

# Unauthorized Immigrants' Eligibility for Federal and State Benefits: Overview and Resources

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Of the approximately 45.3 million foreign-born people residing in the United States,<sup>1</sup> about one-quarter (approximately 11 million individuals)<sup>2</sup> are estimated to be unauthorized noncitizens, sometimes referred to as *illegal aliens* or *undocumented immigrants*.

Some estimates suggest that a relatively large proportion of unauthorized immigrants living in the United States—estimates range from 58% to 62%—had lived in the country for at least a decade, as of 2019. Approximately 22%-23% are estimated to have lived in the United States for 20 years or more, 16%-17% for 5 to 9 years, and 21%-25% for fewer than 5 years.<sup>3</sup> Given the duration with which they are estimated to have resided in the country and the circumstances that led them to migrate to the United States, the degree to which unauthorized noncitizens should be accorded certain rights and privileges because of their residence in the United States has long been the subject of congressional interest.

Prior to 1996, there was no uniform rule governing which categories of noncitizens were eligible for which government-provided benefits and services, and no single statute governed related requirements. Noncitizen eligibility requirements, if any, were set forth in the laws and regulations governing the individual federal assistance programs.

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193) established comprehensive restrictions on the eligibility of noncitizens for federal public benefits (described below).<sup>4</sup> These restrictions apply to the majority of non-naturalized (i.e., non-U.S. citizen) foreign-born persons,<sup>5</sup> including lawful permanent residents

<sup>1</sup> U.S. Census Bureau, American Community Survey, *S0501 Selected Characteristics of Native and Foreign-Born Populations*, 2021, at <https://data.census.gov/cedsci/table?q=S0501>.

<sup>2</sup> There are no direct measures of the unauthorized population residing in the United States. Nevertheless, researchers in academic settings, nongovernmental research organizations, and federal agencies have developed estimates of the unauthorized population using available survey data. Recent estimates from authoritative sources within the last five years vary, but they generally place the unauthorized population between approximately 10 million and 11 million individuals. Steven A. Camarota and Karen Zeigler, “Estimating the Illegal Immigrant Population Using the Current Population Survey,” Center for Immigration Studies, March 29, 2022; Center for Migration Studies New York, “Estimates of Undocumented and Eligible-to-Naturalize Populations by State,” 2021; Julia Heinzl, Rebecca Heller, and Natalie Tawil, “Estimating the Legal Status of Foreign-Born People,” Congressional Budget Office, Working Paper 2021-02, March 2021; Migration Policy Institute, “Profile of the Unauthorized Population: United States,” accessed May 16, 2022; Mark Hugo Lopez, Jeffrey S. Passel, and D’Vera Cohn, “Key Facts about the Changing U.S. Unauthorized Immigrant Population,” Pew Research Center, April 13, 2021; and Bryan Baker, “Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2015-January 2018,” U.S. Department of Homeland Security, January 2021. For more information, see the “How many unauthorized immigrants live in the United States?” section of CRS Report R47218, *Unauthorized Immigrants: Frequently Asked Questions*.

<sup>3</sup> Center for Migration Studies New York, “Estimates of Undocumented and Eligible-to-Naturalize Populations by State,” 2021; and Migration Policy Institute, “Profile of the Unauthorized Population: United States,” accessed May 16, 2022.

<sup>4</sup> For more information, see CRS Report R46510, *PRWORA’s Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues*; and CRS Legal Sidebar LSB10526, *PRWORA and the CARES Act: What’s the Prospective Power of a “Notwithstanding” Clause?*.

<sup>5</sup> For more information, see CRS In Focus IF11806, *Citizenship and Immigration Statuses of the U.S. Foreign-Born Population*.

(also known as *green card holders*),<sup>6</sup> asylees and refugees,<sup>7</sup> nonimmigrants,<sup>8</sup> and unauthorized immigrants.<sup>9</sup> However, the restrictions vary based on immigration status. This report provides an overview of unauthorized immigrants' eligibility for federal and state public benefits, as outlined by PRWORA. It concludes with issues for congressional consideration as well as a selection of CRS reports and resources related to this topic.

## Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)

Title IV of PRWORA was designed to create a “national policy with respect to welfare and immigration.”<sup>10</sup> Enacted on August 22, 1996, PRWORA amended immigration law to establish an overarching set of noncitizen eligibility requirements for most federal public benefits. Subsequent amendments from 1996 through 1998 modified PRWORA’s requirements to form the general framework that applies today.<sup>11</sup> While PRWORA created blanket noncitizen eligibility requirements (see the **Appendix**), noncitizen eligibility is not uniform across federal public benefit programs because PRWORA interacts with other laws, regulations, and guidance that govern each individual program.

### Federal Public Benefits

Under PRWORA, unauthorized noncitizens are not *qualified aliens* (see the **Appendix**) and thus are not eligible for most federal benefits. PRWORA defines federal public benefits as

- (A) any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and
- (B) any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States.<sup>12</sup>

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<sup>6</sup> Lawful permanent residents are foreign nationals permitted to live in the United States permanently. For more information, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

<sup>7</sup> Asylees and refugees are foreign nationals fleeing their countries because of persecution, or a well-founded fear of persecution, on account of race, religion, nationality, membership in a particular social group, or political opinion. For more information, see CRS Report R45539, *Immigration: U.S. Asylum Policy* and CRS Report RL31269, *Refugee Admissions and Resettlement Policy*.

<sup>8</sup> Nonimmigrants are foreign nationals admitted to stay in the United States on a temporary basis and for a specific purpose (e.g., tourists, students, diplomats, temporary workers). For more information, see CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

<sup>9</sup> Unauthorized immigrants are foreign nationals who enter without inspection, enter with fraudulent documents, or enter legally but overstay the terms of their temporary stay. For more information, see CRS Report R47218, *Unauthorized Immigrants: Frequently Asked Questions*.

<sup>10</sup> 8 U.S.C. §1601.

<sup>11</sup> These include Title V of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA; P.L. 104-208, Division C), Title V of the Balanced Budget Act of 1997 (BBA 97; P.L. 105-33), and the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998 (P.L. 105-306). For more information, see CRS Legal Sidebar LSB10526, *PRWORA and the CARES Act: What's the Prospective Power of a "Notwithstanding" Clause?*.

<sup>12</sup> 8 U.S.C. §1611(c).

The federal public benefits that meet this definition includes programs such as non-emergency Medicaid, the Supplemental Nutrition Assistance Program (SNAP),<sup>13</sup> Supplemental Security Income (SSI),<sup>14</sup> Temporary Assistance for Needy Families (TANF),<sup>15</sup> and most housing assistance programs,<sup>16</sup> among many others. Unauthorized noncitizens are also ineligible for Federal Pell Grants for student financial aid as well as Affordable Care Act (ACA) health care subsidies, and they may not purchase unsubsidized health care on ACA exchanges. Additionally, PRWORA prevents unauthorized noncitizens from receiving the Earned Income Tax Credit (EITC) by requiring that the Social Security numbers of recipients (and spouses) be valid for employment in the United States.<sup>17</sup>

## **PRWORA Exceptions**

PRWORA includes specified exceptions to its general ineligibility rule, which allow unauthorized noncitizens to receive some specific types of federal benefits, including the following:

- treatment under Medicaid for emergency medical conditions (other than those related to an organ transplant);
- short-term, in-kind emergency disaster relief;
- immunizations against immunizable diseases and testing for and treatment of symptoms of communicable diseases;
- services or assistance (such as soup kitchens, crisis counseling and intervention, and short-term shelters) designated by the Attorney General as (1) delivering in-kind services at the community level, (2) providing assistance without individual determinations of each recipient's needs, and (3) being necessary for the protection of life and safety;<sup>18</sup> and
- programs for housing or community development assistance or financial assistance administered by the Secretary of Housing and Urban Development, programs under Title V of the Housing Act of 1949, and assistance under Section

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<sup>13</sup> SNAP provides benefits to eligible low-income households on an electronic benefit transfer card; benefits can then be exchanged for foods at authorized retailers. For more information on the program, see CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*. For more information on noncitizen eligibility for SNAP, see U.S. Department of Agriculture, *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, June 2011, at [https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance\\_6-30-2011.pdf](https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance_6-30-2011.pdf).

