type: none"> <li>▪ “CFA/FSM” (Compact of Free Association/Federated States of Micronesia) from FSM Citizens; or</li> <li>▪ “CFA/MIS” (Compact of Free Association/Republic of Marshall Islands) for RMI citizens</li> </ul> | Effective 3/9/24 Eligible regardless of U.S. entry date<br><br>Prior to 3/9/24 Ineligible regardless of entry date and exempt from PROMISE JOBS. | Mandatory |

Do not delay, deny, reduce, or cancel the alien’s eligibility for benefits while waiting for the USCIS to provide secondary verification.

For applications, assume the person is eligible and, if otherwise eligible include the person in the assistance grant until the immigration verification is received. If the person would be a mandatory PROMISE JOBS participant if eligible, refer the person to PROMISE JOBS to sign a family investment agreement before FIP is approved.

If the verification received from USCIS indicates that the person is not an eligible alien, remove the person from the FIP grant, subject to timely notice. Recoup excess FIP issued for the person during the interim.

**Using SAVE (Systematic Alien Verification for Entitlements)**

Legal reference: Immigration Reform and Control Act of 1986 (IRCA), Section 121, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), and by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) and the Balanced Budget Act of 1997 (BBA), Iowa Code Section 239.6

**Policy:** The USCIS shall provide alien status verification when necessary. SAVE must be checked for every individual claiming to have an eligible alien status at application and at every review.

**Procedure:** Obtain acceptable documentation of alien status from every person claiming to have an eligible alien status. When a person claims an “eligible alien” status but does not have documentation, tell them to contact the local USCIS office for help getting the documents.

Verify a person’s alien status through SAVE at every application and every review. HHS must have acceptable documentation of alien status on file prior to using SAVE to verify the person’s current alien status.

**NOTE:** Do not contact SAVE concerning victims of trafficking, because SAVE will not have this information.

Contact the trafficking verification line at (866) 401-5510 to confirm the validity of the certification letter for adults or letter for children under age 18 and to notify the HHS ORR of the benefits for which the person has applied.

Do not contact USCIS when the alien claims to be undocumented.

A link to SAVE’s website can be found on the HHS Field Intranet. A **SAVE Program Tutorial** is available in LMS which contains information about SAVE and using the website. Additional information on using SAVE and guides can be found in SAVE under Help>Resources.

### **Qualified Aliens Exempt from Five-Year Bar**

Legal reference: 441 IAC 41.23(5)

**Policy:** A qualified alien with one of the following statuses is eligible for FIP from the date the person obtains the status:

- Aliens lawfully admitted for permanent residence who are:
  - Active-duty personnel of the U.S. armed forces.
  - Spouses (including surviving spouses who have not remarried) or unmarried dependent children of active-duty personnel of U.S. armed forces.
  - Veterans honorably discharged for reasons other than alienage.
  - Spouses (including surviving spouses who have not remarried) or unmarried dependent children of veterans honorably discharged for reasons other than alienage.

NOTE: “Active duty” excludes temporary full-time duty for training purposes performed by members of the National Guard or reserves. See [4-C, Age](#) for the definition of “child.”

- The sponsored alien is a victim of battering or extreme cruelty in the United States. The victim’s children or parents are also exempt from sponsor deeming. This exception applies for 12 months from the date it is determined that the person qualifies as a battered alien. See [Battered Aliens](#) for more information.

NOTE: Aliens who do not have a sponsor who signed Form I-864, *Affidavit of Support*, are also exempt from sponsor deeming. For example, those who entered the United States before December 19, 1997, and those who adjusted to lawful permanent resident status from an alien status that did not require an affidavit of support (refugees, asylees, parolees, etc.).

**Procedure:** Do not apply sponsor deeming to a lawful permanent resident who is identified as exempt from deeming.

Establishing Qualifying Quarters

**Procedure:** When a lawful permanent resident (LPR) is not otherwise exempt from sponsor deeming, you must determine the number of qualifying quarters with which the person can be credited. LPRs become exempt from sponsor deeming when they can be credited with 40 qualifying quarters.

