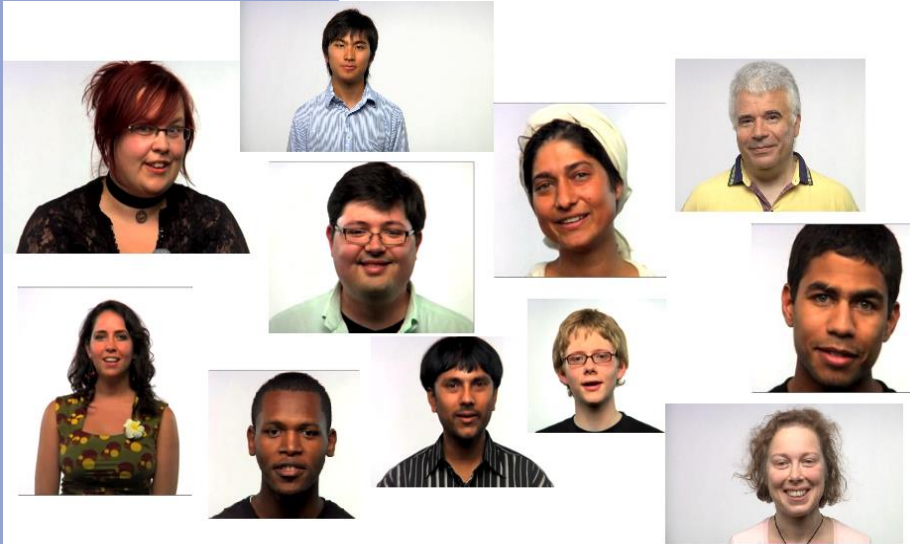


Cash and Food Benefits for Immigrant-Headed Households



Basic Benefits Training, March 2024

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Key Nutrition Benefits

- Have immigrant eligibility restrictions:
 - Supplemental Nutrition Assistance Program (federal SNAP)
 - State SNAP
 - Healthy Incentives Program (tied to SNAP receipt)
- No immigrant eligibility restrictions:
 - Women, Infant and Children (WIC)
 - National School Lunch Program (lunch & breakfast) and Summer EBT
 - Emergency Food/food banks & pantries

Key Cash Benefits

- Have immigrant eligibility restrictions:
 - Transitional Assistance for Families with Dependent Children (TAFDC)
 - Emergency Aid to Elders, Disabled and Children (EAEDC)
 - Supplemental Security Income (SSI)
 - Refugee Cash Assistance

Language Access at DTA

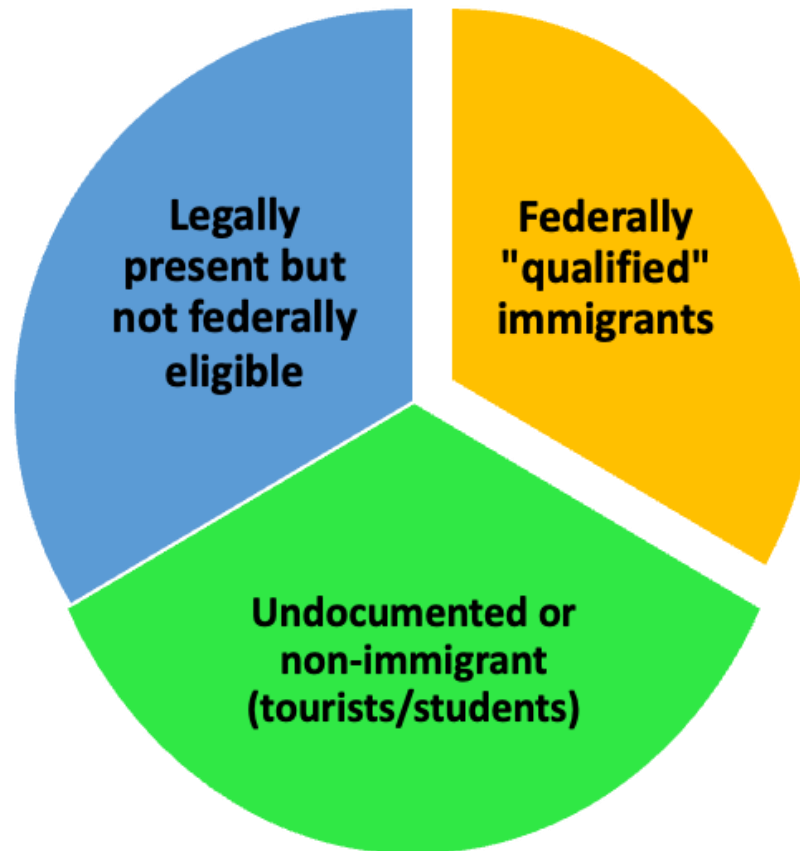
- Online application in 6 languages.
- DTA must provide free interpreter if client is LEP.
 - Clients can self-identify as LEP.
- **New:** Notices in 6 languages.



