THE CLASS OF 1964 POLICY RESEARCH SHOP ESTIMATING THE COSTS AND BENEFITS OF STATE-FUNDED SNAP AND TANF PROGRAMS FOR IMMIGRANTS IN MASSACHUSETTS



PRESENTED TO THE JOINT COMMITTEE ON CHILDREN AND FAMILIES, MASSACHUSETTS STATE LEGISLATURE **Rep. Jay Livingstone and Sen. Robyn Kennedy, Chairs**

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EXECUTIVE SUMMARY

Immigrant eligibility for federal public benefits programs is governed by a patchwork of federal laws and regulations. Federal public benefits programs include programs such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF). Prior to the passage of the Personal Responsibility and Work Act (PRWORA) in 1996, lawful permanent residents were generally eligible for these benefits in a manner similar to United States (U.S.) citizens. However, PRWORA divided immigrants into various categories such that certain groups of immigrants were considered "qualified" to receive benefits while many others were not.

This law had the effect of greatly restricting access to benefits for a significant number of immigrants, many of whom subsequently faced five-year waiting periods or were completely barred from receiving benefits altogether. Furthermore, Congress later carved out numerous exceptions to PRWORA policies, largely on an ad hoc basis. The end result of this process as it stands today is a complicated set of eligibility guidelines that are difficult to navigate, particularly for immigrants who may lack English proficiency or may be concerned about issues related to public charge, mixed status families, or sponsor deeming.

After many immigrants were barred from receiving federally funded benefits, some states began to utilize their own funding to deliver similar benefits to these immigrant populations. Massachusetts previously had this kind of policy in place; however, the program ended after 2002. Currently, there are five states in the U.S. which have state-funded food assistance programs (similar to SNAP) and over 20 states which have state-funded cash assistance programs (similar to TANF).

Massachusetts is currently considering Bill H. 135/S. 76: *An Act establishing basic needs assistance for Massachusetts immigrant residents* which would create a framework to restore broad immigrant eligibility for food and cash assistance. The creation of these state-funded SNAP and TANF look-alike programs and the eventual disbursement of benefits would then be subject to the appropriation of sufficient funding in the next state budget process. The overarching aim of this report is to estimate the costs and benefits of implementing these programs in Massachusetts.

Section 1 of this report provides a brief introduction to the welfare system in the U.S., with a focus on the policies that relate to immigrant eligibility for benefits. This section describes the impact of PRWORA, the current benefits eligibility guidelines for immigrants, the federal policy landscape for immigrant benefits reform, and other barriers that immigrants face when trying to access benefits.

Section 2 consists of an overview of the benefits programs and policies in Massachusetts. In addition to delineating the history of state funded benefits in Massachusetts, this section of the report summarizes the various food and cash assistance programs which are currently operating in the state and then further examines the proposed legislation described above. Section 3 outlines the demographics of the immigrant population in Massachusetts.

Section 4 considers the set of five states that offer both state-funded SNAP- and TANF-type benefits programs and evaluates each of these programs with respect to their eligibility guidelines, caseload, and costs to the state in question.

Section 5 then applies the findings of these state-based case studies to Massachusetts. This section begins with a depiction of SNAP and TANF take-up rates among immigrants. Next, this section continues with a discussion of findings from the literature on the costs and benefits of SNAP and TANF and an analysis of the Chelsea Eats study, a local cash assistance experiment that targeted an immigrant community in Massachusetts. This section of the report concludes with a simple model of the projected costs to the state of implementing the proposed food and cash assistance programs for immigrants. These cost estimates rely on data from Washington state as presented in the corresponding state-based case study given that the proposed programs in Massachusetts would be very similar to those currently operating in Washington. The main takeaways from the cost estimate analysis are as follows:

- Providing state-funded food and cash assistance benefits to the relevant immigrant population in Massachusetts is projected to cost approximately \$39.3 million annually for a full caseload of recipients. However, as described in depth in Section 5.4, there are numerous factors that would function to raise or lower these costs in practice. In addition, costs would be lower than this amount during the initial ramp-up period.
- For a few different reasons, state expenditures for these benefits programs are largely driven by the costs of providing and administering the state-funded SNAP benefits (approximately 85 percent of the total costs listed above) rather than the state-funded TANF benefits (approximately 15 percent of the total costs listed above).
- As is the case in Washington state, a large proportion of the state-funded benefits in Massachusetts will go to mixed status households. Thus, the state will only be responsible for paying the incremental costs of benefits for additional recipients in households where at least one family member already receives federally funded benefits.
- Lastly, the estimated costs of providing the proposed state-funded food and cash assistance in Massachusetts would amount to just over 1.5 percent of the total value of the federal SNAP benefits and TANF cash assistance benefits distributed in the state. The estimated costs to provide these state-funded food and cash assistance benefits is also dwarfed by the amount already being spent on other Massachusetts state-specific benefits programs like EAEDC and EA shelter.

1 INTRODUCTION TO WELFARE REFORM

Massachusetts is currently considering legislation that proposes restoring broad immigrant eligibility for food and cash assistance benefits. In order to understand this proposed policy change, it is important to first explore how United States welfare policy with respect to immigrants has evolved over time. Thus, this section of the report will provide an overview of the history of U.S. welfare reform with an emphasis on the Personal Responsibility and Work Act and its impact on immigrant eligibility for federal benefits. This section will conclude by describing the federal policy landscape with regards to welfare reform for immigrants as well as additional barriers that currently prevent these populations from receiving benefits for which they qualify.

1.1 HISTORY OF WELFARE REFORM IN THE UNITED STATES

Commencing with the adoption of English Poor Laws in the colonial era, welfare policy in the U.S. has gone through several phases often shaped by the prevailing political attitudes of the time.¹ In the 1960s, the "War on Poverty" movement gained traction, leading to an easing of federal welfare requirements.² In the following decades, political leaders grew increasingly concerned about the growth of welfare benefits. For example, in 1992, then-Governor Clinton campaigned on the policy promise of "ending welfare as we know it."³

While federal benefits programs have long excluded certain immigrants from eligibility (such as undocumented immigrants and those with non-immigrant visas), the passage of PRWORA in 1996 brough about an "unprecedented era of restrictionism."⁴ Prior to this policy change, lawful permanent residents of the U.S. were generally eligible for assistance in a manner similar to U.S. citizens.⁵ Once PRWORA was implemented, however, many lawfully residing immigrants were barred altogether from receiving assistance from major federal benefits programs while others faced lengthy waiting periods.⁶ Since the initial passage of PRWORA, Congress has revised eligibility requirements several times in response to world events or other policy changes, thereby carving out exceptions for certain immigrant groups to establish or regain their eligibility.⁷ This has led to fear and confusion over complicated eligibility guidelines. Many eligible immigrants have erroneously avoided seeking benefits, meanwhile workers have turned away eligible immigrants by accident.⁸

1.2 PERSONAL RESPONSIBILITY AND WORK ACT (PRWORA)

PRWORA classifies immigrants into multiple categories with respect to eligibility for federal benefits and thereby bars many immigrants who enter the U.S. from accessing "federal means-tested public benefits."⁹ The term, "federal means-tested public benefits programs," was initially intended to cover all safety-net services paid for by federal funds.¹⁰ However, PRWORA's definition of this term did not stipulate which specific benefits programs were included, leaving the ultimate decision to each federal benefits-granting agency.¹¹ Federal agencies, including Department of Health and Human Services in its 1998 notice, clarified that "federal means-tested public benefits" include Medicaid (except for emergency services), the Children's Health Insurance Program (CHIP), TANF, SNAP, and the Supplemental Security Income (SSI) program.¹² While Congress would later create exceptions to PRWORA policies, approximately two-thirds of the initial cuts in eligibility remain in place.¹³ For example, Congress reversed its decision to eliminate SSI for elderly and disabled legal immigrants already receiving benefits but preserved limitations preventing additional immigrants from enrolling.¹⁴

Perceptions of PRWORA and its legacy vary. Advocacy groups have criticized the effect of PRWORA on immigrant perceptions of federal assistance programs.¹⁵ Despite outreach efforts, many eligible immigrants and their citizen children continue to avoid benefits programs like Medicaid and SNAP. This is particularly impactful given that a significant portion of the low-wage working population in the U.S. are immigrants, and nearly one-quarter of children in poverty have an immigrant parent.¹⁶ Some research studies have found that the implementation of PRWORA led to declines in health insurance coverage, health care utilization, and health outcomes.¹⁷ Overall, however, the results in the literature are mixed with some studies finding negative impacts, others finding positive impacts, and some finding no impact at all.¹⁸ On the other hand, certain think tanks and advocacy organizations have championed PRWORA savings for taxpayers. Cuts to immigrant eligibility through PWORA were estimated to save \$22 billion over six years.¹⁹

1.3 IMPACT OF PRWORA ON BENEFITS ELIGIBILITY

Under PRWORA, individual eligibility for various benefits programs depends on the particular immigration status of the individual. As depicted below, immigration status is separated into two overarching categories: lawfully present versus not lawfully present.²⁰ Individuals considered lawfully present are non-U.S. citizens who have a valid immigration status, meaning that they are currently permitted to remain in the U.S. by the Department of Homeland Security, one of its agencies, or the Department of Justice.²¹ Individuals who are not lawfully present do not have a valid immigration status.

Non-citizen Group	Sub-group	Eligibility
Lawfully Present	Qualified	Immediately eligible
	Qualified Barred	Eligible after five-year waiting period (five-year bar)
	Nonqualified Lawfully Present	Not eligible
Not Lawfully Present	Nonqualified PRUCOL	Not eligible
	Other Nonqualified Non-citizens	Not eligible

Table 1.3.1: Immigration Status and Eligibility for Federal Public Benefits²²

Lawfully present immigrants are further subdivided by their immigration status into qualified, qualified barred, and nonqualified groups for the purposes of determining benefits eligibility.²³ Qualified noncitizens are immediately eligible to receive benefits upon obtaining a valid immigration status. Qualified non-citizens who are barred typically must wait five years after obtaining a valid immigration status in order to become eligible for benefits. Nonqualified lawfully present individuals never become eligible to receive benefits unless their immigration status changes.²⁴

Qualified non-citizens consist of two major groups. The first group includes those immigrants who have or had a status not subject to the five-year bar such as:²⁵

- 1. Asylees*
- 2. Refugees*
- 3. Persons who have been granted withholding of deportation/removal under the Immigration and Nationality Act (INA)*
- 4. Veterans and those on active duty in the U.S. armed forces as well as the spouse, un-remarried surviving spouse, or unmarried dependent children of veterans or those on active duty*
- 5. Cuban and Haitian entrants*
- 6. Members of a federally recognized Indian tribe/Alaska Native villages and corporations, Canadian-born Indian Americans with at least 50 percent American Indian blood, and Canadian-born Indian Americans with less than 50 percent American Indian blood who have been continuously residing in the U.S. since prior to December 24, 1952*
- 7. Victims of severe forms of human trafficking and their spouse, child, sibling, or parent*
- 8. Conditional entrants under the INA prior to April 1st, 1980
- 9. Amerasian immigrants*
- 10. Special immigrants from Iraq and Afghanistan*
- 11. Humanitarian parolees from Afghanistan and Ukraine*
- 12. Compact of Free Association (COFA) immigrants from Micronesia, the Marshall Islands, or Palau (for Medicaid purposes only)