The following chart lists the amount a person had to earn to get one credit for the years 1978 and later. For years before 1978, contact SPIRS for assistance.)

| Amount Needed to Earn a Qualifying Quarter |                                   |      |                                   |
|--|-----------------------------------|------|-----------------------------------|
| Year                                       | Earnings Needed to Get One Credit | Year | Earnings Needed to Get One Credit |
| 1978                                       | \$250                             | 1992 | \$570                             |
| 1979                                       | \$260                             | 1993 | \$590                             |
| 1980                                       | \$290                             | 1994 | \$620                             |
| 1981                                       | \$310                             | 1995 | \$630                             |
| 1982                                       | \$340                             | 1996 | \$640                             |
| 1983                                       | \$370                             | 1997 | \$670                             |
| 1984                                       | \$390                             | 1998 | \$700                             |
| 1985                                       | \$410                             | 1999 | \$740                             |
| 1986                                       | \$440                             | 2000 | \$780                             |
| 1987                                       | \$460                             | 2001 | \$830                             |
| 1988                                       | \$470                             | 2002 | \$870                             |
| 1989                                       | \$500                             | 2003 | \$890                             |
| 1990                                       | \$520                             | 2004 | \$900                             |
| 1991                                       | \$540                             | 2005 | \$920                             |

| <b>Amount Needed to Earn a Qualifying Quarter</b> |         |      |         |
|---|---------|------|---------|
| 2006  | \$970   | 2016 | \$1,260 |
| 2007  | \$1,000 | 2017 | \$1,300 |
| 2008  | \$1,050 | 2018 | \$1,320 |
| 2009  | \$1,090 | 2019 | \$1,360 |
| 2010  | \$1,120 | 2020 | \$1,410 |
| 2011  | \$1,120 | 2021 | \$1,470 |
| 2012  | \$1,130 | 2022 | \$1,510 |
| 2013  | \$1,160 | 2023 | \$1,640 |
| 2014  | \$1,200 | 2024 | \$1,730 |
| 2015  | \$1,220 | 2025 | \$1,810 |

To calculate the number of quarters for a year, divide the person’s total earnings for the year by the amount needed to get one credit. Use only full quarters. For example, 2.95 quarters are rounded down to 2 quarters.

For earnings from employment, use the gross amount of earnings. For earnings from self-employment, use the amount of earnings after allowable self-employment expenses have been deducted.

Each person can get up to a total of four qualifying quarters of credit each calendar year, based on the person’s own earnings. The person may be credited with additional quarters in a calendar year based on earnings of a parent or spouse, as described later in this section.

Mr. G earned \$5,000 gross income in 1995.  $\$5,000 \text{ divided by } \$630 = 7.936$ . Although the result equals over seven quarters, he is credited with four qualifying quarters in 1995.

NOTE: Starting with January 1, 1997, do not count the income from any quarters in which an alien got FIP benefits or any other type of federal means-tested public assistance during the quarter. “Means-tested public assistance” includes FIP, SSI, Medicaid, and SNAP.

The quarters in a calendar year are: January through March, April through June, July through September, and October through December.

This means if an alien received FIP, SNAP, Medicaid, or SSI in June 1997, you would subtract the person’s April, May, and June earnings from the total 1997 earnings and divide the remainder to figure how many qualifying quarters the person has. Use the same formula to calculate qualifying quarters by a spouse or parent.



**Comment:** If the indigence exemption applies, there is no sponsor deeming. However, income actually made available by the sponsor is countable when determining eligibility and benefits for the alien's eligible group. The indigence exception applies for 12 months from the date the person is determined indigent.

HHS must notify the USCIS of an indigent alien's situation and provide the USCIS with the names of the alien and the sponsor. Contact the SPIRS Helpdesk for assistance if you believe you have an indigent alien who needs to be reported.

1. Mr. B is an LPR sponsored by a person under Form I-864, *Affidavit of Support*. Mr. B does not live with his sponsor and does not have the 40 qualifying quarters needed to exempt him from sponsor deeming. Mr. B and his wife are qualified aliens who have met the five-year bar. Their children are U.S. citizens.

Mr. B applies for FIP for himself and his family. The family's only income is Mr. B's gross monthly earnings of \$400, plus \$200 provided by his sponsor. The \$600 total income is less than 100% of the federal poverty level for Mr. B's four person eligible group.

Mr. B is determined to be indigent and sponsor deeming is not applied. However, the income actually provided by the sponsor is countable unearned income to Mr. B.

2. Same as Example 1, except Mr. B receives SSI. The family's only income is Mr. B's SSI and \$200 provided by Mr. B's sponsor. Since the sponsored alien is an SSI recipient, indigence does not have to be determined. FIP eligibility and benefits for Mrs. B and the children is determined without considering Mr. B's income.

### **Calculating Deemed Sponsor Income and Resources**

Legal reference: 441 IAC 41.26(9) and (10)

**Policy:** When a lawful permanent resident (LPR) alien is sponsored by a person who signed Form I-864, *Affidavit of Support*, and sponsor deeming applies, income and resources are deemed to the sponsored alien after applying allowable deductions and diversions.

