

KNOW YOUR RIGHTS

Many Immigrants Qualify for Food Assistance in New Mexico

The Supplemental Nutrition Assistance Program (SNAP) provides a monthly benefit on a card that can be used to buy groceries.

Immigrants may qualify for SNAP if they:

Are a child under 18 and are in one of the statuses below **OR** an adult that has been in any of the statuses below for at least 5 years:

- ★ Lawful Permanent Resident,
- ★ Paroled in the U.S. for at least one year,
- ★ Conditional Entrant (granted before 04/01/1980), or
- ★ Spouses, children, parent of child who have applied for a visa to leave domestic violence or abuse with a pending or approved self-petition/immigrant visa, application for cancellation of removal/suspension of deportation, and whose need for benefits has a substantial connection to the battery or cruelty.

Are in one of the statuses below:

- ★ Refugee status,
- ★ Asylum status,
- ★ Withholding of deportation/removal,
- ★ Cuban/Haitian entrant,
- ★ Amerasian immigrant,
- ★ Iraqi or Afghan special immigration status,
- ★ Survivors of trafficking and their derivative beneficiaries,
- ★ Lawful Permanent Residents who have worked or can be credited with 40 hours of qualifying quarters of work through the Social Security Administration,
- ★ Are receiving disability-related assistance,
- ★ Veteran, active duty military; spouse, unremarried surviving spouse, or child,
- ★ Member of Hmong or Laotian tribe during the Vietnam era, when the tribe militarily assisted the U.S.; spouse, surviving spouse, or child of tribe member, or
- ★ Certain American Indians born abroad.



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Pandemic Electronic Benefit Transaction (EBT) Benefits help families with school aged children buy food to replace free and reduced school lunches during the times schools are closed due to COVID-19. Families are eligible for these benefits **regardless of immigration status**, so long as their income qualifies for free and reduced lunch or if the school offers free meals to all children. Families who do not already receive SNAP should apply through their local school district. There is no “public charge” test for Pandemic EBT.

Women Infants and Children Benefits (WIC) is a food program that helps pregnant women, nursing mothers, and children up to the age of five buy nutritious foods. Families who meet the income and other program requirements for WIC can get benefits regardless of immigration status, including undocumented parents. WIC is never considered in a public charge test and will not impact your immigration status.

Free and reduced school meals are available to all children who meet income requirements, regardless of immigration status. School meals are never considered in a public charge test and will not impact your immigration status.

Getting benefits usually will not trigger a “public charge test” for most immigrants.

Participation in SNAP may count in a public charge test that is used by the federal government to deny some immigrants admission to the US or deny applications for lawful permanent residency, but the rule does not apply to most immigrants who qualify for SNAP. There are many exceptions. Check with an immigration attorney if you have questions.

Public Charge never applies to:

- ★ COVID-19 testing and treatment,
- ★ Medicaid for children, 21 years and younger, and pregnant women,
- ★ Refugees, asylees, survivors of trafficking, survivors of domestic violence and other serious crimes, special immigrant juvenile status and others, and
- ★ Use of emergency Medicaid, WIC, school lunches, food banks, shelters, state or local health care programs, and many more programs