The second group of qualified non-citizens includes immigrants who have a status potentially subject to the five-year bar but are now not barred either because they have met the five-year waiting period or are otherwise exempt.²⁶ Exemptions vary by benefit program but overall eligibility for SNAP and TANF within the Massachusetts context is summarized in Table 1.3.2. In general, this second group of qualified non-citizens includes immigrants who fall into one of the following three categories:²⁷

- 1. Lawful permanent resident (LPR/Green Card holder)
- 2. Humanitarian parolees granted parole status in the U.S. for more than one year
- 3. Battered immigrants and their child(ren)/parent(s)

And they meet one of the following two criteria:

- 1. They have had LPR/Parole/Battered immigrant status for five years or longer
- 2. They are exempt from the five-year bar
 - a. Also fall into one of the "Refugee Group" categories above marked by *

b. Meet other program-specific exemption criteria (such as receiving disability-based benefits, LPRs credited with 40 quarters of work, etc.; summarized for the Massachusetts context in Table 1.3.2)

Qualified barred immigrants have held one of the following statuses for less than five years and are not exempt from the five-year bar:²⁸

- 1. Lawful permanent resident (LPR/Green Card holder)
- 2. Humanitarian parolees granted parole status in the U.S. for more than one year
- 3. Battered immigrants and their child(ren)/parent(s)

Nonqualified lawfully present immigrants include the following groups:²⁹

- 1. Humanitarian parolees granted parole status in the U.S. for less than one year (not including those paroled for prosecution, deferred inspection, or pending removal proceedings)
- 2. Persons who have been granted withholding of deportation/removal under the Convention against Torture (CAT)
- Persons with a valid non-immigrant status (including student visas (F-visas), crime victims (U-visas), specialty workers (H-visas), religious workers (R-visas), and others as defined in 8 U.S.C. 1101(a)(15) or otherwise under immigration laws as defined in 8 U.S.C. 1101(a)(17))
- 4. Persons with Temporary Protected Status (TPS) or individuals with pending applications for TPS who have been granted employment authorization
- 5. Persons who are under Deferred Enforced Departure (DED) authorized at the discretion of the President of the United States
- 6. Persons who have been granted Deferred Action status (except for individuals granted status under the Department of Homeland Security's (DHS) Deferred Action for Childhood Arrivals (DACA) program who are considered nonqualified PRUCOL as described below)
- 7. Children who have pending applications for Special Immigrant Juvenile (SIJ) status or who have been granted SIJ status but have not yet received a green card
- 8. Persons with an approved visa petition who have pending applications for adjustment of status
- 9. Persons who have pending applications for asylum and have either:
 - a. Been granted employment authorization, or
 - b. Are under the age of 14 and have had their application pending for at least 180 days
- 10. Persons who have pending applications for withholding of removal under 8 USC 1231 or the CAT and have either:
 - a. Been granted employment authorization, or
 - b. Are under the age of 14 and have had their application pending for at least 180 days
- 11. Persons granted work authorization under 8 CFR 274a.12(c) which includes but is not limited to registry applicants, individuals under an order of supervision, applicants for cancellation of removal or suspension of deportation, applicants for adjustment of status, applicants for TPS, and persons granted Family Unity benefits under the LIFE Act
- 12. Persons who have been granted temporary resident status under 8 USC 1160 or 1255(a)

13. Persons who have been granted an administrative stay of removal under 8 CFR 241

Non-lawfully present immigrants are comprised of two groups: immigrants considered PRUCOL versus all other non-citizen immigrants that do not fall into this group (or any of the above groups).³⁰ PRUCOL stands for "persons residing (in the United States) under color of law." The Massachusetts government defines PRUCOL as "any non-citizen living in the United States with the knowledge and consent of the DHS, and whose departure the DHS does not contemplate enforcing."³¹ The first component of this definition, "knowledge and consent of the DHS," means that an individual has documentation indicating that the U.S. government (generally USCIS) is aware that they are residing in the country.³² The second component of this definition, "whose departure the DHS does not contemplate enforcing," means that the DHS has not yet taken any action to remove the individual or that the DHS has not followed through on an initiated removal action.³³ It is important to note that PRUCOL is not an immigration status but rather an eligibility category for needs-based benefits.³⁴ As such, the term PRUCOL will not appear on any official immigration documents.

Immigrants that are considered PRUCOL consist of the following groups:³⁵

- 1. Non-citizens living in the U.S. who have been granted an indefinite stay of deportation
- 2. Non-citizens living in the U.S. who have been granted an indefinite voluntary departure
- 3. Non-citizens and their families who are covered by an approved immediate relative petition, entitled to voluntary departure, and whose departure the DHS does not contemplate enforcing
- 4. Non-citizens who have been granted voluntary departure by the DHS or an Immigration Judge and whose deportation the DHS does not contemplate enforcing
- 5. Non-citizens who have been granted suspension of deportation and whose departure the DHS does not contemplate enforcing
- 6. Non-citizens living under orders of supervision who do not have employment authorization in accordance with 8 CFR 274a.12(c)
- Non-citizens who entered and have continuously lived in the U.S. since before January 1st, 1972
- 8. Non-citizens who have pending applications for asylum and have either:
 - a. Not been granted employment authorization or
 - b. Are under the age of 14 and their application has been pending for less than 180 days
- 9. Non-citizens who have pending applications for withholding of removal under 8 USC 1231 or the CAT and have either:
 - a. Not been granted employment authorization or
 - b. Are under the age of 14 and their application has been pending for less than 180 days
- 10. Non-citizens who have DACA status or have a pending application for DACA status
- 11. Non-citizens who have filed an application, petition, or request to obtain a lawfully present status that has been accepted as properly filed, but who have not yet obtained employment authorization and whose departure the DHS does not contemplate enforcing
- 12. Any other non-citizen living in the U.S. with the knowledge and consent of the DHS, and whose departure the DHS does not contemplate enforcing. (This includes persons granted

Extended Voluntary Departure due to conditions in the non-citizen's home country based on a determination made by the U.S. Secretary of State.)

The second group of non-lawfully present immigrants includes all immigrants who are both not lawfully present and do not have an immigration status considered PRUCOL. This group includes undocumented immigrants who are not considered PRUCOL because they do not have any documentation indicating that the DHS acknowledges their presence in the U.S.³⁶

Because the eligibility rules described here can vary by benefits program and setting, the table below summarizes SNAP and TANF eligibility by immigration status in Massachusetts specifically.

Immigration Status	SNAP	TANF (known as TAFDC in MA)
J.S. citizens (born in the United States or naturalized) and Native Americans	Eligible	Eligible
Qualified non-citizens (includes those with refugee group"* status, victims of trafficking, and veterans/active-duty service members and digible family members; excludes COFA mmigrants for purposes of SNAP and TAFDC)	Eligible	Eligible
Lawful permanent residents (LPRs/Green Card holders) Humanitarian parolees (granted parole status in he U.S. for more than 1 year)	Eligible if meets one of the following criteria: • Is under age 18	Eligible if meets one of the following criteria:
	 Has lived in the U.S. as a qualified immigrant for 5 years Previousy held "refugee group"* 	 Has lived in the U.S. as a qualified immigrant for 5 years Previousy held "refugee group"*
	status • Receives a cash or medical disability-based benefit	status • Physically entered the U.S. before 8/22/96
	 Has lawfully resided in the U.S. since 8/22/96 and was 65 years or older on that date Can be credited with 40 quarters of work 	• Is a battered noncitizen (see below
Battered non-citizens and their	Eligible if meets one of the following	Eligible
hild(ren)/parent(s)	criteria:	
	 Is under age 18 Has lived in the U.S. as a qualified immigrant for 5 years 	
	 Receives a disability-based benefit Has lawfully resided in the U.S. since 8/22/96 and was 65 years or older on that date 	
	• Can be credited with 40 quarters of work	
PRUCOLs (persons residing in the United States under color of law)	Generally not eligible (exceptions include also falling into another eligible category such as battered non- citizens, Cuban/Haitian entrants,	Generally not eligible (exceptions include also falling into another eligible category such as battered non citizens, Cuban/Haitian entrants,
	parolees, etc.)	parolees, etc.)
Non-immigrant (tourist, student)	No	No
Undocumented/out of status	No	No

Table 1.3.2: Summary of SNAP and TANF Eligibility in Massachusetts by Immigration Status³⁷

1.4 FEDERAL POLICY LANDSCAPE FOR IMMIGRANT BENEFITS REFORM

At the federal level, Representatives Pramila Jayapal (D-WA) and Tony Cárdenas (D-CA) introduced the Lifting Immigrant Families Through Benefits Access Restoration (LIFT the BAR) Act in 2021; Senator Mazie Hirono (D-HI) introduced the bill to the U.S. Senate in 2022.^{38,39} The purpose of the

LIFT the BAR Act was to amend PRWORA in the following ways in order to expand access to SNAP, TANF, and other benefits for lawfully present immigrants:⁴⁰

- 1. Restore eligibility for federal public benefits to all lawfully present immigrants by redefining "qualified" immigrants to include groups that were previously deemed permanently ineligible (such as DACA recipients, among others)
- 2. Lifts the five-year bar or waiting period that currently prevents specific qualified immigrant groups from accessing certain federal benefits which include not only SNAP and TANF but also Medicaid, CHIP, and SSI
- 3. Remove additional provisions which currently:
 - a. Restrict or deter access to the above programs for immigrants with sponsors
 - b. Allow states to impose more restrictive eligibility criteria
 - c. Limit the ability of states and localities to establish more inclusive benefit programs for immigrants with their own funds

While the LIFT the BAR Act gained 100 co-sponsors in the U.S. House of Representatives and 11 co-sponsors in the U.S. Senate during the 117th session of Congress (2021-2022), it did not gain sufficient support to pass at that time.^{41,42} The LIFT the BAR Act was recently reintroduced in the latest session of the Congress.⁴³

In Massachusetts specifically, implementing the policies outlined in the LIFT the BAR Act would impact tens of thousands of immigrants. Estimates as of January 2022 indicate that Massachusetts has approximately 330,000 Lawful Permanent Residents (LPRs, also known as Green Card holders), a large percentage of whom are currently subject to the five-year bar.⁴⁴ These individuals and their families would potentially benefit if the policies included in the LIFT the BAR were implemented. For example, over 47,000 children in Massachusetts have an LPR parent who is not eligible for federal public benefits due to the five-year bar.⁴⁵ Though many of these children are U.S. citizens and therefore themselves eligible for benefits, they are less likely to be enrolled to receive benefits if their caregivers are ineligible.⁴⁶ Other beneficiaries of these policies in Massachusetts would include over 5,000 active DACA recipients and close to 9,000 individuals with Temporary Protected Status (TPS).⁴⁷

More recently, President Biden announced a plan to reclassify DACA recipients as lawfully present, qualified immigrants for the purposes of Medicaid and Affordable Care Act coverage.⁴⁸ However, this policy would not extend coverage to other immigrant groups that are currently considered lawfully present but nonqualified, nor would it apply to other federal benefits programs besides health coverage such as SNAP and TANF.⁴⁹

1.5 OTHER BARRIERS TO ACCESSING BENEFITS

Despite certain groups of immigrants and/or their children being eligible for various benefits programs, these populations are often hesitant to seek benefits. For example, though specific categories of lawfully present immigrants have been eligible for SNAP for decades, participation rates have historically been low among these eligible non-citizens.⁵⁰ According to data from the United

States Department of Agriculture, "the participation rate for non-citizens was 51 percent and the rate for citizen children living with non-citizen adults was 55 percent as compared to the national participation rate of 67 percent among all eligible individuals and a national participation rate of 86 percent for all eligible children" in 2008.⁵¹ A few key reasons why eligible, lawfully present immigrants may not seek benefits are as follows.

