



## Lawfully Present Immigrants and California Public Benefits

Proposal, December 2013

**Background:** The proposed public benefits bill will expand eligibility to CalWORKs, a cash aid and job related services program for families in need, and CalFresh, a nutritional assistance program for individuals and families in need, through the California Food Assistance Program (CFAP) to all “lawfully present” immigrants in California. Currently, some “lawfully present” immigrants do not qualify for these public benefits. Expanding CalWORKs and CalFresh to all “lawfully present” immigrants will ensure that immigrant families thrive in the state of California.

### CalFresh existing lawfully present immigrant eligibility

- Lawful Permanent Residents (LPRs)
- Granted Asylum or refugee status
- Granted Withholding of deportation or removal
- Cuban/Haitian Entrants
- Amerasian Immigrant status
- Iraqi or Afghan Special Immigrant Status

### CalWORKs existing lawfully present immigrant eligibility

- All qualified immigrants:
  1. Lawful Permanent Residents (LPRs), including Amerasian immigrants;
  2. Refugees, asylees, persons granted withholding of deportation, conditional entry, or paroled for at least one year;
  3. Cuban/Haitian entrants;
  4. Survivors of domestic violence including spouses and children with a pending or approved:
    - a. self-petition for an immigrant visa, or
    - b. immigrant visa filed for a spouse or child by a U.S. citizen or LPR, or
    - c. application for cancellation/ of removal/suspension of deportation, whose need for benefits has a substantial connection to the batter or cruelty; and
    - d. survivors of trafficking who have received a T Visa or filed an application that sets forth a prima facie case

### Expansion for CalFresh through CFAP and CalWORKs would include:

- Temporary Protected Status (TPS)
- Deferred Action *including* Deferred Action for Childhood Arrivals (DACA) recipients
- Deferred Enforced Departure
- Longtime Residents- have been in U.S. for a long period of time, and who are completing the process of securing lawful permanent residence or who cannot be returned to their home country and likely to stay. This includes:
  - ❖ Lawful Temporary Residents and Applicants for Legalization Under IRCA
  - ❖ Legalization Under the Life Act
  - ❖ Family Unity
  - ❖ Applicants for Cancellation of Removal or Suspension of Deportation
  - ❖ Order of Suspension
  - ❖ Registry Applicants
  - ❖ Parole in place for military families