

Current Law and the Farm Bill's Restoration of Food Stamps to Legal Immigrants

Provision	Current Law	Farm Bill (P.L. 107-171 Section 4401)	Effective Date
<p>Restores Food Stamp Benefits for Qualified Immigrants Who Have Lived in the U.S. for at least five years. Lifts the seven-Year Cap on Refugees and Asylees.</p>	<p>Most legal immigrants, regardless of when they entered the U.S. are not eligible for federal food stamp benefits. There are some exemptions based on work history, age, disability, asylee/refugee and other immigration status.</p> <p>Asylees, refugees, Cuban and Haitian entrants, Amerasians, and individuals granted withholding of deportation or withholding of removal only receive food stamps for seven years from the date this status was granted.</p>	<p>Restores food stamp benefits for qualified immigrants who have lived in the U.S. as qualified immigrants for at least five years. Qualified immigrants include lawful permanent residents (holders of green cards), refugees, asylees, and people granted withholding of deportation or removal, Cuban/Haitian entrants, individuals who have received INS parole in the US for at least one year, conditional entrants, and certain victims of domestic violence. The Bush Administration estimates that this provision would restore eligibility for about 363,000 immigrants.*</p> <p>Asylees, refugees, Cuban and Haitian entrants, Amerasians, and individuals granted withholding of deportation or withholding of removal – who will have been in qualified immigrant status for more than 5 years - - will be able to retain their benefits even after the seven-year period expires.</p>	<p>April 1, 2003</p>
<p>Restores Food Stamp Benefits for Legal Immigrant Children</p>	<p>Qualified immigrant children are eligible for food stamps only if they were lawfully residing in the U.S. on August 22, 1996 or if they meet another exemption.</p>	<p>Restores benefits for qualified immigrant children younger than 18 years of age without a residency requirement. Children would not be subject to the 5-year bar or to deeming provisions.</p>	<p>October 1, 2003</p>
<p>Allows Disabled Legal Immigrants who Receive a Benefit for their condition to Receive Food Stamps</p>	<p>Disabled individuals are eligible for food stamps only if they were lawfully residing in the U.S. on August 22, 1996 and if they are currently receiving benefits for their condition or if they meet another exemption.</p>	<p>Restores benefits for qualified disabled immigrants if they are receiving benefits for their condition, regardless of date of entry. Qualified immigrants who arrived in the U.S. after August 22, 1996 are not eligible for SSI under current law. However, if qualified immigrants receive disability-related Medicaid or another benefit for their condition they would be able to receive food stamps*.</p>	<p>October 1, 2002</p>

*Sponsor deeming will apply. Deeming means that the resources and income of the immigrant's sponsor will be considered available to the immigrant's household.

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