

FACTS ABOUT Supplemental Security Income for Refugees, Asylees, and Other Humanitarian Immigrants

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Providing continuing coverage under SSI, food stamps and other means-tested federal benefit programs to elderly and disabled refugees would strengthen the U.S. capacity to offer resettlement to some of the world's most vulnerable refugees — the aged and disabled.

— U.S. Commission on Immigration Reform

■ The Crisis

Supplemental Security Income (SSI) assists seniors and persons with disabilities who have little or no income to cover basic necessities. Thousands of elderly and disabled refugees, asylees, Cuban and Haitian entrants, and other “humanitarian” immigrants¹ are losing their SSI due to circumstances beyond their control.

SSI is generally available only to U.S. citizens. However, humanitarian immigrants are eligible for SSI, but only for the first seven years after obtaining their immigration status. The rationale for this decade-old provision was that Congress believed seven years would provide sufficient time for people to naturalize, thereby maintaining their benefits by becoming U.S. citizens. However, immigration backlogs, unforeseen processing delays, and other obstacles have made it impossible for most to become citizens within the seven-year period. According to data from the Social Security Administration (SSA), approximately 12,000 humanitarian immigrant seniors and persons with disabilities have lost their basic means of support due to the seven-year time-limit. SSA projects that in coming years, more than 40,000 individuals will lose SSI.

■ The Solution

In the 110th Congress, the Senate should pass HR 2608, already approved by the House, extending the time limit on SSI eligibility for refugees and other humanitarian immigrants. This would bring SSI into closer conformity with other federal safety-net programs, such the Food Stamp Program, in which low-income refugees and other humanitarian immigrants have access to services without regard to their length of residency in the United States. Eliminating the time limit on SSI eligibility is the ultimate goal, as Congress never intended for elderly and disabled humanitarian immigrants to lose access to SSI.

■ Discussion

- **Bipartisan support exists for safeguarding humanitarian immigrants from losing SSI.**

Legislation extending SSI eligibility for humanitarian immigrants enjoys bipartisan support in both the House and Senate. Recognizing that “some individuals have been unable to obtain citizenship within

¹ The other categories of humanitarian immigrants impacted by the seven-year time limit include victims of trafficking, Amerasian immigrants, and immigrants granted withholding of deportation/removal.

seven years due to a combination of processing delays, and for asylees, statutory caps on the number who can become permanent residents,” the Bush administration has also endorsed an extension of the SSI time limit for humanitarian immigrants.²

- **SSI saves seniors and persons with disabilities from destitution.**

Refugees and asylees have fled their country of origin to escape persecution. They often have witnessed or endured unimaginable violence and have left home with little more than the clothing on their backs. Refugees who qualify for SSI are by definition either seniors or persons with disabilities. Their SSI grant is typically their only source of income. Without SSI, these refugees are in acute danger of hunger, homelessness, and despair. In addition, because some states link eligibility for SSI to eligibility for Medicaid, the loss of SSI may also mean a loss of health coverage. Some elderly immigrants, made profoundly despondent by threatened termination of their SSI, have even committed suicide.

- **Asylees must wait for applications to move through a delayed system.**

Until recently, only 10,000 visas each year were made available for asylees to become lawful permanent residents, even though a much higher number are granted asylum annually. This created a long backlog of individuals who have been granted asylum but are waiting for their application for permanent residency to be processed. Even after becoming lawful permanent residents, asylees must wait almost four more years before they can apply for U.S. citizenship. For many asylees currently waiting to naturalize, the process is taking nine or more years to complete from the date they received their grant of asylum.

- **Refugees should not be punished for immigration processing delays.**

Refugees are able to apply for lawful permanent residence after they have been in the U.S. for one year. When refugees are granted lawful permanent residence, it is retroactive to their original arrival in the U.S., and for this reason refugees are generally eligible to apply for citizenship after five years in the country. However, backlogs in processing citizenship applications caused by lengthy FBI background checks, increases in the number of applications, computer problems, and staffing deficiencies in some parts of the country have led to significant delays. Many refugees therefore cannot become citizens within the seven-year period, even if they apply on the very first day that they are eligible to do so. Many elderly and disabled persons are also unable to pass the English and civics requirements of the citizenship test, despite their best efforts.

■ **What Can Congress Do?**

In the 110th Congress, the House of Representatives approved the SSI extension for humanitarian immigrants (HR 2608), and this bill is presently under consideration in the Senate. With refugees, asylees, and others losing their lifeline of support every month, the time is now for Congress and the president to take action.

FOR MORE INFORMATION, CONTACT

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² *The Budget for Fiscal Year 2005*, p. 343 (in the “Social Security Administration” section), available at www.gpoaccess.gov/usbudget/fy05/pdf/budget/ssa.pdf.