**Procedure: Income.** Calculate the amount of income to deem as follows:

1. Determine the amount of the sponsor or sponsor's spouse's monthly nonexempt gross earned and unearned income in accordance with normal FIP policy.

2. Allow deductions as follows:
  - Allow the same deductions from the income of the sponsor or sponsor's spouse that are allowed for ineligible stepparents, including diversion for the needs of the sponsor and the sponsor's spouse and dependents. See [4-E, Deductions Allowed for Stepparents](#).
  - Divide the amount remaining by the number of aliens sponsored by this sponsor, if known. If the number is not known, count the entire remaining amount.
3. The result is the amount of income deemed to the sponsored person. Count this amount as unearned income when determining eligibility and benefits for the eligible group.

Mr. C is an LPR who is subject to sponsor deeming. He applies for FIP for himself, his wife, and two children. They are qualified aliens who have met the five-year bar but do not have 40 qualifying quarters.

Mr. C has gross monthly earnings of \$400. The sponsor has gross monthly earnings of \$1,500. The sponsor's household includes his wife and one child. The sponsor's wife has no income.

The amount of income to deem from the sponsor is calculated as follows:

|                 |  |
|-----------------|--|
| \$ 1,500.00     | Sponsor's gross monthly earnings                     |
| – 300.00        | 20% earned income deduction                          |
| – 849.00        | Diversion for sponsor, wife, and child               |
| – <u>203.58</u> | 58% work incentive deduction                         |
| \$ 147.42       | Countable as unearned income to the sponsored person |

Next FIP eligibility for Mr. C's household is calculated as follows:

**Test 1:**

|                 |  |
|-----------------|--|
| \$ 147.42       | Deemed from sponsor                      |
| + <u>400.00</u> | Mr. C's earnings                         |
| \$ 547.42       | Less than 185% (Test 1) for four persons |

**Test 2:**

|                 |  |
|-----------------|--|
| \$ 400.00       | Mr. C's gross earnings                               |
| – <u>80.00</u>  | 20% earned income deduction                          |
| \$ 320.00       | Mr. C's net earnings                                 |
| + <u>147.42</u> | Deemed from sponsor                                  |
| \$ 467.42       | Less than Standard of Need (Test 2) for four persons |

**Test 3:**

|           |                                   |
|-----------|-----------------------------------|
| \$ 320.00 | Mr. C's net earnings              |
| – 185.60  | 58% work incentive deduction      |
| \$ 134.40 | Mr. C's countable earnings        |
| + 147.42  | Deemed from sponsor               |
| \$ 281.82 | Total countable income            |
| \$ 495.00 | Payment standard for four persons |
| – 281.82  | Countable income                  |
| \$ 213.00 | FIP grant (rounded)               |

**Resources.** Calculate the amount of resources to deem as follows:

1. Determine the amount of nonexempt resources of the sponsor and the sponsor's spouse in accordance with normal FIP policy.
2. Allow deductions as follows:
  - Subtract \$1,500 from the sponsor's total nonexempt resources.
  - Divide by the number of aliens sponsored by this sponsor, if known. If the number is not known, count the entire amount.
3. The remainder is the amount of resources deemed to the sponsored alien.

**Comment:** If the sponsor makes income or resources available to the sponsored person in excess of the deemed amount, also count the extra amount.

A FIP parent who is not eligible to be included in the FIP grant (for example due to the five-year bar) is treated as an excluded parent. See [4-E, Excluded Parent](#) for information on calculating income.

Ms. K is a sponsored LPR who is ineligible for FIP due to the five-year bar. She applies for FIP for her two children who are U.S. citizens. All of the income deemed from Ms. K's sponsor is treated as unearned income of Ms. K. This income is added to any other income of the household and is used to determine eligibility and benefits for the children.

**Nonqualified (Ineligible) Aliens**

Legal reference: 441 IAC 41.23(5)

**Policy:** Nonqualified aliens whose alien status is not specifically listed under [Qualified Aliens Subject to Five-Year Bar](#) or [Qualified Aliens Exempt from Five-Year Bar](#) are not eligible for FIP or PROMISE JOBS **regardless** of the date they entered the United States. However, their family members who were born in the United States or have an eligible alien status and who otherwise meet FIP requirements may be eligible.

**Procedure:** Code an ineligible alien parent as an “excluded parent” in the ABC system.

**Important:** Do not refer aliens whose alien status is not listed under [Qualified Aliens Subject to the Five-Year Bar](#) or [Qualified Aliens Exempt From the Five-Year Bar](#) to PROMISE JOBS. PROMISE JOBS is prohibited from providing services to nonqualified aliens. See [4-J, Alien Exemption](#) for specific information.