1.5.1 Public Charge

A "public charge" is someone who is "primarily dependent on the Government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at Government expense."⁵² Historically, immigration policies in the U.S. have sought to deny visas to those likely to become a public charge. This issue came to the forefront under the Trump administration which sought to further restrict immigration by greatly expanding the criteria by which an immigrant could be considered a public charge.⁵³ Though the Biden administration has since reversed this more stringent policy, the issue of public charge continues to create confusion, uncertainty, and fear for immigrants. For example, immigrants may not understand that they will not be deported, denied entry to the US, or denied permanent status because of applying for or receiving certain benefits.⁵⁴ As a result, immigrants may choose to not enroll or may even disenroll in programs that are actually exempt from the public charge rule.

1.5.2 Mixed Status Families

A "mixed status family" is one in which different members have different immigration statuses.⁵⁵ For example, the parents may be undocumented though the children are U.S. citizens. While certain family members may be eligible for a broad range of benefits, confusion over eligibility rules leads to a reduction in families seeking benefits.⁵⁶ Furthermore, these families may also not seek benefits due to the fear that the process will expose the individuals within the family who do not have legal status.

1.5.3 Lack of Knowledge and English Proficiency

Immigrants who are eligible for benefits may not apply due to misinformation about program rules or the misunderstanding that non-citizens are not eligible for benefits programs.⁵⁷ This issue is exacerbated among immigrants who may not be able to read or write in their native language or may have limited English language proficiency.⁵⁸ They may not be aware that proficiency in English is not required to receive benefits and that applications are available in many languages.

1.5.4 Sponsor Deeming and Liability

When an immigrant applies for certain public benefits, the income and resources of their sponsor may be deemed (counted) when determining eligibility.⁵⁹ Under specific circumstances, sponsors may have to repay the government benefits used by the immigrant after they become a lawful permanent resident.⁶⁰ Fear of creating a liability for their sponsor further prevents immigrants from seeking benefits like SNAP or cash assistance.

2 BACKGROUND ON BENEFITS PROGRAMS IN MASSACHUSETTS

Residents of Massachusetts can access several different benefits programs to receive food and cash assistance. Eligibility for certain programs, including SNAP and TANF, is currently restricted to U.S. citizens and certain groups of immigrants as described in the previous section of this report. After the passage of PRWORA, however, Massachusetts briefly utilized state funding to provide SNAP and TANF benefits to a broader cohort of immigrants. Ultimately, this policy expired after 2002 and has not been reinstated. On the other hand, Massachusetts residents can still utilize other food and cash assistance programs which either do not have any eligibility criteria based on immigration status or have criteria that are less restrictive. Thus, this section of report will first delineate the history of immigrant benefits policy in Massachusetts, then summarize the primary food and cash assistance programs currently available in the state, and lastly describe ongoing efforts to re-expand SNAP and TANF eligibility for particular immigrant populations in Massachusetts.

2.1 HISTORY OF IMMIGRANT BENEFITS POLICY IN MASSACHUSETTS

As described in the first section of this report, the passage of PRWORA in 1996 brought about an "unprecedented era of restrictionism" which eliminated eligibility for federal benefits programs for many immigrants.⁶¹ Such benefits included food and cash assistance programs, such as SNAP and TANF, which these immigrant groups had largely been eligible for previously.

In response to these restrictions, Massachusetts began to utilize state funds to provide benefits to immigrants who had become ineligible for federal SSI, TANF, Medicaid, and SNAP.⁶² This policy was first implemented in 1997 and allowed for broad eligibility as compared with other state programs. These benefits were utilized by 7,491 clients in June 2002 alone.⁶³ At the federal level, the passage of the 1998 Agricultural Research, Extension and Education Reform Act and the 2002 Farm Bill restored SNAP eligibility for multiple groups of immigrants and eliminated waiting periods for refugees, asylees, and qualified immigrants who were under 18 years old.⁶⁴ This restoration of pre-PRWORA SNAP eligibility for certain groups of non-citizens was a driving force that led many states to eliminate their state funded food assistance programs. Given the federal expansions in eligibility, state budgetary concerns, and the implementation a new state-level policy to assist mixed status households, the Massachusetts State Legislature sunsetted the state funded benefits program in August 2002, and its mandate expired in January of 2003.⁶⁵ Yet, in the wake of these policy changes, "the growing maze of eligibility rules and exemptions added to the complicated food stamp policies and confused many state food stamp workers, nonprofits with food stamp outreach staff, and potential applicants."⁶⁶

2.1 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

The Supplemental Nutrition Assistance Program is a federally funded nutrition program which is administered by the Department of Transitional Assistance (DTA) in Massachusetts.⁶⁷ Stated benefits of the SNAP program in Massachusetts are listed below, but, beyond the core benefit of monthly

funds to purchase food, the other benefits are subject to availability and cannot be utilized or are not utilized by many SNAP recipients.⁶⁸

- 1. Monthly funds on a debit-card-like EBT card to purchase food
- 2. Some funds are placed back on the EBT card monthly (up to a \$40, \$60, or \$80 limit) for households who have purchased local produce via the Healthy Incentives Program (HIP)
- 3. Free education and training opportunities via the SNAP Path to Work Program (families who participate may also be able to get free childcare)
- 4. Free nutrition education classes and resources
- 5. Connections to other resources including utility discounts, free school meals, direct eligibility for Head Start childcare, discounted internet, and discounted admissions to many museums and cultural institutions

SNAP recipients in Massachusetts must be residents of the state, be U.S. citizens or meet the immigration status criteria listed in Table 1.3.1, and meet program-specific income limits which account for household size, monthly income, and certain expenses such as housing, utility, and medical costs.⁶⁹ Individuals are able to apply online; in-person; or by phone, mail, or fax. Monthly benefit amounts vary based on household size as well as monthly income and expenses.⁷⁰ Notably, applying for or receiving SNAP benefits does not make an immigrant a public charge and will not be considered as part of a public charge determination.⁷¹ Federal SNAP rules limit able-bodied adults (aged 18 to 49 years) without dependents to a maximum of three months of SNAP benefits within a 36-month time period unless they meet certain work requirements or are exempt from these requirements.⁷² However, this time limit is currently not in effect in Massachusetts.⁷³

As of March 2023, there are 1,083,392 SNAP recipients in the state within 655,968 households.⁷⁴ Approximately one in every seven state residents receives SNAP benefits. About 70 percent of SNAP households in Massachusetts have a gross countable income of less than 100 percent of the Federal poverty Level, which is equivalent to \$19,720 for a household of two.⁷⁵ Nearly one third of the state's SNAP recipients are under the age of 18 and just over 20 percent are aged 60 years and above.⁷⁶ Approximately 29 percent of SNAP recipients have a disability.⁷⁷ The SNAP caseload has risen each year for the past four years and the DTA received 30% more SNAP applications in March 2023 than in March 2022 (nearly 40,000 applications received in March 2023).⁷⁸

The average SNAP benefit in Massachusetts is \$385 per household per month or about \$13 per day when including state funded emergency allotment supplements (as of March 2023).⁷⁹ Overall, SNAP recipients in the state of Massachusetts received \$1.13 billion in benefits in 2019, \$1.47 billion in 2020, \$2.35 billion in 2021, and \$3.14 billion in 2022 (including temporary pandemic relief in 2020 through 2022).⁸⁰ While SNAP benefits are federally funded, the DTA receives a combination of state and federal funding to administer the SNAP program.⁸¹

2.2 TRANSITIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN (TAFDC)

Temporary Assistance for Needy Families (TANF) is a federal block grant to the states to provide income support in the form of cash assistance to needy families with children living in poverty.⁸² Under TANF, states use these funds to operate their own benefits programs which go by different names in different states.⁸³ In Massachusetts, the TANF program is known as Transitional Aid to Families with Dependent Children (TAFDC) and it is also administered by the DTA. Households receiving TAFDC may be eligible to receive the following stated benefits.⁸⁴ As was the case with SNAP, benefits beyond the two monthly cash payments are not necessarily guaranteed; availability may depend on funding levels and waitlists and these additional benefits may not be accessible for many.

- 1. Two cash payments per month to assist with basic needs
- 2. Enrollment into MassHealth coverage
- 3. Referral to free employment and training programs
- 4. Referral for free childcare (while participants work on education or employment goals)
- 5. Additional funds for transportation to school, training, work, or to seek employment
- 6. A one-time payment of \$300 for infants under 6 months
- 7. A clothing allowance (one-time payment of \$450 for each eligible child in early fall)

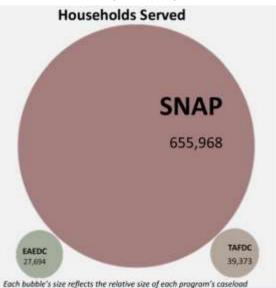
In order to be eligible for TAFDC, individuals must have children ages 18 or younger, be pregnant and due in less than four months (individuals under age 20 may be eligible at any stage of pregnancy), or serve as the caregiver for a child they are related to but who is not their biological or adopted child.⁸⁵ TAFDC recipients must reside in Massachusetts and they or someone in their household must be a U.S. citizen or meet the immigration status criteria listed in Table 1.3.1.⁸⁶ Recipients must also meet program-specific income limits which account for household size, housing type, and certain deductions such as childcare expenses and previous receipt of TAFDC benefits.⁸⁷ Lastly, every child who receives TAFDC benefits must have a child support case unless the child lives with both parents (with limited exceptions in cases of domestic violence or safety concerns). Individuals are able to apply for TAFDC benefits online, in person, or by phone.⁸⁸ Federal rules stipulate that a state cannot provide more than 60 months of cash assistance from federal funds for a household that includes an adult recipient unless certain conditions are met.⁸⁹ States are also able to impose their own shorter time limits as well as additional criteria or exemptions.⁹⁰ In Massachusetts, households are able to get benefits for a total of 24 months per five-year period with a few exceptions.⁹¹

As of March 2023, there are 102,196 TAFDC recipients in Massachusetts living within 39,373 households.⁹² Given the eligibility restrictions described above, the TAFDC caseload is much smaller than the SNAP caseload. Approximately two-thirds of TAFDC recipients are aged 18 or younger and nearly 5,000 TAFDC recipients are working.⁹³ In the past year, the DTA has generally received between 4,000 to 6,000 applications for TAFDC each month.⁹⁴ The overall TAFDC caseload in 2023 is approximately 35 percent larger than it was pre-pandemic in 2019.⁹⁵

The average monthly TAFDC grant per household is \$708 as of March 2023.⁹⁶ Unlike SNAP benefits, needs-based cash assistance benefits such as TAFDC; Emergency Aid to the Elderly, Disabled, and Children (EAEDC, discussed below); and SSI are considered as part of public charge determinations.⁹⁷

In order to receive federal TANF funds, states must also contribute a specified amount of their own funding, known as "maintenance of effort" (MOE) spending.⁹⁸ However, states have wide-ranging flexibility to spend federal TANF funds and state MOE funds on programs and services separate from TAFDC and related benefits.⁹⁹ In years past, Massachusetts has taken advantage of this flexibility to spend the bulk of federal TANF fund and state MOE funds for purposes other than cash assistance.¹⁰⁰ For example, Massachusetts spent approximately \$1.103 billion on TANF-related expenditures in 2021.¹⁰¹ Of this amount, \$512 million came from federal block grant funding and \$591 million was Massachusetts MOE spending.¹⁰² In 2021, Massachusetts spent \$213 million of these funds (about 19 percent) on cash assistance to TAFDC families.¹⁰³ The remaining 81 percent of the funds were spent to support other programs in the state including childcare (30 percent), refundable tax credits (16 percent), and work education and training (15 percent).¹⁰⁴

Figure 2.2.1: Relative Sizes of Massachusetts SNAP, TAFDC, and EAEDC Caseloads



2.3 BENEFIT PROGRAMS WITH FEWER IMMIGRATION STATUS RESTRICTIONS

There are currently two state funded programs for which a broader cohort of immigrants in Massachusetts are eligible. These programs are Emergency Aid to the Elderly, Disabled, and Children and Emergency Assistance (EA) shelter. There are also a handful of programs without any immigration status restrictions.