<sup>14</sup> SSI is a federal assistance program that provides monthly cash payments to aged, blind, or disabled individuals who have limited income and resources (i.e., assets). For more information on the program, see CRS In Focus IF10482, *Supplemental Security Income (SSI)*. For more information on noncitizen eligibility for SSI, see CRS Report R46697, *Noncitizen Eligibility for Supplemental Security Income (SSI)*.

<sup>15</sup> TANF block grants to states fund a wide range of benefits and services for low-income families with children (e.g., work and training programs, child care, pre-kindergarten programs). For more information on the program, see CRS In Focus IF10036, *The Temporary Assistance for Needy Families (TANF) Block Grant*. For more information on noncitizen eligibility for TANF, see CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.

<sup>16</sup> For more information on federal housing programs, see CRS Report RL34591, *Overview of Federal Housing Assistance Programs and Policy*. For more information on noncitizen eligibility for federal housing programs, see CRS Report R46462, *Noncitizen Eligibility for Federal Housing Programs*.

<sup>17</sup> For more information, see CRS Report R43840, *Federal Income Taxes and Noncitizens: Frequently Asked Questions*.

<sup>18</sup> For more information, see Department of Justice, "Final Specification of Community Programs Necessary for Protection of Life or Safety Under Welfare Reform Legislation," 66 *Federal Register* 3613, January 16, 2001.

306C of the Consolidated Farm and Rural Development Act, to the extent that the noncitizen was receiving this assistance on PRWORA's date of enactment.<sup>19</sup>

Additionally, PRWORA states that individuals who are eligible for public education benefits under state and local law shall remain eligible to receive benefits under the National School Lunch Program and School Breakfast Program.<sup>20</sup> Beyond these nutrition programs, Section 742 of the act neither prohibits a state from providing nor requires a state to provide food assistance to unauthorized immigrants through certain laws. This applies to programs such as the Child and Adult Care Food Program; the Summer Food Service Program; the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); the Emergency Food Assistance Program; the Commodity Supplemental Food Program; and the Food Distribution Program on Indian Reservations.

## State Public Benefits

PRWORA bars unauthorized noncitizens from receiving most state and locally funded benefits.<sup>21</sup> These restrictions apply to state and local benefits that are partially funded by the federal government, such as SNAP and Medicaid. Just as PRWORA's restrictions on state benefits parallel the restrictions on federal benefits, the exceptions to the restrictions are also similar, including the following:

- treatment for emergency conditions (other than those related to an organ transplant);
- short-term, in-kind emergency disaster relief;
- immunization against immunizable diseases and testing for and treatment of symptoms of communicable diseases; and
- services or assistance (such as soup kitchens, crisis counseling and intervention, and short-term shelters) designated by the Attorney General as (1) delivering in-kind services at the community level, (2) providing assistance without individual determinations of each recipient's needs, and (3) being necessary for the protection of life and safety.<sup>22</sup>

However, PRWORA provides each state the authority to affirmatively make unauthorized noncitizens eligible for any benefits paid with state or local funds.<sup>23</sup> A number of states have enacted such measures. For example, California expanded full-scope Medi-Cal coverage (the state's Medicaid program) to unauthorized immigrants aged 19-25 and over 50,<sup>24</sup> and the California Student Aid Commission offers financial aid opportunities to unauthorized

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<sup>19</sup> 8 U.S.C. §1611(b).

<sup>20</sup> PRWORA does not address a state's obligation to grant free public education to children who are unauthorized immigrants under the Supreme Court's decision in *Plyler v. Doe*, which determined that states may not deny children a free public education because of their immigration status.

<sup>21</sup> 8 U.S.C. §1621.

<sup>22</sup> For more information, see Department of Justice, "Final Specification of Community Programs Necessary for Protection of Life or Safety Under Welfare Reform Legislation," 66 *Federal Register* 3613, January 16, 2001.

<sup>23</sup> 8 U.S.C. §1621(d).