Language Access: Protection from Disqualification

- DTA must not disqualify LEP recipients if not given penalty warnings in their language
- Recipients could still have an overpayment

3 immigrant benefits groups



Common Myth #1

“Undocumented immigrants can't/shouldn't apply for DTA benefits.”

Reality:

- Can apply on behalf of eligible children.
- Can opt out of benefits household and not provide SSN or immigrant status.
 - Income still counted.
- DTA does not report people to ICE.

Paper SNAP application

Household Members

Do other people live with you? ☐ Yes ☐ No

If **yes**, please fill out the section below. Only list children under age 22, your spouse, and/or any other people who buy and make the majority of meals with you. Noncitizens who are not applying for SNAP do not have to give their Social Security Number or citizenship status.

<u>Name</u>	<u>Date of Birth</u>	<u>Social Security Number</u>	<u>Relationship to you?</u>	<u>Is this person a US citizen?</u>	<u>Is this person applying for SNAP benefits?</u>
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Common Myth #2

“You can’t get TAFDC or SNAP benefits until you’ve had a green card for 5 years.”

Reality:

NOT ALWAYS! Exceptions depend on:

- prior status
- age (SNAP)
- date entered U.S.
- domestic violence (TAFDC)
- receipt of disability benefits (SNAP)
- work history (SNAP)
- active duty/veteran status

“Qualified” and Eligible for TAFDC, SNAP, SSI & RCA right away

- Refugees & asylees
- Granted Withholding of Deportation or Removal
- Cuban/Haitian Entrants
- Victims of Trafficking
- Iraqi and Afghan Special Immigrants
- Afghan Evacuees and Ukrainians with humanitarian parole
- LPRs who adjusted from one of these statuses

Note: SSI only for 7 years after status granted. RCA only for 12 months.

Status before adjustment?



Example # 1



Sena and her children were evacuated from Afghanistan and entered the U.S. with humanitarian parole in 2021. They were granted asylum 3 months ago.

- Are they eligible for TAFDC and SNAP now?
- Were they eligible for TAFDC and federal SNAP before, when they had parole?

Cuban-Haitian Entrants



National of Cuba or Haiti with “special status”:

- Pending asylum application
- Paroled into U.S. for any length of time
- In removal/deportation proceedings, but no final, enforceable order of removal
- ✓ Eligible for federal benefits
- ✓ Includes children born to Haitian parents outside Haiti
- ✗ Does not include Temporary Protected Status (TPS)

Other “qualified” non-citizens

Possible 5-year bar for federal benefits:

- Other Lawful Permanent Residents (LPRs)
 - Green card via relative, employer, lottery
- Battered noncitizens
- Granted humanitarian parole for 365+ days
- ✓ Eligible for EAEDC
- ✓ Minors eligible for SNAP

Example #2

Marie comes from Haiti and has TPS. Her baby was born in the U.S.

- Can Marie get TAFDC & federal SNAP for her baby?
- Can Marie get TAFDC & federal SNAP for herself?

You learn that Marie entered the U.S. with Humanitarian Parole.

- How does that change her eligibility?

Domestic Violence (TAFDC)

If meets criteria for

- Domestic abuse

and

- Immigration status/pending status

Then considered “battered noncitizen”

- Qualified
- Immediately eligible for TAFDC

Battered Non-Citizens

Criteria Regarding Abuse

- “Battered” or “subjected to extreme cruelty” in the U.S.
- Abuse committed by spouse, parent, or member of spouse/parent’s family
- Lived with abuser at the time
- No longer lives with abuser

Battered Non-Citizens

Criteria Regarding Immigration Status

Pending or approved petition for:

- LPR through an I-130 petition by a spouse or parent who is a U.S. citizen or LPR.
- LPR through a VAWA self-petition.
 - Begins with Notice of Prima Facie Determination
- Suspension of deportation or cancellation of removal under VAWA.

Example #3

Thelma and her 7-year-old son fled her husband, a U.S. citizen, due to domestic violence. She filed a VAWA petition and got a Notice of Prima Facie Determination 6 months ago.

- Is the family eligible for TAFDC?
- Is Thelma eligible for federal SNAP?
- Is her son eligible for federal SNAP?

Receipt of disability benefits (SNAP)

- Qualified noncitizens are eligible for SNAP if
 - Getting a disability-based benefit (EAEDC or MassHealth as disabled)
- and*
- Determined disabled under SSI criteria
 - Verify using EAEDC Medical Provider Statement form

Work history (SNAP & SSI)

- 40 quarters of SSA work history
 - Earned by noncitizen, spouse during marriage, parent before noncitizen turned 18
 - No credit for quarters since 1997 during which got federal means-tested benefit
- Effect on eligibility for LPRs
 - Eligible for SNAP
 - Eligible for SSI after 5 years in LPR status
 - Ends sponsor deeming & support obligation (SSI)

Example #4

Mrs. Pappas, age 67, came from Greece 6 years ago with a green card via a relative petition by her U.S. citizen husband. She asks you about getting SSI or EAEDC cash assistance.