2.3.1 Emergency Aid to the Elderly, Disabled, and Children (EAEDC)

EAEDC is a state funded cash assistance program administered by the DTA.¹⁰⁵ EAEDC benefits are available to populations that fall into one of the following categories:¹⁰⁶

- 1. Individuals who are unable to work due to a personal disability that will last at least 60 days
- 2. Individuals who are over 65 years of age and are waiting for SSI payments to begin (SSI is limited to qualified immigrants only)¹⁰⁷
- 3. Individuals who are living with and caring for a child who is not closely related to them
- 4. Individuals who are participating in a Massachusetts Rehabilitation Commission program
- 5. Individuals who are required in the home to care for a disabled person who would otherwise need to reside in an institution

Recipients must live in Massachusetts; be U.S. citizens, lawfully present residents, or have an immigration status considered PRUCOL; and meet program-specific income limits which take into account household size, living arrangements, and monthly income.¹⁰⁸ Persons who are undocumented, out of status, or have a non-immigrant visa are not eligible.¹⁰⁹ Individuals can apply online or by calling their local DTA office.¹¹⁰ Recipients of EAEDC benefits receive a monthly grant which is equal to the difference between their countable income and the appropriate standard of assistance as established by the DTA.¹¹¹ As of March 2023, the average monthly EAEDC grant is \$438 and the EAEDC caseload includes 27,955 recipients, up from a baseline of around 19,000 pre-pandemic in 2019.¹¹² Over the past year, DTA has typically received between 3,000 to 4,000 applications for EAEDC in any given month.¹¹³ In fiscal year 2023, the Massachusetts state government appropriated \$147.5 million for the EAEDC program.¹¹⁴

2.3.2 Emergency Assistance (EA) Program

The Emergency Assistance shelter program is a state funded program administered by the Department of Housing and Community Development (DHCD).¹¹⁵ The EA program provides short-term, emergency shelter to low-income families with children and pregnant women.¹¹⁶ EA shelter recipients must be residents of Massachusetts, currently pregnant or have children under the age of 21, meet the income and asset requirements for new applicants or continuing participants, and be homeless for one of the following reasons:¹¹⁷

- 1. No-fault fire, flood, natural disaster, condemnation, or foreclosure
- 2. Fleeing domestic violence (current or within past 12 months)
- 3. No-fault eviction
- 4. Child(ren) are exposed to a substantial health and safety risk

Individuals can apply by phone or in-person via one of 10 regional offices.¹¹⁸ Notably, families in which any single member is a U.S. citizen or a lawfully present resident are eligible for EA shelter for the entire family (e.g. if a mother and her older child are undocumented but her younger child was born in the U.S, then the whole family would be eligible for EA shelter).¹¹⁹ Eligible families and

pregnant women are offered a choice between accommodation in an EA-specific shelter or placement in HomeBASE, DHCD's household assistance program.¹²⁰ Women and families in the HomeBASE program are placed in an apartment and receive time-limited financial assistance as well as a stabilization worker and case manager in order to assist with accessing community support and other resources.¹²¹ The amount and type of financial assistance varies based on need but can include funds for first and last month's rent and security deposit in a new home, furniture, a monthly stipend to help pay rent for up to one year, utilities, travel costs, and many other expenses that would otherwise prevent a family from accessing a new home.¹²²

In fiscal year 2018, 7,355 families and pregnant women applied to the EA program and 3,787 were placed in shelters, 1,108 entered the HomeBase program, and 2,460 were not placed.¹²³ As of January 2022 (the most recent month for which caseload data was available), 2,989 families and pregnant women were currently in the EA program.¹²⁴ In fiscal year 2023, the Massachusetts state government appropriated \$219.4 million for the EA program.¹²⁵

2.3.3 Additional Benefits Programs without Immigration Status Restrictions

Regardless of their immigration status, "nonqualified immigrants" are eligible for emergency Medicaid if they meet the eligibility criteria for their state's Medicaid program.¹²⁶ Short-term non-cash emergency disaster assistance remains available without regard to immigration status.¹²⁷ In-kind services necessary to protect life or safety are also available without restrictions as long as no individual or household income qualification is required.

There are also a number of federally and state funded nutrition programs which do not have restrictions based on immigration status. However, these programs are limited to very specific populations during specific time periods (e.g., weekdays during the school year or during the pandemic). These programs include:

- <u>Special Supplemental Nutrition Program for Women, Infants, and Children (WIC):</u> A federally funded program providing "supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age 5 who are found to be at nutritional risk."¹²⁸
- National School Lunch Program and the School Breakfast Program: These programs provide free or reduced-price meals to children who attend public schools, nonprofit private schools, and residential childcare institutions. Funding for these programs is "federally assisted," meaning that the federal government provides per-meal reimbursements and commodity funding while states are required to contribute a certain amount of matching funds in addition to the fees paid by students who do not qualify for free meals.¹²⁹
- <u>Summer Electronic Benefit Transfer (Summer EBT)</u>: The Summer EBT program began as part of the federal response to the COVID-19 pandemic and is federally funded. When the program is active in a particular state, families with children who receive free or reduced-price school meals during the school year will receive additional resources to purchase food during

the summer months. Starting in the summer of 2024, all states that participate in WIC will be able to participate in the summer EBT program.¹³⁰

Lastly, immigrants who are not eligible for SNAP can also utilize local food banks and pantries as well as services such as Meals on Wheels and other elder nutrition programs.¹³¹ However, immigrants who do not participate in SNAP are not eligible for Healthy Incentives Program benefits. In Massachusetts, the HIP Program returns some SNAP funds to recipients up to a monthly cap based on household size when they use their EBT card to purchase fruits and vegetables.¹³²

2.4 MASSACHUSETTS CURRENT POLICY CONSIDERATIONS

Massachusetts is currently considering Bill H. 135/S. 76: *An Act establishing basic needs assistance for Massachusetts immigrant residents*.¹³³ This bill is sponsored by Representatives Cabral and Garcia and Senator DiDomenico. It provides a framework (subject to the appropriation of funds) which would enable the state to restore access to basic food and cash assistance benefits for low-income, lawfully present immigrants and immigrants considered PRUCOL.¹³⁴ Specifically, this bill would provide:

...persons residing in the Commonwealth who are lawfully admitted for permanent residence or are otherwise permanently residing in the United States under color of law: a) cash assistance and related benefits to children, pregnant women and caretaker adults who meet the eligibility requirements of Chapter 118 of the General Laws except for the program requirements related to immigration status or citizenship and b) nutritional assistance benefits to persons who meet the eligibility requirements of the Supplemental Nutrition Assistance Program except for the program requirements related to immigration status or citizenship.¹³⁵

Thus, non-citizens who have immigrations statuses that fall into the categories of qualified barred, nonqualified lawfully present, and PRUCOL will now be eligible to receive state funded benefits equivalent to those provided by the federal SNAP and TANF programs if they meet all the eligibility criteria except for those pertaining to immigration status or citizenship.

3 IMMIGRANT DEMOGRAPHICS IN MASSACHUSETTS

As of 2021, there are approximately 1.23 million foreign-born residents in Massachusetts, representing 17.6 percent of the state population.¹³⁶ A substantial proportion of these immigrants will be impacted by the proposed expansion in access to food and cash assistance. Therefore, this section of the report will analyze the immigrant population in Massachusetts in more depth, in turn examining demographic information, the various immigration statuses most commonly held in the state, and the levels of poverty and food insecurity within these immigrant communities.

3.1 OVERVIEW OF THE MASSACHUSETTS IMMIGRANT POPULATION

The top countries of origin for immigrants in Massachusetts are the Dominican Republic, China, India, Brazil, and Haiti.¹³⁷ Further analysis on certain immigrant groups (namely those from the Dominican Republic and Brazil) are as follows in addition general information about education and employment across immigrant groups.

The largest concentration of foreign-born individuals in Massachusetts is in the Greater Boston area, which includes the cities of Boston, Cambridge, and Somerville.¹³⁸ There are approximately 74,300 immigrants in the Greater Boston area.¹³⁹ Twenty-nine percent of the population of Boston proper are immigrants.¹⁴⁰ However, large immigrant populations can also be found in other areas of the state, including the cities of Worcester, Springfield, and New Bedford. The distribution of immigrant populations in Massachusetts also varies by country of origin. For example, immigrants from the Dominican Republic are concentrated in the Greater Lawrence area in the northeastern part of the state, while immigrants from Brazil are more widely dispersed across the state.¹⁴¹



Image 3.3.1: Distribution of the Immigrant Population in Massachusetts¹⁴²

Immigrants from the Dominican Republic most commonly reside in Lawrence, followed by Boston, Lynn, Methuen, and Worcester.¹⁴³ These five cities host 69 percent of the Dominican population in the state as of 2017.¹⁴⁴ Among the Dominican population aged five and older in 2017, 55 percent either spoke only English or spoke it very well, a lower percentage than other Latinos and non-Latinos in Massachusetts.¹⁴⁵ Slightly less than 60 percent of employed Dominicans worked in service and blue-collar occupations, compared to less than 30 percent for Non-Latinos and 56 percent for Other Latinos.¹⁴⁶ In contrast, the percentage in managerial and professional occupations was 13 percent for Dominicans, 19 percent for Other Latinos, and 37 percent for Non-Latinos.¹⁴⁷ Twenty-three percent

of the Dominican population fell below the poverty threshold in Massachusetts in 2017.¹⁴⁸ Among Dominican immigrants, the rate of homeownership was 21 percent, the median household income was \$38,425, and 7.2 percent lacked medical insurance.¹⁴⁹

Framingham had the largest Brazilian population in 2017 followed by Everett, Boston, Lowell, and Marlborough.¹⁵⁰ However, "these five cities between them had only 31 percent of the Brazilian population in the state, showing considerable dispersal."¹⁵¹ Seventeen percent of Brazilians in Massachusetts lacked medical insurance in 2017, and 72 percent of Brazilians were renters.¹⁵² The population's median household income was \$66,435 in 2017.¹⁵³ There is also a large undocumented population within the Brazilian immigrant population and these individuals have few avenues to obtain citizenship.¹⁵⁴