<sup>24</sup> California Department of Healthcare Services, "Older Adult Expansion," at <https://www.dhcs.ca.gov/services/medical/eligibility/Pages/OlderAdultExpansion.aspx#:~:text=Basic%20Information%E2%80%8B%E2%80%8B,income%20limits%2C%20will%20still%20apply>.

immigrants.<sup>25</sup> In New York, unauthorized individuals who are working are eligible for Healthy NY, a low-cost health insurance.<sup>26</sup> Illinois provides comprehensive health insurance to children under 18 regardless of immigration status if their family meets the income requirements.<sup>27</sup> According to the National Conference of State Legislators, 19 states allow in-state tuition rates for unauthorized students.<sup>28</sup>

## Congressional Considerations

If policymakers are interested in amending (expanding or restricting) the extent to which unauthorized noncitizens may be eligible for certain public benefits, they may look to changes in PRWORA's explicit prohibitions or exceptions. For example, they could alter the list of *qualified aliens* (see the **Appendix**) or the exceptions outlined above (see "PRWORA Exceptions").

As previously mentioned, PRWORA interacts with other laws. Agencies often must interpret how PRWORA applies to specific programs.<sup>29</sup> Sometimes agencies issue guidance, but sometimes they are silent.<sup>30</sup> Occasionally there are lawsuits and the applicability of PRWORA is determined by the courts.<sup>31</sup> Congress could perform oversight to see how executive branch agencies are interpreting PRWORA and applying it to their programs.

## CRS Resources

CRS has a number of reports on noncitizens', including unauthorized immigrants', eligibility for federal public benefits (and related topics).

<sup>25</sup> California Student Aid Commission, "Undocumented/Dreamer Students," at <https://www.csac.ca.gov/undocumented-dreamer-students>.

<sup>26</sup> Public Advocate Betsy Gotbaum and the New York Immigration Coalition, "Guide to Public Benefits for Immigrants," November 2008, at <https://www.nyc.gov/html/records/pdf/govpub/moved/pubadvocate/PA002ImmigrantGuidewebv6.pdf>.

<sup>27</sup> Illinois Department of Healthcare and Family Services, "About All Kids," at <https://www2.illinois.gov/hfs/MedicalPrograms/AllKids/Pages/about.aspx>.

<sup>28</sup> These states are Arkansas, California, Colorado, Connecticut, Florida, Illinois, Kansas, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Rhode Island, Texas, Utah, and Washington. National Conference of State Legislators, "Undocumented Student Tuition: Overview," at <https://www.ncsl.org/research/education/undocumented-student-tuition-overview.aspx>.

<sup>29</sup> Where these pre-existing eligibility rules differ from PRWORA, uncertainty may result about which rules govern. Similarly, when Congress creates new benefit programs without mentioning PRWORA or establishing clear rules for noncitizen eligibility, confusion can arise as to whether the PRWORA restrictions apply. For more information, see CRS Report R46510, *PRWORA's Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues*.

<sup>30</sup> See, for example, the Department of Housing and Urban Development and the Department of Agriculture addressing regulation of noncitizen eligibility for certain federal housing programs. The statutory restrictions on noncitizen eligibility for federal housing programs included in PRWORA, Section 214 of the Housing and Community Development Act of 1980 (P.L. 96-399, §214, 94 Stat. 1637, codified at 42 U.S.C. §1436a.), and other laws, require federal agencies to issue regulations and guidance to interpret and apply the provisions to specific programs. That implementation process has taken many years in some cases, and never begun in others. For more information, see CRS Report R46462, *Noncitizen Eligibility for Federal Housing Programs*.

<sup>31</sup> See, for example, the lawsuits surrounding the Department of Education's interpretation of how PRWORA applied to the emergency financial aid for higher education students through the Higher Education Emergency Relief Fund. For more information, see CRS Legal Sidebar LSB10526, *PRWORA and the CARES Act: What's the Prospective Power of a "Notwithstanding" Clause?*



## Noncitizen Eligibility for Federal Public Benefits and Services

- CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*;
- CRS Report R46697, *Noncitizen Eligibility for Supplemental Security Income (SSI)*;
- CRS Report R46462, *Noncitizen Eligibility for Federal Housing Programs*;
- CRS In Focus IF11912, *Noncitizen Eligibility for Medicaid and CHIP*; and
- CRS Report R46785, *Federal Support for Reproductive Health Services: Frequently Asked Questions*.

