

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 7, 2003

REFUGEE COORDINATOR LETTER NO. 03-04

TO: COUNTY REFUGEE COORDINATORS
MUTUAL ASSISTANCE ASSOCIATIONS
VOLUNTARY RESETTLEMENT AGENCIES
COUNTY REFUGEE FORUM CHAIRS
STATE ADVISORY COUNCIL MEMBERS

SUBJECT: SEVEN YEAR TIME LIMIT FOR REFUGEES ON THE SUPPLEMENTAL
SECURITY INCOME/STATE SUPPLEMENTARY PAYMENT PROGRAM

This is to bring to your attention the seven year time limit on the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program. This time limit applies to some non-citizens including refugees, asylees, Cuban/Haitian entrants, and Amerasians who entered the United States (U.S.) on or after August 22, 1996. Non-citizens may reach their time limit this year, as early as August 2003.

The Balanced Budget Act of 1997 (Public Law No. 105-33) which was signed into law on August 5, 1997 contained several provisions that affect refugees participating in SSI/SSP. These provisions are effective as if they were included in the August 22, 1996 enactment of Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act.

SSI/SSP provides cash assistance to eligible aged, blind, and disabled persons. For some non-citizens including refugees, Cuban/Haitian entrants, and Amerasians, SSI/SSP is only available for the first seven years after arrival to the U.S. Asylees are allowed benefits for seven years from the date they are granted asylum. These individuals must obtain U.S. citizenship in order to remain eligible for SSI/SSP after seven years.

The seven year time limit is most critical for individuals who entered the U.S. on or after August 22, 1996. This is because any non-citizen who was already receiving SSI/SSP prior to August 22, 1996 will continue to remain eligible for SSI/SSP with no time limit. Additionally, any individual who was legally in the U.S. prior to August 22, 1996 and was not receiving SSI/SSP but subsequently applies for SSI/SSP for disability, and if otherwise eligible for SSI/SSP, may receive benefits with no time limit. Any individual who was legally in the U.S. prior to August 22, 1996 and subsequently applies for SSI/SSP because they have reached age 65 and are not disabled, they will only be allowed SSI/SSP for their first seven years in the U.S. unless they obtain U.S. citizenship.

As an alternative to the citizenship process, an individual may apply for the Cash Assistance Program for Immigrants (CAPI). CAPI provides cash assistance to immigrants who are otherwise eligible for SSI/SSP but are denied SSI/SSP solely due to their immigration status. There is no time limit for receiving CAPI. Please note that CAPI benefits are only available to aged, blind, or disabled immigrants who are denied SSI/SSP benefits solely due to immigration status. They must have documented proof that their SSI/SSP has been denied or discontinued in order to be eligible for CAPI.

Please be sure all non-citizens in your communities are aware of the services available to them to obtain U.S. citizenship, and/or they are notified of the opportunity to apply for benefits under CAPI.

Should you have any questions or need further information, please contact me or Ms. Janet Sandlin of my staff at (916) 654-4356.

Sincerely,

***Original Signed by
Thuan Nguyen 3/10/03***

THUAN NGUYEN, Chief
Refugee Programs Branch