Compared to the native-born Massachusetts population, a higher proportion of foreign-born individuals in Massachusetts have a bachelor's degree or a higher level of education. As of 2019, approximately 48 percent of foreign-born individuals aged 25 and older had a bachelor's degree or higher as compared to about 44 percent of the native-born population.¹⁵⁵ Furthermore, immigrants also have a large economic impact on the state. In 2019, Immigrants comprised 20.5 percent of the labor force, earning \$52.3 billion in income corresponding to \$38 billion in spending power.¹⁵⁶ In that same year, immigrants in Massachusetts paid \$9.6 billion in federal taxes as well as \$4.6 billion in state and local taxes.¹⁵⁷ Occupations in Massachusetts with the highest share of immigrant workers include taxi drivers, maids and household cleaners, life scientists, physical scientists, and painters and paperhangers.¹⁵⁸

3.2 IMMIGRANT STATUS DESIGNATIONS

According to 2019 data from the American Community Survey (ACS), there were an estimated 52,616 refugees in Massachusetts alongside approximately 5,070 active DACA recipients, 8,731 individuals with TPS, and 153,364 undocumented individuals.¹⁵⁹ The number of refugees has decreased from prior years. In 2015, it was estimated that there were 64,190 refugees in Massachusetts, with 3,029 resettled between 2016 and 2018.¹⁶⁰

The 2019 ACS data also indicated that approximately 53.2 percent of foreign-born residents in Massachusetts were naturalized U.S. citizens (633,390 naturalized citizens). There were also an additional 274,044 immigrants eligible for naturalization at that time. Data from 2022 indicate that there are an estimated 330,000 lawful permanent residents (LPRs) in Massachusetts, of which 220,000 are eligible to naturalize.¹⁶¹

3.3 POVERTY AND FOOD INSECURITY AMONG IMMIGRANTS

In 2021, the poverty rate in Massachusetts was 10.4 percent.¹⁶² Among immigrants in Massachusetts, the poverty rate for foreign-born residents was 16.6 percent in 2019, compared to 7.6 percent for U.S.-born residents.¹⁶³ These disparities continued during the pandemic years but the gap between foreign-born residents and U.S.-born residents appeared to narrow. In 2021, 13.4 percent of foreign-

born residents were below 100 percent of the federal poverty level as compared to 9.7 percent of U.S. born residents.¹⁶⁴ In addition, children with at least one foreign-born parent were disproportionately likely to live in a low-income household. Lastly, the poverty rate varies widely among different immigrant groups in Massachusetts, ranging from 5.6 percent for immigrants from Europe to 46.3 percent for immigrants from Africa.¹⁶⁵

According to data from the U.S. Department of Agriculture, about 14.8 percent of immigrant households in Massachusetts were food insecure in 2019, compared to 8.5 percent of non-immigrant households.¹⁶⁶ However, rates of food insecurity in the state have remained high after the COVID-19 pandemic and food insecurity continues to disproportionately impact minority communities in the state. Approximately 19.2 percent of all households in Massachusetts reported food insecurity in March of 2023.¹⁶⁷ Approximately 35.0 percent of Black households with children and 34.8 percent of Latino households with children were food insecure during the six-month time period from February to July 2023.¹⁶⁸

In response to the rising rates of food insecurity and financial hardship during the pandemic, the Massachusetts government and the federal government implemented a number of policies changes. Examples include the Massachusetts Pandemic EBT (P-EBT) program, which provided additional food assistance benefits to families with school-age children who receive free or reduced-price school meals, and the American Rescue Plan Act of 2021 which also provided additional funding for SNAP benefits nationwide.^{169,170} Despite these efforts, SNAP and TAFDC caseloads in Massachusetts remain elevated as compared to pre-pandemic levels.

4 STATE CASE STUDIES

There are a number of states across the country which currently have programs that utilize state funds to provide food and cash benefits to immigrants who are ineligible for federally funded benefits through SNAP and TANF. These state funded programs essentially function to restore benefits to certain immigrant households whose SNAP and TANF eligibility was revoked by PRWORA.¹⁷¹ In general, the largest immigrant demographic benefitting from these programs is legal permanent residents (green card holders) who are currently in the five-year bar period or have not completed the 40 quarters of work pathway to federal eligibility.¹⁷²

Five states in the U.S. currently have state-funded SNAP benefits programs for certain immigrants. These states are Washington, Illinois, California, Minnesota, and Maine.¹⁷³ Over 20 states also have some form of state-funded TANF benefits.¹⁷⁴

States can decide how to structure their state-funded programs and what, if any, additional eligibility criteria they would like to instate.¹⁷⁵ Thus, each state-funded program varies in the breadth of the population covered; some programs cover only individuals with a few specific types of immigration statuses while others cover a much broader segment of the immigrant population. In general, immigrants receiving state-funded benefits must meet all the criteria for the federally funded

counterpart programs apart from immigration status. For example, individuals with non-immigrant visas (such as tourist or student visas) cannot establish residency in the U.S. which would disqualify them from receiving benefits. In addition, programs can also vary in the depth of coverage. Many programs set state funded benefits at 100 percent of the federal benefits level, while others have set the state funded benefits level at, for example, 75 percent of the federal benefits level.

With respect to federally funded SNAP and TANF, TANF consistently serves fewer households than SNAP due to its more restrictive eligibility requirements (e.g., lower income thresholds, limited to families with children, households must have a child support case, etc.). These stricter federal TANF eligibility criteria generally also apply to state-funded TANF programs as is described in the case studies. As a result, state funded SNAP programs tend to serve many more households than state-funded TANF programs and therefore also cost substantially more to fund as well. Given that, at the state level, costs are driven primarily by state-funded SNAP benefits rather than state-funded TANF benefits, the case studies presented here will focus on the five states that have state-funded SNAP benefits.

Each case study will begin with an overview of the immigrant population in the state prior to discussing the eligibility, caseloads, and costs of each state-funded SNAP and TANF program in greater detail. Unless otherwise specified, background data on the immigrant populations in each state has been drawn from the American Immigration Council's "Map The Impact" data presentation based on the 2019 results of the American Community Survey.¹⁷⁶

4.1 WASHINGTON

There are approximately 1.1 million immigrants in Washington, representing 14.9 percent of the state population.¹⁷⁷ The top countries of origin for immigrants in Washington include Mexico (22.4 percent), India (8.2 percent), China (7.6 percent), the Philippines (6.8 percent), and Vietnam (5.0 pecent).¹⁷⁸ Nearly half of immigrants in Washington are naturalized citizens whereas approximately one-quarter of immigrants in the state are undocumented (24.2 percent).¹⁷⁹ There are also an estimated 30,000 DACA-eligible individuals, around 90,000 refugees, and about 2,500 individuals with TPS.¹⁸⁰ Approximately 19.0 percent of its labor force is comprised of immigrants.¹⁸¹

The SNAP program in Washington is known as Basic Food and recipients are given benefits via an EBT card to buy groceries from certified retailers. Its "state funded food stamp look-alike program" is known as the Food Assistance Program (FAP).¹⁸² FAP was created in 1996 in response to the eligibility restrictions for immigrants created by PRWORA. FAP was the first such program to be developed post-PRWORA and served as a model for other states to create similar programs.¹⁸³ Both Basic Food and FAP are administered by the Washington State Department of Social and Health Services (DSHS).¹⁸⁴ While Basic Food eligibility and benefits are set at the federal level as is the case with all SNAP programs, FAP eligibility and benefits are set by the state legislature. Currently, the Washington legislature has set FAP benefits at 100 percent of the federal SNAP benefit level, and this has been in effect since July 1st, 2015.¹⁸⁵ Prior to that, FAP benefits were set at 75 percent of the

federal SNAP benefit level.¹⁸⁶ Thus, households including a FAP-eligible individual receive the same amount of food benefits as they would receive if this individual were eligible for SNAP. Furthermore, households can receive a mix of SNAP and FAP benefits based on the citizenship or immigration status of each individual within the household.¹⁸⁷ As of 2020, nearly two-thirds of FAP recipients lived in households with family members who qualified for federally funded Basic Food benefits.¹⁸⁸

While Basic Food only covers qualified immigrants, FAP eligibility is broad, including qualified barred immigrants (who will cycle through the program in five years or less and then become eligible for federal benefits), nonqualified lawfully present immigrants, and nonqualified immigrants considered PRUCOL.¹⁸⁹ In addition, Washington specifically includes "survivors of certain crimes" as eligible immigrants for the purposes of FAP.¹⁹⁰ "Survivors of certain crimes" refers to non-citizens and their qualifying family members who have filed or are preparing to file an application with USCIS for a T-Visa (for trafficking victims), a U-Visa (for victims of qualifying crimes), or asylum status.¹⁹¹ Individuals with approved applications for T-Visas, U-Visas, or asylum are eligible for either Basic Food or FAP as well. It is important to note, however, that immigrants must meet all the other Basic Food eligibility criteria besides immigrant visas cannot establish residency in Washington state which would therefore preclude them from receiving benefits. The other major group of immigrants not eligible for either Basic Food or FAP are those that fall into the "Other Nonqualified Non-citizens" category which includes undocumented immigrants.

Each year, DSHS publishes a Briefing Book reporting caseload data for each of the state's benefits programs.¹⁹² The most recent Briefing Book covers fiscal year 2022. Accordingly, each of the following figures in this subsection of the report applies to this time period unless otherwise specified. As of fiscal year 2022, Washington's population was approximately 7,864,400.¹⁹³ The average number of individuals receiving either Basic Food or FAP benefits in a given month was 873,078, representing about 11.1 percent of the state population.¹⁹⁴ Of these recipients, approximately 34.5 percent were children.¹⁹⁵ The total population receiving benefits was covered by a monthly average caseload of 499,625 cases (average of 1.7 persons per case).¹⁹⁶ The average monthly benefit payment per case was \$434.26 (averaging across the total Basic Food and FAP caseloads).¹⁹⁷ Based on the United States Department of Agriculture (USDA) data from fiscal year 2020, approximately 6.6 percent of the Basic Food recipients in the state were refugees or other non-citizens eligible for these federal benefits.¹⁹⁸

Of the 499,625 monthly average cases, on average 489,414 cases received SNAP benefits only (98.0 percent), 6,456 cases received both Basic Food and FAP (1.3 percent), and 3,755 cases received FAP only (0.8 percent).¹⁹⁹ Thus, the total monthly average FAP caseload was 10,211 cases when including both mixed Basic Food/FAP cases and FAP-only cases.²⁰⁰ The monthly average state expenditure on FAP cases was \$2,895,685 and the monthly average federal expenditures on FAP cases was \$3,598,203 (federal expenditures are for the Basic Food component for mixed Basic Food/FAP households).²⁰¹ Thus, the monthly average state expenditure for each FAP case \$283.57 and the total monthly average expenditures per FAP case combining state and federal funding was \$635.94.

A June 2022 snapshot of the FAP caseload indicates that there were a total of 22,157 persons receiving benefits of which 4,232 were children (19.1 percent).²⁰² Survivors of certain crimes comprised 162 of theses recipients, and the remaining 21,995 recipients fell into the other eligibility categories.²⁰³ The top five countries of origin for FAP recipients in June 2022 were Ukraine (23.0 percent), the Marshall Islands (18.5 percent), Mexico (16.9 percent), Micronesia (13.4 percent), and Russia (2.4 percent).²⁰⁴ Approximately 10.3 percent of FAP recipients during that month were experiencing homelessness.²⁰⁵ The large number of Ukrainian FAP recipients at this time was due to the fact that this population was initially eligible only for state-funded benefits (they were later made eligible for federal benefits and supports to the same extent as refugees).²⁰⁶

State Family Assistance (SFA) is the state-funded counterpart to TANF in Washington. SFA benefits are set at 100 percent of the federal TANF benefit level.²⁰⁷ Eligibility for SFA is not quite as broad as eligibility for FAP. SFA covers qualified barred immigrants (until their five-year waiting period ends), nonqualified lawfully present immigrants, and survivors of certain crimes.²⁰⁸ Unlike FAP, SFA does not cover nonqualified immigrants considered PRUCOL (besides survivors of certain crimes).²⁰⁹ As described previously, immigrants must meet all TANF criteria besides those related to immigration status in order to receive SFA benefits.