- Can she get EAEDC?
- What do you need to ask her to figure out if she qualifies for SSI?

Example #5

Samantha is 52. She came to the U.S. as a visiting scholar in 2000 and stayed. She became an LPR 2 years ago through a relative petition by her sister.

Samantha recently suffered a stroke and is now disabled.

- Is she a “qualified” noncitizen?
- What cash benefits is she eligible to receive?
- Is she eligible for SNAP?



State-Funded SNAP

How did we get here and what's next?

- 1996 Welfare Reform law cut access to federal benefits
- MA provided state-funded benefits 1997-2002
- December 2023 state supp budget included \$6M to cover many immigrants not eligible for fed SNAP
 - New program implemented on Feb. 14, 2024
- Benefits may be temporary - depends on state funding
- **Join Feeding Our Neighbors Coalition to protect benefits!**

State-Funded SNAP

Which immigrants are eligible?

- Those residing "under color of law" (PRUCOL):
 - Presence is known to USCIS, *and*
 - No effort underway to deport
- Adult qualified immigrants subject to 5-year bar
 - With parole granted for > 365 days
 - Battered noncitizens
 - *But not LPRs*

PRUCOL Examples

- Pending asylum
- Pending adjustment of status
- Pending or granted U visa
- Pending or granted TPS
- Pending or granted deferred action/DACA
- Pending or granted SIJ
- Granted parole for < 365 days

Not eligible for any SNAP

- **Non-immigrants**
 - students
 - tourists
 - diplomats and business people
- **Undocumented immigrants**



But can apply for eligible household members.

Example #6

Marie comes from Haiti. She entered the U.S. on a tourist visa and now has TPS. Her baby was born in the U.S.

- Marie gets TAFDC & federal SNAP for her baby.
- Can Marie get state SNAP for herself?

Example #7

Thelma and her 7-year-old son fled her husband, a U.S. citizen, due to domestic violence. She filed a VAWA petition and got a Notice of Prima Facie Determination 6 months ago.

- Thelma gets TAFDC for herself and her son, and federal SNAP for her son.
- Is Thelma eligible for state SNAP for herself?

State SNAP if applied before Feb. 14

- DTA should contact households likely eligible for state SNAP who applied after December 4 & were denied federal SNAP.
- If the household is eligible, DTA should issue state SNAP going back to December 4 or the application date, whichever is later.

State SNAP if applied on Feb. 14 or later

Notices about (federal) SNAP and state SNAP in same envelope:

- **State SNAP only cases:** State SNAP approval at the end, after notice saying SNAP application was denied.
- **Mixed status cases:** State SNAP approval at the end, after notice saying SNAP was approved for some household members.

DTA benefits for PRUCOL

- State SNAP
- If have income, may get more federal SNAP for eligible household members
- EAEDC cash assistance
- If receiving TAFDC for children, DTA will authorize child care for parent to participate in work or school

Key questions to ask immigrants clients

1. Current immigration status?
2. Does it expire and when?
3. Prior status?
4. What country are they from?
5. How long in the U.S.?



Payments through the Tax System – no taxable income required

Not too late to request:

- 2020 stimulus payments
 - Deadline: 5/17/24 for first return, 4/17/24 for amended return
- 2021 stimulus & Child Tax Credits
 - Deadline 4/18/25
- 2021, 2022, and 2023 MA Child & Family Tax Credit



How do you get it?

- File first-time or amended 2020 and 2021 federal tax returns for stimulus and Child Tax Credit payments
- File 2021, 2022, and 2023 state tax returns for MA Child & Family Credit
- If had taxable income in 2023, file federal and state tax returns or request extension by 4/17/24

Which immigrants are eligible for these tax credits?



Federal taxes:

- If had SSN or ITIN by 4/19/22, can get 2021 tax payments for dependent children with SSN who did not turn 18 in 2021
- Can apply for ITIN at the same time as file 2023 tax return
 - To do so, must file by mail

And

Which immigrants are eligible for Tax Credits?

- LPR

or

- Satisfy "substantial presence" test:
 - Present in U.S. for over half the tax year
 - If not present for over half the tax year, may qualify based on time in U.S. in prior 2 years
 - Time in U.S. with non-immigrant visa may not count
 - See <https://www.irs.gov/individuals/international-taxpayers/substantial-presence-test> for details.

Which immigrants are eligible for these tax credits?



State taxes:

- Person with ITIN can get 2021 and 2022 MA credit for covered dependents with SSN
- Person with ITIN can get 2023 MA Child & Family Credit for covered dependents with SSN or ITIN

Earned Income Tax Credit

- Federal and state EITC require SSN
- State EITC = 40% of federal EITC
- **Join the Healthy Families Tax Credits Coalition to extend EITC eligibility to immigrants who files taxes with ITINs!**



For more information & help filing taxes

<https://www.findyourfunds.org>

- Free tax preparation
- Free online filing
- Help with COVID tax payments
- Help for immigrants needing ITINs to file 2023 taxes