



Immigrant Eligibility for Public Programs

This table provides a general overview of some of the federal public programs available to support individuals and families during the COVID-19 crisis under existing law, as well as the recently passed [Families First Coronavirus Response Act](#) and the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#).

We have also included clarification about whether these public programs are taken into account for public charge purposes. Additional information about the public charge regulations is available in [this FAQ document from the Protecting Immigrant Families \(PIF\) Campaign](#).

Health Care		
What's Available	Immigrant Eligibility	Public Charge Implications
<p>The Families First Act provides funding for COVID-19 testing for the uninsured and gives states the option to provide testing to certain uninsured individuals through their Medicaid programs.</p> <p>The CARES Act also increases and extends funding for Community Health Centers (CHCs).</p> <p>Under existing law, individuals who lose health coverage (due to job loss, for example), may qualify for a special enrollment period in the Marketplaces, including the federal Healthcare.gov Marketplace. Some state-based marketplaces have elected to generally allow enrollment during the COVID crisis.</p>	<p>Neither the CARES Act nor the Families First Act alters Medicaid eligibility for immigrants.</p> <p>Some states have defined testing and treatment for suspected COVID virus as emergency services covered by their Emergency Medicaid programs. Emergency Medicaid is available regardless of immigration status, but applicants must meet their state's other Medicaid eligibility requirements. In states that have not expanded Medicaid, for example, a non-pregnant adult without disabilities or children may not be eligible for services.</p> <p>CHCs provide primary and preventive health care to everyone regardless of their immigration status or ability to pay.</p> <p>Immigrants who are lawfully present may be eligible to buy subsidized health insurance in the Marketplaces.</p>	<p>USCIS has announced that testing, prevention, or treatment for COVID-19 will NOT be used against immigrants in a public charge test. Immigrant families should seek the care they need during this difficult time.</p>
<p>More information: Update on Access to Health Care for Immigrants and Their Families (NILC) Overview of Immigrant Eligibility for Federal Programs (NILC)</p>		

Cash Assistance		
What's Available	Immigrant Eligibility	Public Charge Implications
<p>Under the CARES Act, most individuals earning less than \$75,000 are eligible for a one-time cash payment of \$1,200. Married couples will each receive a check and families will get \$500 per child.</p>	<p>To be eligible for a cash rebate, individual filers <u>and</u> their spouse if filing jointly must have valid Social Security Numbers (SSNs). However, there is an exception for spouses filing jointly where at least one spouse was in armed forces last tax year and at least one spouse has a valid SSN. Children claimed as dependents for the \$500 rebate must have valid SSNs.</p>	<p>The stimulus payment is a tax credit. The public charge regulation is clear that tax credits are NOT taken into account in a public charge determination.</p>
<p>More information: See Pg. 11 of this Policy Brief on Key Provisions of COVID-19 Relief Bills (NILC)</p>		

Food Assistance

[What's Available](#) under The Families First Act:

SNAP

Allows states to provide emergency supplemental SNAP benefits up to the maximum monthly benefit amount to many participating SNAP households to address temporary food needs.

School Meals

Establishes a new program - called Pandemic EBT or "P-EBT" - that allows states to provide meal-replacement benefits for households with children who attend a school that has closed and who would otherwise receive free or reduced-price meals. Monthly benefits of up to \$125 per child will be loaded onto an EBT card.

Other Nutrition Programs

Provides additional funding for WIC, The Emergency Food Assistance Program (TEFAP), and home-delivered meal program.

Immigrant Eligibility

Only certain non-citizens are eligible for SNAP, such as asylees, refugees, and some green card holders (see below). Parents who are not eligible for SNAP can apply for their eligible household members, such as U.S. citizen children.

P-EBT is available regardless of immigration status. Households do not have to be enrolled in SNAP in order to be eligible.

WIC, TEFAP, and home-delivered meals are available regardless of immigration status.

Public Charge Implications

Receipt of traditional, federally-funded SNAP benefits may be included in a public charge determination. Because of eligibility restrictions, few individuals who are eligible for SNAP are also subject to a public charge determination.

Pandemic EBT (P-EBT) is not considered in a public charge test.

WIC, TEFAP, and home-delivered meals are not included in the public charge test.

More information: [USDA, States Must Act Swiftly to Deliver Food Assistance Allowed by Families First Act](#) (CBPP)
[Overview of Immigrant Eligibility for Federal Programs](#) (NILC)
[COVID-19 Updates](#) (FRAC)

Unemployment Insurance

What's Available

The CARES Act expands Unemployment Insurance (UI) in several ways:

- A completely new program, Pandemic Unemployment Assistance (PUA), was created to cover workers normally ineligible for regular UI (such as independent contractors) and will also cover many kinds of situations where individuals are unable to work due to the public health crisis.
- An additional 13 weeks of extended UI benefits are available for employees unemployed or underemployed due to COVID-19.
- In states that agree, \$600 will be added to employees' maximum weekly benefit under both UI and the new PUA program through 7/31/2020.
- For states that agree to waive the normal seven day waiting period, the federal government will pay the full cost of the first week of benefits.

Immigrant Eligibility

For regular UI benefits: Immigrants generally must be work-authorized at the time they file for UI benefits, during the base period used to calculate the benefit amount, and during the entire period they are receiving benefits.

The U.S. Department of Labor (DOL) has not yet clarified the eligibility criteria that will apply to the new UI programs created by the CARES Act. It is possible that the DOL will apply a more restrictive set of eligibility criteria, such as those used in the Disaster Unemployment Assistance Program (DUA).

Public Charge Implications

UI is NOT considered in public charge determinations

More Information: [Immigrant Workers' Eligibility For Unemployment Insurance](#) (NELP)