As of state fiscal year 2022, the average number of individuals receiving either TANF or SFA benefits in a given month was 69,465.²¹⁰ Of these recipients, approximately 69.9 percent were children.²¹¹ The total population receiving benefits was covered by a monthly average caseload of 28,839 cases (average of 2.4 persons per case).²¹² The average monthly benefit payment per case was \$537.19 (averaging across the total TANF and SFA caseloads).

Of the 28,839 monthly average cases, on average 27,680 cases received TANF benefits only (96.0 percent), 578 cases received both TANF and SFA (2.0 percent), and 581 cases received SFA only (2.0 percent).²¹³ Thus, the total monthly average FAP caseload was 1,159 cases when including both mixed TANF/SFA cases and SFA-only cases.²¹⁴ The monthly average state expenditure on SFA cases was \$523,451 and the monthly average federal expenditures on SFA cases was \$186,033 (federal expenditures are for the TANF component for mixed TANF/SFA households).²¹⁵ Thus, the monthly average state expenditure for each SFA case \$451.64 and the total monthly average expenditures per SFA case combining state and federal funding was \$612.15.

A June 2022 snapshot of the combined TANF/SFA caseload indicates that there were a total of 77,881 persons receiving benefits of which 53,597 were children (68.8 percent).²¹⁶ Survivors of certain crimes comprised 39 of the recipients.²¹⁷ After English, the top five languages spoken by TANF/SFA recipients in June 2022 were Spanish, Russian, Ukrainian, Dari, and Arabic.²¹⁸ Approximately 13.8 percent of TANF/SFA recipients were experiencing homelessness that month.²¹⁹ As was the case with FAP, a large proportion of SFA recipients were new Ukrainian immigrants at this time given that they were initially ineligible for federally funded benefits.²²⁰

4.2 ILLINOIS

Immigrants comprise about 13.9 percent of the Illinois population of 12.7 million.²²¹ The top countries of origin for immigrants in Illinois include Mexico (34.0 percent), India (8.9 percent), Poland (6.9 percent), the Philippines (5.3 percent), and China (4.8 percent).²²² Slightly over 53 percent of immigrants in Illinois are naturalized U.S. citizens.²²³ Approximately 23 percent of its immigrants are undocumented. Illinois has an estimated 55,000 DACA-eligible immigrants, nearly 89,000 refugees, and about 4,100 individuals with TPS.²²⁴ Approximately 17.3 percent of the state labor force is comprised of immigrants.²²⁵

On January 1, 2018, Illinois implemented state-funded benefits specifically for immigrants who are victims of trafficking, torture, and other serious crimes (VTTC) under the Survivor Support and Trafficking Prevention Act (initially passed in 2016, subsequently amended to extend and then strike the program termination date).^{226,227,228,229} The state-funded public benefits are administered through the Illinois Department of Human Services (IHDS) include medical assistance (via Medicaid), VTTC Food Assistance (similar to SNAP), and VTTC Cash Assistance (similar to TANF).²³⁰ In order to be eligible for the VTTC programs, non-citizen individuals must intend to file or have already filed applications for a T-Visa, U-Visa, and/or asylum.²³¹ Whereas the state-funded benefits program in Washington state have broad eligibility requirements including all lawfully present immigrants as well as individuals with PRUCOL status, eligibility for these programs in Illinois is limited to VTTC immigrant populations.

Non-citizen individuals who qualify for VTTC food and cash assistance benefits are eligible alongside their derivative family members. Derivative family members include "the spouse, child, parent or sibling under age 18 of the principal victim who is eligible, or potentially eligible, for one of the above [immigration] statuses. A spouse must have been married to the principal victim before the principal victim entered the United States."²³²

Individuals who meet the immigration status eligibility requirements for VTTC programs must also meet the other financial and non-financial eligibility criteria which largely align with SNAP and TANF eligibility policies.²³³ VTTC food and cash assistance benefits are provided at the same level as they would be if the individuals and their derivative family members were eligible for SNAP and/or TANF.²³⁴ Eligible immigrants initially receive benefits for a period of 12 months after which their continued eligibility must be recertified. In general, individuals and their derivative family members will continue to receive benefits unless their visa or asylum application has ultimately been denied or if they have failed to file their visa or asylum application within one year (with limited exceptions).²³⁵

There is no publicly available data on the caseload or the budget of the VTCC programs. However, based on data from other states, it is likely that the programs have small caseloads and therefore do not make a significant impact on the state budget. For instance, in Washington in June of 2022, only 162 out of the total 22,157 recipients of state-funded SNAP were non-citizens and their qualifying family members who were preparing to file or had already filed applications for a T-Visa, a U-Visa, or asylum status.²³⁶ This means that only 0.7 percent of the total number of state-funded SNAP recipients

in Washington would receive benefits under a policy like that of Illinois. Thus, since the immigrant population in Illinois is approximately 1.5 times that of Washington, an estimate of Illinois spending on its VTTC food and cash assistance programs would be about one percent of Washington total spending on its state-funded SNAP and TANF programs, or approximately \$35,000 per month. In comparison, in 2021, Illinois spent approximately \$45 million in federal TANF funds on cash assistance to families and SNAP participants in the state received \$5.1 billion in federal SNAP benefits.^{237,238} According to USDA data from fiscal year 2020, approximately 4.1 percent of state SNAP recipients are non-citizens.²³⁹

4.3 CALIFORNIA

Immigrants comprise 26.7 percent of California's population of 39.44 million.²⁴⁰ The top countries of origin for immigrants in California include Mexico (37.3 percent), the Philippines (8.1 percent), China (6.5 percent), Vietnam (5.1 percent), and India (4.9 percent).²⁴¹ More than half immigrants in California are naturalized citizens while approximately 20 percent of immigrants (five percent of the state population) are undocumented.²⁴² Immigrants are a major contributor to the state economy as they make up 33 percent of the labor force.²⁴³

Established in 1997 in response to PRWORA, the California Food Assistance Program (CFAP) provides state-funded food assistance to immigrants who are not eligible for CalFresh, California's federally funded SNAP program.²⁴⁴ CFAP is administered by the Department of Social Services and the benefits level is equal to that of SNAP.²⁴⁵ In order to be eligible for CFAP benefits, immigrants must meet the other SNAP requirements and must either have qualified status (but currently within the five-year bar period), have lawful temporary resident status, be preparing to file or have already filed a T-Visa application, or be a U-Visa applicant or holder.²⁴⁶ T-Visa holders are excluded from CFAP because they are eligible for federal SNAP benefits.²⁴⁷

According to a 2022 report by the California Office of the Legislative Analysis, CFAP currently serves approximately 35,000 legal permanent residents.²⁴⁸ This represents on average approximately 0.60 percent of the CalFresh monthly caseload.²⁴⁹ In 2022-23, the average monthly CFAP benefit was \$491.27 per household or \$217.76 per person.²⁵⁰ CFAP continues to operate via the federal EBT system, and the state of California then reimburses the federal government for the cost of CFAP benefits and all associated administrative fees.²⁵¹ In 2020-21, California spent \$69 million on CFAP benefits and \$2.5 on administrative fees.²⁵² CFAP benefits are expected to cost approximately \$100.4 million in 2022-23 and \$75.8 million in 2023-24 (the year-over-year decrease reflects the end of pandemic emergency allotments and CalFresh Temporary Student Eligibility Expansion).²⁵³ In comparison, California residents received \$14.42 billion in federally funded CalFresh benefits in 2022.²⁵⁴ Based on fiscal year 2020 data from the USDA, approximately 7.5 percent of the state's CalFresh recipients are refugees and other non-citizens.²⁵⁵

California has recently allocated funding to expand CFAP to all income-eligible individuals over the age of 55 regardless of immigration status.²⁵⁶ Once implemented, California will be the first state where

all immigrants, including undocumented immigrants, will be eligible for food assistance benefits if they meet the other SNAP criteria and the age requirement.²⁵⁷ It is currently expected that the CFAP expansion will be implemented on October 1st, 2025.²⁵⁸ The 2021-22 budget allotted an initial \$5 million to begin the implementation process and make necessary automation changes.²⁵⁹ Approximately \$40 million was allocated for this purpose in the 2022-23 budget and this amount is expected to increase to \$113.4 million by 2025-26 to account for providing benefits and increasing take-up. The Governor's administration projects that the CFAP expansion will reach around 75,000 individuals annually (for an estimated take-up rate of 60 percent).²⁶⁰ There are further legislative efforts underway to remove the age restriction for the CFAP expansion such that all income-eligible immigrants, regardless of age, can access benefits.²⁶¹

The California TANF program is known as CalWORKs and it is also administered by the Department of Social Services.²⁶² As in other states, the CalWORKs program provides cash grants, employment assistance, and other supportive services to low-income families.²⁶³ Rather than having a separate TANF program for immigrants receiving state funded benefits, CalWORKs covers both families receiving federally funded benefits and families receiving state funded benefits. In order to be eligible for state-funded CalWORKs benefits, immigrants must meet all the other CalWORKs criteria and generally must fall into one of the following groups: 1) non-citizens with qualified status (but currently within the five-year bar period), 2) non-citizens who are preparing to file or have already filed a T-Visa application, 3) non-citizens who have applied for or already hold a U-Visa, and 4) PRUCOLs.²⁶⁴

Between 2019 and 2022, the CalWORKs caseload ranged between just under 300,000 cases to nearly 400,000 cases.²⁶⁵ CalWORKs is funded by via a combination of federal TANF block grant funding (79.5 percent), state funding (18 percent), and county funding (2.5 percent).²⁶⁶ In 2022-23, the estimated average CalWORKs grant amount was \$960 per month across income levels and family sizes.²⁶⁷ For this time period, the overall CalWORKs budget was \$7.206 billion when combining all funding sources; approximately \$4.050 billion was allocated to cash grants for families. There is no publicly available data on the number of recipients receiving state-funded versus federally funded benefits or what proportion of the total funding went towards state funded benefits.

