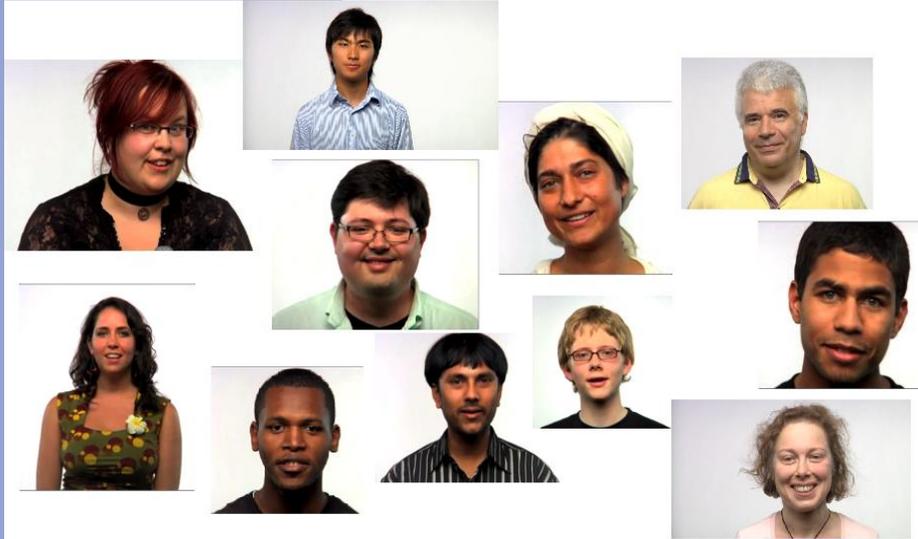


Cash and Food Benefits for Immigrant-Headed Households



Basic Benefits Training, April 2022

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Key Nutrition Benefits

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

Key Cash Assistance 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)

Language Access at DTA

- Online application in 5 languages
- DTA must provide free interpreter if client is LEP.
- Clients can self-identify as LEP.



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

Common Myth #1

“You cannot or should not apply for benefits if you’re undocumented.”

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* right away

- Refugees & asylees
- Granted Withholding of Deportation or Removal
- Cuban/Haitian Entrants
- Amerasian Immigrants (born in Vietnam during war)
- Members of Hmong/other Highland Laotian tribes
- Victims of Trafficking
- Iraqi and Afghan Special Immigrants
- Afghan Evacuees with humanitarian parole
- LPRs who adjusted from one of these statuses

**SSI only for 7 years after status granted*

Status before adjustment?



Cuban-Haitian Entrants

National of Cuba or Haiti with “special status”:

- Pending asylum application
- Paroled into U.S.
- In removal/deportation proceedings, but no final, enforceable order of removal
 - Order of supervision
- ✓ Includes children born to Haitian parents outside Haiti
- X Does not include Temporary Protected Status

Other “qualified” non-citizens

- Other Lawful Permanent Residents (LPRs)
- Battered noncitizens
- Granted parole for > 1 year

- ✓ Eligible for EAEDC
- ✓ Minors eligible for SNAP

Example #1

Juana is 40 years old and has two children, born in the U.S. Juana is from El Salvador and has Temporary Protected Status (TPS).

- Does she qualify for TAFDC or SNAP?
- Do her kids?

Example #2

Marie is 38 years old and comes from Haiti. She has Temporary Protected Status (TPS) and works part time.

- Can she get SNAP?

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

- How does that change her eligibility?

Date entered the U.S. (SNAP, TAFDC, SSI)

Various noncitizens are eligible for these programs if living in the U.S. since before 8/22/96

- See eligibility chart for details

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.
- 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 SNAP?
- Is her son eligible for 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
 - If COVID-related barrier to getting form completed, can give verbal self-declaration

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. She has run out of assets and income.

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

PRUCOL

“Permanently Residing Under Color of Law”:

- DHS aware of presence in U.S.
- No effort underway to deport
- Examples
 - Asylum Applicants
 - Applicant for adjustment of status (green card)
 - U visa holders and applicants
 - TPS beneficiaries and applicants
 - DACA beneficiaries and applicants

PRUCOL

- Eligible for EAEDC
- Not eligible for TAFDC
 - but if TAFDC for children, DTA will authorize child care for work or school
- Not eligible for SNAP
 - but may get more SNAP for eligible household members

For more information

- Mass Legal Services website: www.masslegalservices.org
- Mass Law Reform Institute: www.mlri.org
- Greater Boston Legal Service: www.gbls.org
- National Immigration Law Center: www.nilc.org
- Protecting Immigrant Families campaign
<https://protectingimmigrantfamilies.org>
- Mass Immigrant and Refugee Advocacy (MIRA) Coalition:
www.miracoalition.org

Child Tax Credit

- \$3600 per child under 6
- \$3000 per child 6-17
- Could get half as advance credit in 2021



How do you get it?

- File taxes for 2021
 - By April 15, 2022 if taxable income
 - Can file later if no taxable income

Which immigrants are eligible?



- Any qualified dependent child with valid SSN
- Taxpayer with ITIN can get Child Tax Credit for dependent with SSN
 - Can apply for ITIN at the same time as you file taxes

Which immigrants are eligible for the Child Tax Credit?

- ARPA excludes IRS “Nonresident Aliens”
 - must be LPR or satisfy “substantial presence” test
 - Substantial presence = physically present in U.S. for minimum number of days within last 3 years
 - See <https://www.irs.gov/individuals/international-taxpayers/substantial-presence-test> for details of substantial presence test and exemptions
 - A non-immigrant visa may affect eligibility

For more information &
help filing taxes

<https://www.findyourfunds.org>