

FREQUENTLY ASKED QUESTIONS FOOD STAMPS & IMMIGRATION STATUS

benefitsSF

1. I AM NOT A (U.S.) UNITED STATES CITIZEN. CAN I GET FOOD STAMPS?

You may be eligible if you are a “qualified” immigrant. This includes lawful permanent residents (holders of green cards), refugees, asylees (an individual who has been granted asylum), people granted withholding of deportation or removal. Cuban/Haitian entrants, individuals paroled into the U.S. for at least one year by immigration authorities, conditional entrants (temporary green card), certain victims of domestic violence. Victims of human trafficking (applicants for and holders of a “T” visa), and applicants for and holders of a “U” visa may also be eligible.

2. WILL MY IMMIGRATION STATUS BE REPORTED TO IMMIGRATION AUTHORITIES?

No. Your immigration status information will only be used to check whether you are eligible for Food Stamps. San Francisco’s City of Refuge Ordinance prohibits City employees from assisting or cooperating with any federal immigration investigation, detention or arrest procedures, except where required by Federal law. Immigration authorities cannot use this information to deport you unless there is a criminal violation involved.

3. CAN MY KIDS GET FOOD STAMPS EVEN IF I DON’T HAVE U.S. IMMIGRATION DOCUMENTS?

Yes. Your children may be eligible even if you aren’t. You may apply for Food stamps for your kids (under age 18) who were born in the United States, are permanent residents or qualify for special immigration status. You will have to show proof of your income and resources to determine the amount of their Food Stamps.

4. WILL RECEIVING FOOD STAMPS ON BEHALF OF MY CHILDREN MAKE IT HARDER TO GET A GREEN CARD OR BECOME A CITIZEN?

No. Unlike receiving other cash assistance, receiving food stamps does not make an immigrant a “public charge.” **The immigrant will not be denied entry to the country, or denied lawful permanent residence or a “green card” because he or she receives food stamp benefits.** An immigrant’s use of food stamps is not relevant in deciding whether she can become a U.S. citizen. The exception is where the food stamps were used fraudulently, (e.g. if the immigrant did not tell the truth about where she lived or her income, etc).

5. CAN IMMIGRANT CHILDREN WHO DON’T HAVE U.S. IMMIGRATION DOCUMENTATION GET FOOD STAMPS?

No, not unless they were born in the United States.

6. IS INFORMATION ABOUT SPONSORSHIP REQUIRED AS A COMPONENT OF APPLYING FOR FOOD STAMPS?

Yes, but only for adults. You can apply on behalf of children under 18 years of age without supplying ANY information about sponsors.

Immigrants with sponsors can still get Food Stamps if their sponsor’s income is very low, or if they would go hungry or homeless without assistance (taking into account any money the family actually receives) or if they are victims of domestic violence, or if they have credit for ten years of work history in the U.S.

7. DO I HAVE TO GET FINGERPRINTED?

Yes, but fingerprint and photo images can only be used to prevent or prosecute welfare fraud. Your finger image will not be shared with law enforcement or immigration authorities, and are kept strictly confidential. Finger printed can be postponed until your next visit to the Food Stamp office or at the time of Food Stamp Renewal (usually in 12-24 months.)

8. IS RECEIVING FOOD STAMPS IN ANY WAY CONNECTED TO BEING DRAFTED OR SERVING IN THE MILITARY?

NO!

This FAQ provides general guidance only and is not meant to substitute for legal advice. For more information on immigrant eligibility for public benefits: National Immigration Law Center at www.nilc.org. For info about how benefits impact your immigration status: <http://www.uscis.gov> and search for "public charge."

This Fact Sheet is current as of June 2010. It is not to be used as a substitute for Federal, State or County regulations. The SF Department of Human Services has copies of current regulations you may review.