In addition to the above programs, California also offers the Cash Assistance Program for Immigrants (CAPI), a state-funded cash assistance program for individuals ineligible for SSI due to immigration status, and the Trafficking and Crime Victim Assistance Program (TCVAP, a state-funded cash assistance program for T-Visa applicants, U-Visa applicants, and U-Visa holders).^{268,269}

4.4 MINNESOTA

Immigrants comprise 8.5 percent of the Minnesota population of approximately 5.64 million.²⁷⁰ The top countries of origin for immigrants in Minnesota include Mexico (11.3 percent), Somalia (8.7 percent), India (7.0 percent), Laos, (6.1 percent), and Vietnam (4.3 percent).²⁷¹ Approximately 57.2 percent of immigrants in the state are naturalized citizens whereas 15.8 percent are undocumented.²⁷² Additionally, Minnesota has nearly 7,200 DACA-eligible immigrants and an estimated 130,000

individuals who are likely refugees.²⁷³ Approximately 10.6 percent of the Minnesota labor force is comprised of immigrants.²⁷⁴

Minnesota administers its state-funded SNAP benefits through the Minnesota Food Assistance Program (MFAP), first established in 1998 in response to PRWORA.²⁷⁵ Both SNAP and MFAP are administered by the Minnesota Department of Human Services. MFAP benefits are set at 100 percent of the SNAP benefits level.²⁷⁶ MFAP provides state-funded food assistance to lawfully present non-citizens aged 50 years and older who do not qualify for SNAP solely because of their citizenship status.²⁷⁷ Thus, MFAP serves immigrants who are aged 50 years and older and currently in the five-year bar period or are lawfully present but considered nonqualified. MFAP recipients must also not be enrolled in the Minnesota Family Investment Program (described below). Lastly, as a condition of receiving MFAP benefits, individuals must also take steps towards citizenship.²⁷⁸ This process can take various forms such as engaging in citizenship courses, taking classes on English language and literacy, or directly applying for citizenship.²⁷⁹ Those who have lived in the United States legally for less than four years; are aged 70 years or older; or live in a nursing home, group home, or other similar setting are exempt from this requirement.²⁸⁰

The number of MFAP participants has remained fairly steady over the past few years, with a caseload of 300 to 350 cases per month, even during the pandemic.²⁸¹ To fund the MFAP program, Minnesota spends approximately \$2 million per biennium (or about \$1 million per year) according to the 2022-23 biennial budget though the state has typically appropriated a greater amount in years past, resulting in unspent funds.²⁸² For reference, Minnesota's SNAP participants received \$1.56 billion in federal SNAP benefits in 2022.²⁸³ Per USDA data from fiscal year 2020, 5.5 percent of SNAP recipients in the state are refugees or other non-citizens.²⁸⁴

For low-income families, Minnesota offers both cash and food assistance through one program known as the Minnesota Family Investment Program (MFIP).²⁸⁵ MFIP benefits therefore serve as combination of both SNAP and TANF benefits for participants in the program.²⁸⁶ In addition to cash and food assistance, families receive employment services and potentially other benefits including childcare and housing grants.²⁸⁷ However, when families initially apply for cash assistance, most families (except for those meeting certain limited criteria) will initially enter the Diversionary Work Program (DWP) to receive employment assistance and help with other expenses so that they do not need to later receive MFIP benefits.²⁸⁸

Regarding to eligibility for MFIP, the program provides assistance to individuals eligible for federally funded SNAP and TANF benefits and also provides state-funded SNAP and TANF benefits to lawfully present immigrants who do not qualify for federal benefits solely due to their immigration status.²⁸⁹ MFIP is paid for via a combination of state and federal funding, giving the program the flexibility to cover multiple populations within a single program.²⁹⁰ Individual immigration status determines which funding source applies in each case.²⁹¹ As was the case for MFAP, DWP and MFIP recipients must also take steps towards citizenship as described previously.²⁹²

According to the 2024-25 biennial budget, approximately 70 percent of people served through MFIP and DWP are children.²⁹³ In an average month, MFIP and DWP serve about 68,000 children alongside their parents or caretakers living within nearly 26,000 households.²⁹⁴ However, there is no publicly available data indicating what proportion of recipients were receiving state versus federally funded benefits. Through MFIP, families receive an average of \$1,047 per month when combining cash assistance and food support whereas, through DWP, families receive an average of \$481 per month of cash assistance.²⁹⁵ In 2018, counties in Minnesota spent on average \$128 per month to administer each MFIP case, as compared to an average of about \$37 per month to administer each SNAP case.²⁹⁶ Overall, the total amount of spending for all MFIP and DWP activities in fiscal year 2021 was \$376 million, representing 1.9 percent of the Department of Human Services overall budget.²⁹⁷ There is also no publicly available data on how much of this funding was allocated towards families ineligible for federal benefits.

4.5 MAINE

There are 49,517 immigrants in Maine, comprising 3.7 percent of the state population.²⁹⁸ The top countries of origin for immigrants include Canada (18.0 percent), the Philippines (9.0 percent), Germany (7.0 percent), India (6.0 percent), and the Republic of Korea (5.0 percent).²⁹⁹ Approximately 52.0 percent of immigrants in Maine are naturalized U.S. citizens, while 9.0 percent are undocumented.³⁰⁰ Maine currently has 50 active DACA recipients, with no data available on the number of refugees and individuals with TPS.³⁰¹ Approximately 3.8 percent of the state labor force is comprised of immigrants.³⁰²

Maine first enacted state funded SNAP and TANF benefits for immigrants in 1996 in response to PRWORA.³⁰³ The LePage administration sought to eliminate these benefits in 2011, however the legislature preserved access for some immigrants who met certain hardship criteria as detailed below.³⁰⁴ In 2019, Democratic legislators in the state introduced legislation that would restore access to state funded SNAP, TANF, and Medicaid for immigrants who were lawfully present or were pursuing lawful status and otherwise met the federal criteria, but these efforts were unsuccessful.³⁰⁵

Its state-funded SNAP benefits are equal to 100 percent of the federal SNAP benefit level, but eligibility is subject to a number of restrictions.³⁰⁶ In order to qualify for state funded SNAP benefits, non-citizen individuals applying after July 1, 2011, must be lawfully present in the United States, meet SNAP criteria except with regards to immigration status, and meet one of the following hardship criteria: 1) aged 65 years or older, 2) disabled, 3) waiting for work authorization, 4) issued a work authorization but still seeking employment, and 5) a survivor of domestic violence.³⁰⁷

Detailed caseload information for the state funded SNAP program is not publicly available. In 2017, it was reported that between 100 to 150 asylum seekers per year received state funded SNAP benefits under the hardship exemption of being issued work authorization but still searching for employment.³⁰⁸ It is not certain how many individuals receive state-funded SNAP benefits via the other four hardship criteria. Recent budget information on the cost of state-funded SNAP benefits

was not available, though legislators appropriated \$261,384 for fiscal years 2014 and 2015 to cover state-funded SNAP and TANF benefits for asylum seekers with work permits who were not yet employed, though these funds ran out in late 2014.³⁰⁹ There was no budgetary information available on how much state funded TANF benefits have cost the state in total across all five hardship criteria in more recent years.

As of February 2023, 174,344 individuals in around 100,000 Maine households receive federal SNAP benefits.³¹⁰ In 2022, Maine residents received a total of \$484.59 million in federal SNAP benefits.³¹¹ USDA estimates from fiscal year 2020 indicate that approximately 0.7 percent of individuals receiving federal SNAP benefits in Maine are refugees and other non-citizens, representing about 1,000 people in total.³¹² In March 2023, Mainers received \$28 million in total monthly SNAP funds, corresponding to around \$200,000 per month for non-citizen recipients of federal SNAP benefits.³¹³

State-funded TANF benefits in Maine are equal to 100 percent of the federal TANF benefit level, but eligibility is again subject to a number of restrictions.³¹⁴ In order to qualify for state funded TANF benefits, non-citizen individuals applying after July 1, 2011, must be lawfully present in the United States, meet TANF criteria except with regards to immigration status, and meet one of the same hardship criteria described above.³¹⁵

Recent statistics on the caseload and funding for state funded TANF benefits are not publicly available. In 2014, the Department of Health and Human Services in Maine estimated that about 128 individuals in 50 households received state funded TANF benefits though these figures apply only to asylum seekers with work authorization who are not yet working.³¹⁶ As stated above, \$261,384 was appropriated for fiscal years 2014 and 2015 to cover state funded SNAP and TANF benefits for this specific group of asylum seekers, though these funds ran out in late 2014.³¹⁷ It is not clear how many individuals receive state funded TANF benefits via the other four hardship criteria or how much state funded TANF benefits cost the state in total across all five hardship criteria.

As of July 2023, the overall TANF caseload in Maine for federally funded benefits is 4,587 households with 8,357 children.³¹⁸ Estimates in 2016 indicated that non-citizen TANF recipients represented about half of one percent of the families receiving benefits under the federal TANF program in Maine.³¹⁹ If this figure still holds, this would amount to less than 25 households across the state representing non-citizen recipients of federal TANF benefits. In 2021, Maine spent about \$131 million in federal and state funds under the TANF program; approximately 29 percent of these funds went towards cash assistance for TANF families.³²⁰

5 APPLICATIONS TO MASSACHUSETTS

As Massachusetts state leaders debate the creation of state-funded SNAP and TANF programs for a broad cohort of immigrants, it is important to consider the potential costs and benefits to these communities and to the Commonwealth as a whole. Accordingly, this final section of the report will first examine SNAP and TANF take-up rates among immigrants as well as national-level data

illustrating the impacts of SNAP and TANF. Next, this section will turn to an analysis of the Chelsea Eats study, a local experiment involving cash assistance, which helps shed light on the potential effects of state funded SNAP and TANF benefits for immigrants communities. Lastly, this section of the report will aim to estimate the costs to the state of implementing the proposed benefits programs utilizing the data presented in the state case studies.

5.1 TAKE-UP OF SNAP AND TANF AMONG IMMIGRANTS

Immigrant families eligible for public benefits tend to access them at "significantly lower rates than native families" and a plethora of research has documented an avoidance of public programs out of fear of immigration-related consequences. ^{321,322} Approximately 69 percent of children with native-born parent(s) in poor families were receiving SNAP benefits in 2008-09, and 18 percent were receiving TANF. Children with foreign-born parent(s) in poor families utilized SNAP and TANF significantly less, at 45 percent and 11 percent, respectively.³²³

One reason for this discrepancy is the existence of mixed status families in which members have different immigration statuses. There were 16.7 million Americans who lived in mixed-status families in 2021.³²⁴ Mixed-status families in which the parents are non-citizens and the children are U.S. born have significantly higher rates of food insecurity than families in which all members are U.S. born.³²⁵ However, according to data from the Migration Policy Institute, mixed-status households had the lowest percentages of estimated SNAP participation rates in 2019.³²⁶ The chart below provides detailed percentage breakdowns by race and ethnicity and immigration-status eligibility for the program.

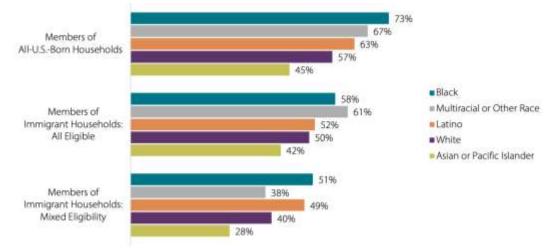


Figure 5.1.1: Estimated SNAP Participation Rates of People Living in Low-income Households with Children, United States, 2019³²⁷

Another key factor impacting take-up rates among immigrants is the issue of public charge as discussed previously in this report. While the Trump-era changes to public charge rules were later rescinded, the announcement of these proposed changes resulted in reduced enrollments in safety-net programs even prior to implementation of the new rules in 2020.³²⁸ For example, research by the

Urban Institute found that approximately one in five adults in low-income immigrant households (20.7 percent) reported that they or a family member "did not participate in a noncash government benefit program in 2018 for fear of risking future green card status."³²⁹ Though the proposed rule change would have only affected adults without green cards, the study found that households with members of mixed status (including those where all members already held green cards or were naturalized citizens) and households with children also refrained from participating in noncash government benefit programs because of public charge concerns.³³⁰ A separate analysis by the Migration Policy Institute indicated that while participation in SNAP, TANF, and Medicaid fell during the first three years of the Trump administration due to improving economic conditions, participation declined twice as fast among non-citizens as compared to citizens, suggesting that the public-charge rule and other administration policies chilled immigrants' participation in public benefits programs.³³¹





5.2 IMPACTS OF SNAP AND TANF

As the nation's largest food assistance program, SNAP not only addresses food insecurity and poverty, but also impacts the broader U.S. economy and labor supply.

