



SNAP Food Assistance: Immigrants & Public Charge

Updated October 2020

In February 2020, the Trump Administration changed an immigration rule called “Public Charge.”¹ This FAQ explains how public charge affects SNAP -- a federal nutrition benefit that helps low-income families put food on the table. **Before you decide not to apply or to stop your family’s benefits, be sure you know the facts.**

What is Public Charge?

The Public Charge test is used by immigration officials to decide if certain immigrants can enter the U.S. or get a Green Card (Lawful Permanent Residency). Officials *look at all* of the person’s circumstances including: income, employment, health, age, education or skills, family situation, receipt of certain federal benefits, and if a sponsor signed an “affidavit of support.”

Many immigrants eligible for SNAP can still safely get SNAP under the new public charge rules. SNAP eligibility is limited to low-income U.S. citizens and certain “qualified” legally present immigrants.² The Public Charge rule **does not apply** to programs like WIC, school meals or help from food pantries.

Where do I find more information or get help?

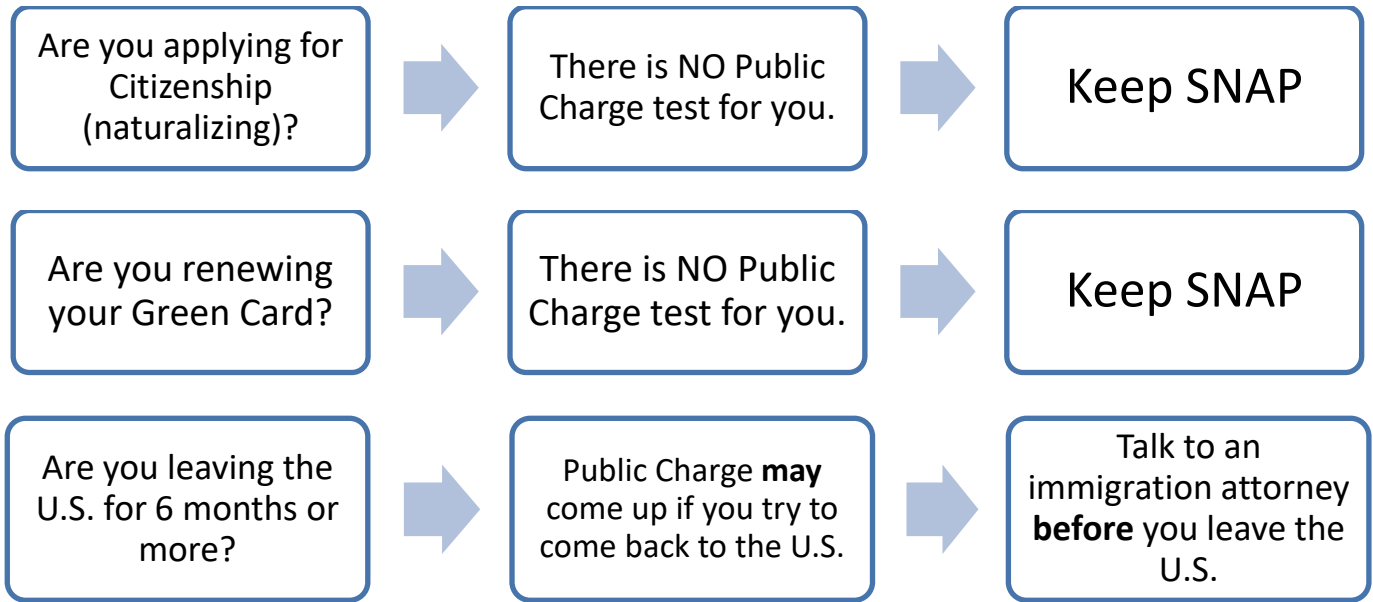
- ⇒ Visit the State’s webpage on public charge: [Mass.gov/info-details/information-about-the-public-charge-rule-and-how-it-may-impact-you](https://www.mass.gov/info-details/information-about-the-public-charge-rule-and-how-it-may-impact-you)
- ⇒ Visit our legal services webpage for information and a list of legal resources: [Masslegalservices.org/publiccharge](https://www.masslegalservices.org/publiccharge)
- ⇒ For help applying for SNAP or to find food resources in your community:
Call Project Bread’s FoodSource Hotline: 1-800-645-8333
- ⇒ Contact MLRI if you are a Massachusetts organization with questions about the SNAP rules for immigrants. You can contact: Pat Baker at pbaker@mlri.org or Vicky Negus at vnegus@mlri.org

This resource is NOT a replacement for legal advice from a trained immigration attorney. If you are *actively* applying to bring a family member to the U.S. from another country or seeking to adjust your status in the U.S., you should consult with an immigration attorney.

