

Different Statuses, Different Benefits: Determining Federal Assistance for Afghan Evacuees

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The Biden administration anticipates that 65,000 Afghan evacuees will have entered the United States by the end of September, with an additional 30,000 expected over the next 12 months. Many have suffered physical or emotional trauma as Afghanistan transitioned to Taliban rule. Having just experienced the loss of homes, communities, and livelihoods, newly arriving Afghans now face the challenges of resettling in a new country. Helping these families become part of their new communities will call for partnerships across government, nongovernmental organizations (NGOs), businesses, diaspora and faith-based groups, schools, health-care providers, and community volunteers.

One complication is that Afghans are entering with a range of legal statuses, with important implications for their ability to access benefits and services (see Table 1). As communities plan support for arriving Afghans, it is useful to understand these different statuses and the consequences for eligibility for assistance.

Given the numbers of those arriving, services and supports for resettlement and integration will be needed in multiple U.S. communities. While the Washington, DC area and California have been the top destinations for Afghans living in the country before the evacuations began, the federal government has indicated that evacuees will be initially settled in at least 46 states.

Arriving Afghans generally fall in one of the following groups:

- **Special Immigrant Visa (SIV) recipients**. These visa holders worked for the U.S. government or government contractors in Afghanistan for at least a year; the visas also cover their immediate families.

- **Refugees**. They include those who worked for the U.S. government or government contractors for less than a year in Afghanistan, who worked for U.S.-funded programs or projects, or were employed by a U.S.-based media organization or NGO. Spouses and children also are covered.
- **SQ/SI parolees**. These are individuals with pending applications for SIV status.
- **Humanitarian parolees**. This final category is for Afghans who do not have SQ/SI status, and who will likely be seeking asylum in the United States.

While the U.S. government has not provided a breakdown for the various statuses, it seems likely that the largest group of Afghan arrivals will be comprised of humanitarian parolees seeking asylum, and the smallest group will be refugees.

This has significant implications not only for the evacuees themselves, but for the government agencies and service providers at federal, state, and local levels seeking to ease the newcomers' integration.

SIVs qualify for lawful permanent residence (also known as getting a green card) upon admission to the United States; refugees can qualify for lawful permanent residence after one year in the country. Parolees do not have a path to a green card unless they can qualify on another basis, such as having an SIV or asylum application approved.

Who Qualifies for What Benefits?

As is the case for refugees and SIVs, SQ/SI parolees will qualify for Reception and Placement Services (R&P) funded through the State Department's Bureau of Population, Refugees, and Migration; services and benefits funded through the federal Office of Refugee Resettlement (ORR); and other federally funded public benefit programs. Humanitarian parolees will be eligible for a comparable though different program than R&P services, but will not qualify for ORR services and benefits and will face limited access to important federal assistance programs.

Table 1. Immigration and Public Benefits for Afghan Arrivals by Legal Status

	Refugees and SIVs	SQ/SI Parolees	All Other Parolees
Immigration status conferred	SIVs immediately receive a green card; refugees are eligible after one year. Both groups can apply for citizenship after five years.	Receive a green card if the SIV application is approved; could then apply for citizenship after five years.	No path to a green card unless they can establish another basis, such as qualifying for asylum.
Reception and Placement Services	Yes	Yes	Afghan Parolee Support Program is intended to be substantial equivalent.
ORR Social Services	Yes	Yes	No
ORR-funded Cash and Medical Assistance	Yes	Yes	No
Supplemental Nutritional Assistance Program (SNAP)	Yes	Yes	Only children are eligible.
Medicaid	Yes	Yes	Only for pregnant women and children and youth under 21 at state's option.
Temporary Assistance for Needy Families (TANF) and Supplemental Security Income (SSI)	Yes	Yes	No
Child Care	Yes	Yes	Yes
Head Start; Early Head Start; Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV); Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	Yes	Yes	Yes
Workforce services under <i>Workforce Innovation and Opportunity Act</i>	Yes	Yes	Yes for Title I services if individual is work authorized Yes for Title II services whether or not work authorized, unless restricted by state.

Refugees and SIVs

For refugees and SIVs, R&P services are provided through resettlement agencies in the first 30 to 90 days after arrival, providing a lifeline to initial resettlement activities such as securing housing, food, and other basic needs, as well as assistance getting linked to other needed services and supports.