**Comment:** Examples of immigration statuses held by aliens who are ineligible for FIP include:

- Undocumented aliens. These aliens either were never legally admitted to the United States for any period, or they were admitted for a limited period and did not leave the United States when the period expired.
- Aliens paroled into the United States under section 212(d)(5) of the INA **for less than one year**.
- Aliens with protected status (such as PRUCOLs (permanently residing in the United States under color of law)).
- Temporary residents (see “legal nonimmigrants”).
- Aliens in deferred status.
- Legal nonimmigrants. These include:
  - Visitors for business or pleasure, including exchange visitors
  - Aliens in travel status while traveling through the United States
  - Crewmen on shore leave
  - Foreign students
  - Temporary workers including agricultural contract workers
  - Treaty traders and investors and their families
  - Foreign diplomats on official business and their families and servants
  - International organization personnel and their families and servants
  - Members of foreign press, radio, film or other information media and their families

NOTE: Some of these aliens may possess valid employment authorization documents, but that does not alter their ineligibility for FIP and PROMISE JOBS.

### **Reporting Undocumented Aliens**

At the time of interview, explain alien eligibility criteria and verification procedures to households that include non-citizen members. Check the status only of household members who are applying for assistance and claim to have an eligible status for the program.

Based on federal guidance, the Department is to report to the USCIS that an alien is not lawfully present in the United States only if we “know” that the alien is not lawfully present. The Department “knows” this only if:

- The alien applies to receive benefits, **and**
- The alien claims to have an eligible status for the program, **and**
- In making a formal determination of eligibility, we receive from USCIS verification of undocumented status, such as a Final Order of Deportation.

NOTE: A SAVE response that shows no service record on a person or shows an immigration status making the person ineligible for a benefit is not a finding of fact or conclusion of law that the person is not lawfully present.

Situations in which the criteria are met for reporting an undocumented alien are extremely rare. For this reason, contact SPIRS Helpdesk for assistance if you believe it may be appropriate to report an undocumented alien.

### **Social Security Number Requirement**

Legal reference: 441 IAC 41.22(13)

People who fail to provide a social security number or proof of application for a number must be excluded from the eligible group, but must still provide documentation of alien status for a PROMISE JOBS determination.

Failure to provide documentation of alien status results in FIP ineligibility for the entire family, because the alien’s PROMISE JOBS referral status cannot be determined. Deny the application for failure to provide information.

If the alien provides documentation of alien status but the status prohibits the person from being included in the eligible group, deny the person’s needs for that reason. Do not require the alien to provide a social security number or proof of application for a number in that instance.

If the alien provides documentation of a FIP-eligible alien status but does not want to provide a social security number or proof of application for a number, deny the person’s needs for failure to provide a social security number.

Migrants who are not citizens must meet the same eligibility requirements as any other alien (as described in this chapter). See [Migrants](#).

Some victims of trafficking may not yet have or may not be able to get a social security number for work purposes. Assist them in obtaining non-work social security numbers by sending a letter to the Social Security Administration that:

- Is on letterhead.
- Includes the applicant's name.
- Mentions that this person is a trafficking victim.
- References the non-work reason for which the number is required.
- States that the applicant meets the requirements to receive benefits except for the social security number.

While FIP rules require applicants who do not have a social security number to apply for one, assistance cannot be delayed, denied, or discontinued pending the issuance of the social security number. See [Victims of Trafficking](#) for more information.

Some battered aliens may apply for FIP before they are able to apply for a social security number. A battered alien cannot apply for a social security number until employment authorization is received from the USCIS. This authorization is usually received within three or four months following receipt of documentation of status as a battered alien.

Do not delay, deny, or discontinue assistance for a person who has status as a battered alien due to failure to apply for a social security number when the person has applied for employment authorization but has not yet been received it.

The person has until the month following the month the employment authorization is received from the USCIS to apply for a social security number. See [Battered Aliens](#) for additional information.

Refer to [4-C, Social Security Number](#) for additional information.

### **Income and Resources**

Legal reference: 441 IAC 41.23(5); 41.26(2); 41.27(6); 41.27(8)“a”

Treat an eligible alien the same as any other person in the eligible group.

Do not include the needs of a person who is an ineligible alien or whose alien status prohibits the person from receiving FIP for five years as described in this chapter.

Treat the income and resources of these excluded aliens as described in [4-D, Whose Resources to Count](#) and [4-E, Excluded Parent](#). Do not count the income and resources of a child who is an ineligible alien, the same as with any other ineligible child.