¹ Officials will only look at receipt of certain federal benefits, like SNAP, *after* February 24, 2020 (the date the rule went into effect). A lawsuit has been filed challenging the rule. But, the rules are in effect unless the court decides to stop them.

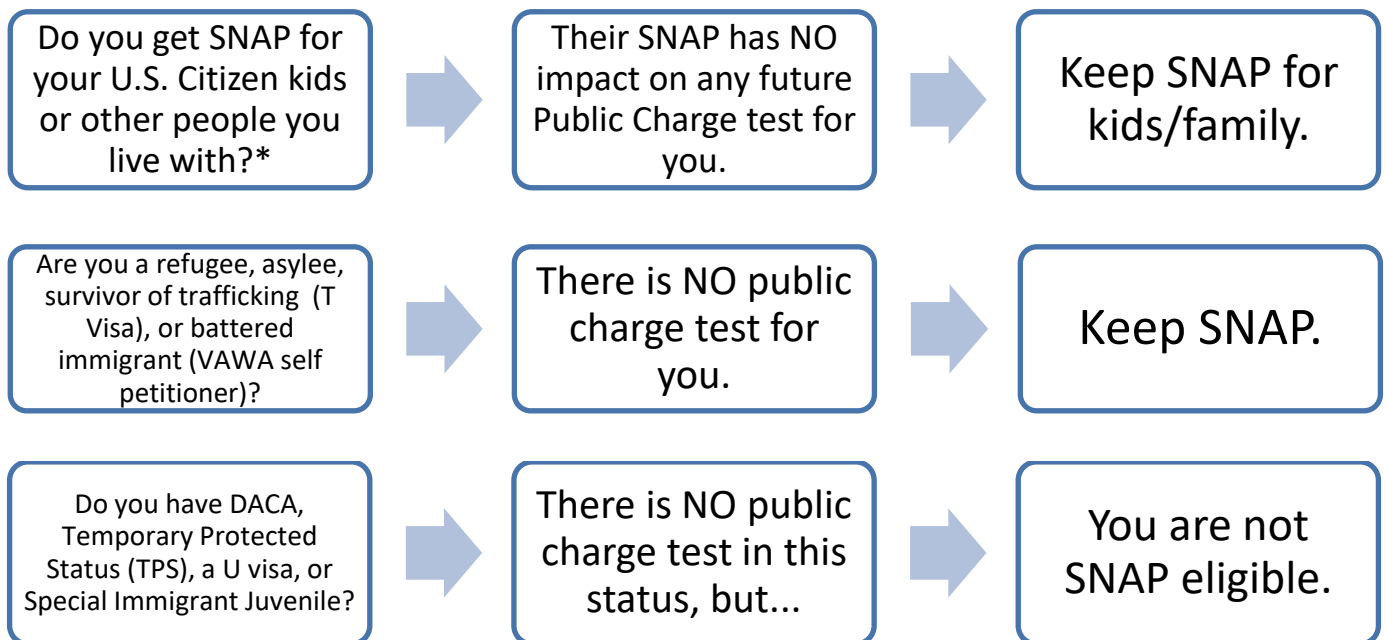
² “Qualified” immigrants include Lawful Permanent Residents (“Green Card” holders), refugees, asylees, and certain battered immigrants. See MLRI’s [SNAP Advocacy Guide](#) for more information on who is eligible.

What to know about Public Charge and SNAP if you HAVE a Green Card:



Note: To qualify for SNAP, adults with Green Cards typically need to have Lawful Permanent Residency status for 5 years. This 5-year rule does not apply to a child under 18, adults with a severe disability or sufficient work history, or those who entered as refugee or asylee or other special category.

What to know about Public Charge and SNAP if you Do NOT Have a Green Card:



*If you are an ineligible immigrant, you can still apply to get SNAP for eligible household members, such as your U.S. citizen children. Your income, if any, will count as part of the SNAP case. You will get an EBT card on their behalf with your name on it, but the benefits are for your eligible household members.