ORR-funded services and benefits are mostly provided through grants to state refugee coordinators and include social services to promote employment, often administered through grants and contracts to resettlement agencies and other NGOs, as well as up to eight months of cash assistance for those who

are ineligible for other federal cash assistance programs and up to eight months of medical assistance for those who are ineligible for Medicaid. Cash assistance is typically provided at a level comparable to that provided in the Temporary Assistance for Needy Families (TANF) program: generally less than \$500 a month for a family of three in most states. As an alternative to cash assistance, some refugees may participate in the federal Matching Grant program, in which resettlement agencies provide job placement and related services and assistance for highly employable refugees.

Federal law imposes restrictions on eligibility for public benefits for many immigrants, but these restrictions do not apply to refugees and SIVs. As a result, newly arriving refugees and SIVs are eligible for federal, state, and local public benefits to the same extent as U.S. citizens.

SQ/SI Parolees

The federal government has indicated that persons arriving as SQ/SI parolees will be treated the same as SIVs, meaning they will be eligible for both R&P services and ORR-funded services and benefits; they will not be subject to restrictions on access to public benefits that apply to many other immigrants.

Humanitarian Parolees

The rules will be different for humanitarian parolees who do not have SQ/SI status. They will be eligible for a newly established Afghan Parolee Support Program, which is intended to be the substantial equivalent of the R&P program, but they will not be eligible for ORR-funded benefits and services available to refugees and SIVs.

More broadly, there also are mainstream public benefits programs that serve as the safety net for many low-income households, including immigrant and U.S.-born families. For purposes of mainstream programs such as child-care and housing assistance, federal law distinguishes by how long a person has been paroled into the country.

Those paroled for less than a year are ineligible for almost all federal public benefits with very narrow exceptions, such as immunizations for communicable diseases, emergency Medicaid, and certain other forms of emergency or disaster assistance. However:

- Children can be eligible for programs that do not impose citizenship/immigration requirements such as Head Start and Early

Head Start; the Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV); the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and free and reduced priced meals.

- Children and youth up to age 21 and pregnant women, even if paroled into the United States for less than a year, may qualify for Medicaid under a state option in section 214 of the *Children's Health Insurance Program Reauthorization Act of 2009* (CHIPRA).
- Parolees, regardless of length of parole, can qualify for subsidies available through the Health Care Marketplace under the *Affordable Care Act*.

Those paroled in the country for one year or more are eligible for all public benefits except as follows:

- They are ineligible for federally funded TANF and Supplemental Security Income (SSI) for their first five years in the United States.
- Adults are ineligible for Supplemental Nutritional Assistance Program (SNAP) for their first five years in the country, though children are eligible.
- All non-pregnant adults are ineligible for Medicaid for their first five years in the country. Children and youth up to the age 21 and pregnant women entering as parolees, regardless of the length of parole, may be eligible for Medicaid if their state has taken a federal option to make them eligible under section 214 of CHIPRA.

Both SQ/SI and humanitarian parolees will be eligible for work authorization. When work authorized, they can be eligible for employment services under Title I of the *Workforce Innovation and Opportunity Act* (WIOA). Even before attaining work authorization, they can be eligible for English language assistance under WIOA Title II unless the state has limited eligibility to work-authorized persons.

Given this framework, unless Congress modifies federal law or the administration identifies additional ways to provide assistance, humanitarian parolees, many of whom may be awaiting asylum determination, will not be eligible for ORR-funded benefits and services or mainstream federally funded cash assistance. Adults will be ineligible for SNAP, and these parolees will be ineligible for Medicaid unless they are pregnant or under age 21 in a state that has elected to provide that assistance.

The administration has called on Congress to make all arriving Afghan parolees eligible for benefits and services to the same extent as refugees, and it is anticipated that lawmakers may take up the issue during upcoming negotiations over a short-term spending package to fund government operations into the new fiscal year that begins October 1.

If such provisions are adopted, the situation would be significantly improved for arriving Afghan humanitarian parolees. However, it seems clear that in any case help from states, localities, philanthropy, and private donors will be important for these newcomers. Parolees will benefit from services that facilitate rapid employment and subsequent access to child-care assistance and other supports for work, legal services to petition for asylum or other statuses that could provide a path to lawful permanent residence and citizenship, and efforts to connect their children with early childhood programs and other important benefits for which they are eligible.

Links

MPI's Human Services Initiative

www.migrationpolicy.org/news/afghan-evacuees-different-statuses-different-benefits.