## Noncitizen Eligibility for COVID-19-Related Benefits and Services

- CRS Report R46339, *Unauthorized Immigrants' Eligibility for COVID-19 Relief Benefits: In Brief*;
- CRS Report R46481, *COVID-19 Testing: Frequently Asked Questions*;
- CRS Insight IN11617, *Unauthorized Immigrants' Access to COVID-19 Vaccines*;
- CRS Insight IN11376, *Noncitizens and Eligibility for the 2020 Recovery Rebates*; and
- CRS Insight IN11579, *Noncitizen Eligibility for the Second Round of Direct Payments to Individuals*.

## Legal Analysis of PRWORA

- CRS Report R46510, *PRWORA's Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues*; and
- CRS Legal Sidebar LSB10526, *PRWORA and the CARES Act: What's the Prospective Power of a "Notwithstanding" Clause?*.

## Public Charge

- CRS Insight IN11217, *Immigration: Public Charge 2022 Final Rule*.



## Appendix. Qualified Aliens

PRWORA explicitly states that aliens, unless they are *qualified aliens*, are ineligible for federal public benefits. Qualified aliens include the following:

- lawful permanent residents,
- refugees,
- noncitizens paroled into the United States for at least one year,<sup>32</sup>
- noncitizens granted asylum,
- noncitizens granted withholding of removal,<sup>33</sup>
- noncitizens granted conditional entry before 1980,<sup>34</sup>
- certain abused spouses and children,<sup>35</sup> and
- Cuban-Haitian entrants.<sup>36</sup>

Another group is considered *qualified aliens*, but only with respect to Medicaid:

- Citizens of the Freely Associated States residing in the U.S. states and territories.<sup>37</sup>

<sup>32</sup> Parolees are foreign nationals granted permission to enter or remain temporarily in the United States for urgent humanitarian reasons or significant public benefit. Immigration parole is granted on a case-by-case basis. For more information, see CRS Report R46570, *Immigration Parole*.

<sup>33</sup> Certain foreign nationals present in the United States are granted withholding of removal based on persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Withholding of removal provides protection from removal. For more information, see CRS Report R45993, *Legalization Framework Under the Immigration and Nationality Act (INA)*.

<sup>34</sup> Refugee-like noncitizens who arrived before 1980 were granted conditional entry pursuant to the Immigration and Nationality Act (INA), Section 203(a)(7). The INA, as originally enacted in 1952, did not contain refugee or asylum provisions. Language on the conditional entry of refugees was added by the INA Amendments of 1965. The conforming definition of a refugee was added by the Refugee Act of 1980. For more information, see CRS Report R45539, *Immigration: U.S. Asylum Policy*.

<sup>35</sup> Certain abused spouses and children refers to certain foreign nationals who have been abused (i.e., subject to battery or extreme cruelty) in the United States by a spouse or other household member, foreign nationals whose children have been abused, and children of foreign nationals who have been abused. In these cases, the foreign national must have been approved for, or have pending, an application with a prima facie case for immigration preference as a spouse or child or for cancellation of removal (e.g., Violence Against Women Act [VAWA] Self-Petitioners).

<sup>36</sup> Cuban-Haitian entrants are foreign nationals admitted into the United States for humanitarian reasons. The term *Cuban-Haitian entrant* is not defined in immigration law, but its usage dates back to 1980. Many of the Cubans and the vast majority of the Haitians who arrived in South Florida during the 1980 Mariel Boatlift did not qualify for asylum according to the individualized definition of *persecution* in 8 U.S.C. §§1157-1158. The Carter Administration labeled Cubans and Haitians as “Cuban-Haitian Entrants” and used the discretionary parole authority of the Attorney General to admit them to the United States. Subsequently, an adjustment of status provision was included in the Immigration Reform and Control Act of 1986 (IRCA; P.L. 99-603, §202) that enabled the Cuban-Haitian entrants who had arrived during the Mariel Boatlift to become LPRs. While the term is not found in immigration law, Congress did define Cuban-Haitian entrant in the context of eligibility for federal assistance in Title V of the Refugee Education Assistance Act of 1980 (P.L. 96-422, as amended; 8 U.S.C. §1522 note). For more information, see U.S. Citizenship and Immigration Services (USCIS), Cuban Haitian Entrant Program, at <https://www.uscis.gov/archive/archive-news/cuban-haitian-entrant-program-chep>.

<sup>37</sup> Freely Associated States (FAS) migrants are citizens of the Marshall Islands, Micronesia, or Palau. They are permitted to live in the United States indefinitely under the terms of those nations’ Compacts of Free Association with the United States. For more information, see CRS Report RL31737, *The Marshall Islands and Micronesia: Amendments to the Compact of Free Association with the United States*.

