

# CalFresh and Immigration

## Frequently Asked Questions



### 1. I am not a United States citizen. Can I get CalFresh?

You may be eligible if you are a “qualified” immigrant. This includes lawful permanent residents (those who hold a “green card”), those with refugee or asylum status, people granted indefinite stay 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”), and certain victims of domestic violence. Victims of human trafficking (applicants for and holders of a “T” visa and those preparing to file), and applicants for and holders of a “U” visa may also be eligible.

### 2. Will my immigration status be reported for immigration enforcement purposes?

**No.** Immigration status is confirmed, but only used to check whether you are eligible for CalFresh. Immigration officials cannot use this information to deport you unless there is a criminal violation. 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.

### 3. Can my children get CalFresh even if I don’t have an eligible immigration status?

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

### 4. Will receiving CalFresh make it harder to get a “green card” or become a citizen?

**No.** Receiving CalFresh 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” as a public charge based on whether he or she receives CalFresh benefits.** An immigrant’s use of CalFresh is not relevant in deciding whether he or she can become a U.S. citizen. The exception is where CalFresh benefits were used fraudulently, (e.g., if the immigrant did not tell the truth about where he or she lived or his or her income, etc.).

### 5. Is information about sponsorship required as part of applying for CalFresh?

Many CalFresh households with non-citizens do not need to provide sponsor income. For example, if your income is below a certain amount (130% of the federal poverty level) you do not need to provide sponsor income information. Sponsor exemptions can also be based on the visa type, the amount of work history in the U.S., and the entry date. Non-citizen adults can also choose to opt out of the household and apply on behalf of their children under 18 years of age without supplying any sponsor information.

### 6. Do I have to get fingerprinted?

**No.**

### 7. Is receiving CalFresh 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](http://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 August 2016. 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.