



# **Immigrant Eligibility for Food Stamps in California**

# Restricting Immigrant Access



- ◆ Prior to 1996, general access to benefits for legal immigrants
- ◆ Personal Responsibility and Work Opportunity Reconciliation Act of 1996 – 8/22/96:
  - New eligibility categories
  - Created waiting periods (5 years or more) and limits
  - Many new restrictions
  - 2002 restored eligibility for qualified children

Lawful Permanent  
Residents (LPR)

Refugees, Granted  
Asylum, Withholding of  
Deportation

Paroled into U.S. for at  
least 1 Year

Cuban and Haitian  
Entrants

Certain Battered  
Spouses and Children

Victims of Trafficking

QUALIFIED IMMIGRANTS

# Qualified Battered Immigrants

Must have prima facie case or an approved:

Self-petition under VAWA

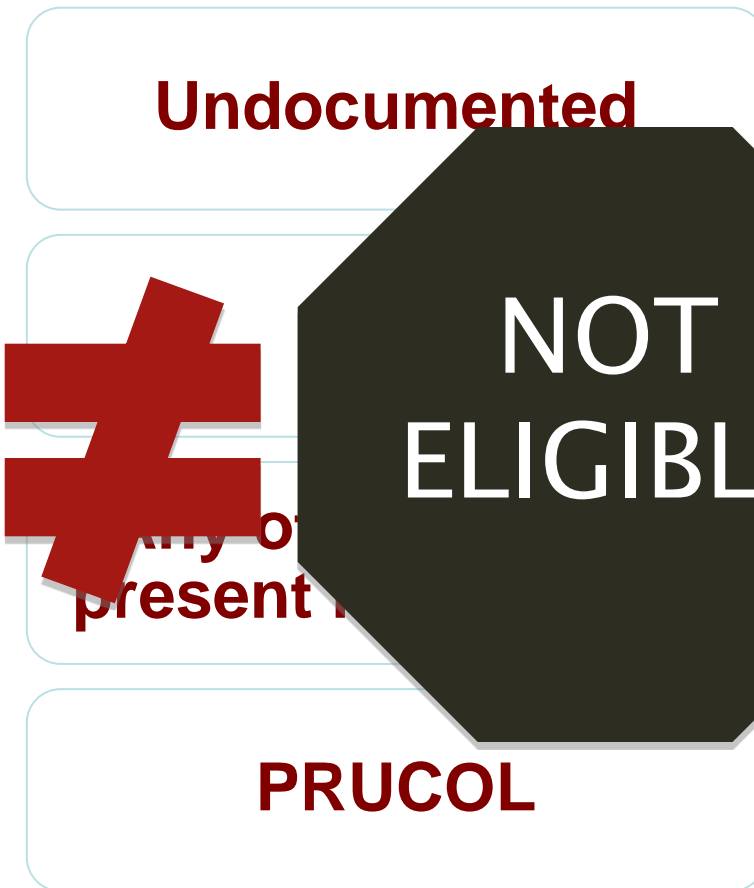
Application for cancellation of removal/ suspension of deportation under VAWA

Visa petition filed by US Citizen or LPR spouse/parent

Q U A L I F I E D

Includes parents of battered child and child of battered spouse.

**NOT  
QUALIFIED**



**NOT QUALIFIED IMMIGRANTS**

# Immigrant Food Stamp Eligibility\*

**Children** who are qualified immigrants

**Adults in qualified status at least five years**

**Refugee groups**, victims of trafficking

**LPRs with credit for 40 quarters of work.**

**Veterans**, active duty military, spouse/child

Hmong and Laotian tribe members (lawfully present)

Receiving disability-related assistance

Seniors born before 8/22/31, who were  
lawfully residing in the U.S. on 8/22/96

Native Americans

\*Deeming rules apply

# California Food Assistance Program (CFAP)

- California steps in and launches the California Food Assistance Program
  - **“Qualified Immigrants” Eligible if:**
    - Do not meet immigrant eligibility criteria for SNAP
  - **“Not Qualified” Immigrants Eligible only if:**
    - Lawful temporary resident, or
    - Victim of trafficking, applicant for U visa, or U visa holder.
- Helps lawful immigrants who need food assistance but ineligible for federal aid.
- Serves about 30,000 low-income immigrants
- Only 1% of California’s overall food stamp population

# Victims of Trafficking and other Serious Crimes in CA (SB 1569):

## Trafficking Victims

- ◆ **Trafficking Victims** can get state and local benefits before certified for federal benefits
- ◆ 12 months, extended if T visa application or Continued Presence request filed

## Crime Victims

- ◆ **U Visa Applicants** can get state and local benefits (no time limit)
- ◆ Continues unless U visa finally denied

U and T Visas holders are eligible without time limits.





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