



CENTER ON BUDGET AND POLICY PRIORITIES

820 First Street, NE, Suite 510, Washington, DC 20002
Tel: 202-408-1080 Fax: 202-408-1056 center@cbpp.org www.cbpp.org

November 21, 2003

SSI BENEFITS BEING CUT OFF FOR MANY REFUGEES WHO ARE ELDERLY OR DISABLED

A new Center report, *Thousands of Refugees Who Are Elderly or Disabled Could Lose Supplemental Security Income in the Coming Months*, explains that some of the nation's most vulnerable immigrants will be cut off from vital Supplemental Security Income benefits over the next few months (and some will lose Medicaid coverage as well) unless Congress acts quickly.

The full report can be viewed at
<http://www.cbpp.org/11-13-03imm.htm>

The cutoff is the result of the 1996 welfare law, which limits many refugees and other immigrants admitted on humanitarian grounds to seven years of SSI benefits unless they become naturalized citizens. The rationale for the seven-year limit was the belief that all humanitarian immigrants could obtain U.S. citizenship (and thus retain SSI eligibility) within seven years. Unfortunately, the process for becoming a citizen is lengthy and can be arduous. Many refugees and other humanitarian immigrants who are elderly or disabled therefore find it difficult to obtain citizenship within the seven-year period.

For most of the individuals threatened with loss of SSI benefits, SSI is their *sole source of income*. These people are elderly or disabled, generally unable to work, and rarely qualify for Social Security or other retirement benefits. They do not have sponsors they can turn to for support. If they are terminated from SSI and Medicaid, they will face extreme hardships and likely destitution.

Other federal programs, such as food stamps, do not link humanitarian immigrants' eligibility for benefits to their length of residency in the United States. Congress can avert the loss of SSI benefits by delinking eligibility from length of residency for SSI as well.

Affected Immigrants Fled Persecution, Often Including Violence and Torture

The seven-year limit on SSI benefits applies to humanitarian immigrants who entered the country on or after August 22, 1996, as well as elderly humanitarian immigrants who arrived before that date but do not meet SSI disability standards. Those at risk include recent groups of humanitarian immigrants such as Russian Jews who fled the former Soviet Union, Iraqi Kurds fleeing persecution under the Saddam Hussein regime, Cubans fleeing the Castro regime, and former Yugoslavs displaced by the Balkan war.

The table at right shows the number of immigrants who will reach the seven-year cutoff in each of the next several years. The number who lose SSI benefits likely will be modestly lower, since some will have naturalized, died, or left the country before reaching the cutoff.

Number of Immigrants Projected to Reach Seven-Year Cutoff	
2003	5,331
2004	8,317
2005	7,140
2006	7,689
2007	9,817
2008	5,545
2009	2,434
Source: Social Security Administration, August 2003	

Obtaining Citizenship Within Time Limit Can Be Difficult or Even Impossible

U.S. citizenship requirements, as well as problems within the U.S. Citizenship and Immigration Services (USCIS, formerly INS), can make meeting the time limit very difficult.

- Immigrants are not allowed to apply for citizenship until they have lived continuously in the United States as lawful permanent residents for at least five years.
- Applicants must complete a detailed application, be interviewed by an immigration official, and pass tests of English language proficiency and U.S. history and civics. These tests can be difficult for people who are elderly or disabled, especially those whose mental capacity has diminished with advancing age. Applicants also must pay a \$250 fee.
- Lengthy delays exist in USCIS's processing of citizenship applications. These delays reflect recent increases in the number of applications, computer problems, insufficient staffing levels in some areas, and extensive background checks put in place after the September 11 terrorist attacks. Processing times generally exceed one year and average two to three years in some places.

For people fleeing persecution in their home country who were granted asylum in the United States, becoming a citizen can take far longer, since federal law limits the number of asylees who may become lawful permanent residents (a necessary step toward citizenship) each year. USCIS has compounded this problem by failing to use all of the slots available. This has helped create a very long waiting list of asylees seeking to become lawful permanent residents, some of whom may have to wait up to 10 years to have their applications processed.

Many Humanitarian Immigrants Face Barriers to Meeting Citizenship Requirements

In addition to those procedural issues, some humanitarian immigrants face other barriers to obtaining citizenship.

- Many have low education levels and limited (or no) English proficiency and thus will find the required English language test extremely difficult.
- Some have suffered great physical deprivation and psychological trauma before coming to the United States, in some cases including rape or torture. Health problems may make it difficult to attend the necessary English language classes or take the required tests.
- Some immigrants have been afraid to apply for citizenship, mistakenly believing they will be denied or even deported because they have received public assistance.

Recent media reports suggest that the SSI cutoffs are beginning to impose considerable hardship. Before adjourning for the year, Congress should provide a short-term grace period to prevent these elderly and disabled humanitarian immigrants from being cut adrift and threatened with destitution until Congress and the President can address this issue next year.