There are other groups of noncitizens that are not qualified aliens but are nevertheless eligible for federal public benefits (based on different laws):

- certain victims of human trafficking,<sup>38</sup>
- Iraqi and Afghan special immigrants,<sup>39</sup> and
- certain Afghan<sup>40</sup> and Ukrainian<sup>41</sup> parolees.

Generally, unauthorized immigrants are not qualified aliens, as is also the case for nonimmigrants, individuals with Temporary Protected Status (TPS),<sup>42</sup> recipients of Deferred Enforced Departure (DED),<sup>43</sup> short-term (less than one year) parolees, asylum applicants, individuals granted Deferred Action for Childhood Arrivals (DACA),<sup>44</sup> and various other classes of noncitizens granted temporary permission to remain in the United States.

## Additional Restrictions for Certain Qualified Aliens

Although qualified aliens are eligible for federal public benefits under PRWORA, the law also places a number of additional restrictions on qualified aliens' eligibility for certain federal means-tested public benefits programs (FMTPBs).<sup>45</sup> Many qualified aliens are barred from FMTPBs for five years. In addition, many qualified aliens are subject to *sponsor deeming*, meaning that a portion of the income and resources of the immigrant's sponsor are used for the purpose of determining whether the alien meets the financial eligibility requirement of the FMTPBs.

<sup>38</sup> As designated in the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386). Although this law did not amend PRWORA, it made certified victims of trafficking eligible for benefits and services "under any Federal or State program" to the same extent as refugees.

<sup>39</sup> Iraqi and Afghan special immigrants are treated like refugees for purposes of federal public benefits. The Refugee Crisis in Iraq Act of 2007 (P.L. 110-181, as amended), and the Afghan Allies Protection Act of 2009 (P.L. 111-8, Division F, Title IV, as amended) enabled certain Iraqi and Afghan nationals to become eligible for a special immigrant visa (SIV) and qualify for the same federal assistance available to refugees.

<sup>40</sup> After the elected Afghan government's collapse and Taliban takeover in August 2021, Congress passed the Extending Government Funding and Delivering Emergency Assistance Act (P.L. 117-43, Division C, §2502), which provided certain Afghan parolees with benefits to the same extent as refugees until March 31, 2023, or the end of their parole term, whichever is later. For more information, see CRS Report R46950, *Afghan Eligibility for Selected Benefits Based on Immigration Status: In Brief*.

<sup>41</sup> In response to Russia's renewed invasion of Ukraine in February 2022, Congress passed the Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-128, Title IV, §401), which provided certain Ukrainian parolees with benefits to the same extent as refugees (with the exception of the initial resettlement program [i.e., the State Department's Reception and Placement Program]) until the end of their parole term. For more information, see CRS Report R47290, *Ukrainian Eligibility for Selected Benefits Based on Immigration Status: In Brief*.

<sup>42</sup> TPS holders are foreign nationals who have been granted temporary relief from removal due to armed conflict, natural disaster, or other extraordinary circumstances in their home countries that prevent their safe return. For more information, see CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*.

<sup>43</sup> DED recipients are foreign nationals from designated countries who have been granted a temporary, discretionary, administrative stay of removal at the President's discretion, usually in response to war, civil unrest, or natural disasters. For more information, see CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*.

<sup>44</sup> DACA recipients are unauthorized childhood arrivals who have been granted renewable two-year protection from removal. For more information, see CRS Report R45995, *Unauthorized Childhood Arrivals, DACA, and Related Legislation*.

<sup>45</sup> FMTPBs are programs where eligibility is partially based on one's household income. These include SSI, TANF, SNAP, non-emergency Medicaid, and the State Child Health Insurance Program (CHIP). For more information, see CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.

Moreover, if the alien does receive FMTPBs, the granting agency can seek reimbursement from the immigrant's sponsor.<sup>46</sup>

Some categories of noncitizens are not subject to these stricter rules for FMTPBs, including refugees, asylees, Cuban/Haitian entrants, Vietnamese-born Amerasians, and aliens granted withholding of removal.

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<sup>46</sup> For more information, see CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.