For instance, a 2019 study on families with young children living in five cities across the U.S. found that there were significant benefits to participating in the SNAP program.³³² In this study, children that utilized SNAP had a lower odds of being in fair or poor health, underweight, obese, or at developmental risk as compared to children that did not receive SNAP benefits.³³³ Furthermore, food insecurity both within households and among children was lower for SNAP participants.³³⁴ Lastly, receiving SNAP benefits was also associated with a decreased need to sacrifice basic essentials in order to afford health care for children and families.³³⁵ Overall, in this study and others, SNAP has been shown to foster improved health as well as alleviate food insecurity and poverty.³³⁶

With regards to economic impacts, SNAP is one of the "nation's primary counter-cyclical government assistance programs."³³⁷ SNAP participation and benefits expand in the event of an economic downturn and contract as the economy strengthens, thereby serving as an automatic economic stabilizer.³³⁸ Furthermore, while SNAP benefits are given directly to households, the subsequent increase in spending has ripple effects for other parties; as families spend more SNAP benefits, this augments the income and spending of farmers, grocery retailers, food processors and distributors, and

so on.³³⁹ Thus, distributing SNAP benefits has a "multiplier" effect, supporting macroeconomic production and spending.³⁴⁰ For example, according to estimates by the USDA Economic Research Service, each \$1 billion increase in SNAP benefits during a slowing economy in turn increases the U.S. GDP by \$1.54 billion and supports an additional 13,560 jobs.³⁴¹

However, not all economic projections of the effects of SNAP are positive. In 2021, the USDA increased the maximum SNAP benefit that households could receive, representing a 27 percent increase as compared to pre-pandemic benefit levels (a smaller increase relative to temporary benefit increases during the pandemic).³⁴² Subsequently, researchers at the Wharton School of the University of Pennsylvania developed a model to estimate the macroeconomic and distributional effects of this change.³⁴³ Assuming that all taxes and policies are held constant and that the increase in SNAP benefits is financed with public debt, they predict that this increase in SNAP spending will lead to "2.1 percent more government debt by 2031, 3.5 percent more government debt in 2041, and 4.6 percent more in 2051, relative to an economy with the previous SNAP benefits."³⁴⁴ The researchers also predicted that this increase in SNAP benefits would lead to a reduction in hours worked and a fall in capital stock, resulting in a lower GDP as compared to baseline.³⁴⁵ Per their modelling, the GDP will be 0.2 percent lower in 2031, 0.3 percent lower in 2041, and 0.5 percent lower in 2015.³⁴⁶ With regards to distributional effects, the researchers found that SNAP recipients and older working age individuals would be most likely to benefit from the policy, while, for younger people with high incomes and wealthier retirees, the policy change would be detrimental.³⁴⁷

As compared to SNAP, the success of TANF has been more controversial. The results of research studies published over the past few decades have been mixed, with certain studies demonstrating positive effects alongside many others illustrating null or even negative impacts.³⁴⁸ Furthermore, researchers often highlight key features of the TANF block grant that undermine the program's ability to effectively support low-income communities.³⁴⁹ Major criticisms leveled at the TANF program include the following:

- **Fixed Federal Funding:** The block grant structure provides fixed federal funding to the states which has eroded in value over the past decades due to inflation.³⁵⁰ Furthermore, this funding arrangement "makes it impossible for TANF to respond to the cyclical nature of poverty and changes in the broader economy."³⁵¹
- **Ineffective Work Requirements:** While some studies have found evidence of modest increases in employment as a result of imposing TANF work requirements, these jobs are often in low-wage sectors where income volatility and job turnover are high.³⁵² As a result, researchers have found that receiving TANF benefits did not substantially improve income or financial well-being, even when employment rose.³⁵³
- State Discretion over Program Design: States have wide-ranging flexibility over how TANF funds are spent, allowing many states to divert funds away from cash assistance for low-income families.³⁵⁴ States also have broad discretion over benefit levels and eligibility policies and there is evidence that this adversely impacts racial minorities; Black children are disproportionately likely to live in states with the weakest TANF programs.³⁵⁵

Decline in TANF Caseload and Real Value of TANF Benefits: As of 2019, for every 100 families with children living in poverty, just 23 families received cash assistance from TANF, which is down from 68 families when TANF was first enacted in 1996.³⁵⁶ The real value of TANF cash assistance benefits distributed nationally has also declined during this time period.³⁵⁷ Research illustrates that these declines can largely be attributed to state decisions to impose greater restrictions on eligibility and lower maximum benefit levels.³⁵⁸

5.3 CHELSEA EATS

In the midst of the COVID-19 pandemic, the city of Chelsea, Massachusetts dispersed cash cards to approximately 2,000 households throughout the city in a program called "Chelsea Eats."³⁵⁹ While Chelsea initially hosted pop-up food pantries, the city decided to focus its efforts on Chelsea Eats, with the city spending \$6 million over the course of the program.³⁶⁰ With preference in selection for the program given to those ineligible for other forms of federal assistance, and with 47.2 percent of Chelsea's population being foreign-born, Chelsea Eats provides crucial insight into the potential impacts of expanding immigrant eligibility for SNAP and TANF in Massachusetts.³⁶¹ The majority of responses to surveys following the Chelsea Eats program were written in Spanish, reflecting the large Central and South American immigrant population in Massachusetts.³⁶²

While the program was not exclusively for immigrants ineligible for SNAP and TANF, preference in the entrance lottery for Chelsea Eats was given to "families with children, disabled residents, veterans, seniors over 65, households that have been economically impacted by COVID-19, and households that are ineligible for other forms of federal assistance."³⁶³ Priority within the lottery was established by giving families several lottery "tickets" depending on which additional preference criteria they met. Every entrant received at least one ticket, and entrants could also receive up to eight additional "tickets" depending on how many of the preference criteria they met.³⁶⁴ In surveys conducted during and after the program of those who received Chelsea Eats benefits, 47 percent of sample members indicated that they also received SNAP, meaning that the majority of Chelsea Eats' participants were individuals that did not receive federal benefits.³⁶⁵ Out of the 3,615 households that applied for Chelsea Eats, 2,213 were chosen to receive the program's funding benefits.³⁶⁶

Harvard University researchers analyzed results from the Chelsea Eats program and found that those who joined the program had higher food expenditures, greater consumption of fish and fresh meat, and greater food satisfaction than those who entered the lottery but were not selected.³⁶⁷ Those who were selected in the Chelsea Eats lottery also had lower levels of financial distress compared to those who were not selected for the program.³⁶⁸ While the program was titled "Chelsea Eats," participants could use the money they received for other purchases as well. At the conclusion of the program, the researchers found that 65 percent of funding was spent at places in which food was the primary product, indicating that the program was successful in achieving its intended impact of helping participants purchase food.³⁶⁹ Those who received cash cards were more likely to say that their household food situation and overall financial situation had improved compared to those did not

receive cash cards.³⁷⁰ The surveys completed after the program did not find differences in health and school attendance outcomes between those who did or did not receive funding.³⁷¹

5.4 ESTIMATED COSTS OF STATE-FUNDED BENEFITS IN MASSACHUSETTS

Amongst the states described in the five case studies, Washington state serves as the most useful model for Massachusetts with regards to creating state-funded SNAP and TANF programs. Washington has a non-citizen immigrant population that is very similar in size to that of Massachusetts and its state-funded SNAP and TANF counterparts also have similar eligibility criteria as compared to the proposed programs in Massachusetts. As of 2021, there were an estimated 583,029 non-citizen immigrants in Washington according to Migration Policy Institute tabulations of the U.S. Census Bureau's American Community Survey.³⁷² In that same year, there were an estimated 557,852 non-citizen immigrants in Massachusetts.³⁷³ In Washington, approximately 30 percent of non-citizen immigrants were below 200 percent of the federal poverty level in 2021, as compared to 34.4 percent in Massachusetts.^{374,375}

As described previously, Washington's SNAP program is known as Basic Food and its state funded counterpart is known as the Food Assistance Program.³⁷⁶ Immigrants eligible for FAP include qualified barred immigrants, nonqualified lawfully present immigrants, immigrants with statuses considered PRUCOL, and survivors of certain crimes (individuals and their qualifying family members who have filed or are preparing to file an application for a T-visa, a U-visa, or asylum).^{377,378} The proposed state funded SNAP program in Massachusetts would essentially cover all of these groups.³⁷⁹ While survivors of certain crimes are not explicitly mentioned in the proposed legislation, these individuals would generally be in the process of submitting documentation or an application to obtain an immigration status and would therefore be able to qualify as PRUCOL under Massachusetts' policy.³⁸⁰ As seen in the Washington state caseload data for fiscal year 2022, FAP recipients within the "survivors of certain crimes" eligibility category comprised less than 1 percent of the total FAP recipients in that year.³⁸¹ Consequently, eligibility for Massachusetts' proposed state funded SNAP program would be identical or almost identical to that of FAP in Washington.

When considering State Family Assistance, the Washington state-funded TANF counterpart, eligibility is somewhat more restrictive than what has been proposed in Massachusetts. Non-citizens eligible for SFA include those who are qualified barred, nonqualified lawfully present, and survivors of certain crimes.³⁸² Unlike FAP, SFA eligibility does not include nonqualified immigrants with statuses considered PRUCOL (other than survivors of certain crimes).³⁸³ In contrast, the proposed state funded TANF program in Massachusetts would cover the same types of immigrants as would be covered by the proposed state funded SNAP program.³⁸⁴ Thus, this would include qualified barred immigrants, nonqualified lawfully present immigrants, and immigrants with statuses considered PRUCOL (which would generally include survivors of certain crimes as described above).³⁸⁵ As a result, eligibility for Massachusetts's proposed state funded TANF program is broader than that of

SFA. Despite these differences, Washington's SFA program still serves as a useful benchmark for Massachusetts.

In addition to the above factors, Washington also publishes an extensive amount of caseload and cost data on its benefits programs. None of the other states with state-funded SNAP and TANF programs make similar data publicly available. Thus, for these reasons, the following cost projections rely primarily on Washington state data as presented in the Briefing Book for fiscal year 2022 (July 2021 to June 2022) as described in the case study section.

In fiscal year 2022, the monthly average caseload for state-funded food assistance in Washington was 10,211 cases (range of total cases per month: 9,023 - 13,521) which includes households receiving just state funded assistance via FAP and mixed-status households receiving both state and federally funded benefits via FAP and Basic Food.³⁸⁶ During fiscal year 2022, the state of Washington spent an average of \$2,895,685 per month on its FAP program (range of total monthly state expenditures for FAP cases: \$2,406,259 to \$4,381,160).³⁸⁷ As a result, the average state expenditure per FAP case during that year was \$283.57 (range of monthly average expenditures per FAP case: \$255.81 to \$324.03).³⁸⁸

During fiscal year 2022, the monthly average caseload for state-funded cash assistance in Washington was 1,159 cases (range of total cases per month: 734 - 2,265) when included both households that only received state funded assistance via SFA and mixed-status households that received both state and federally funded benefits via SFA and TANF.³⁸⁹ In fiscal year 2022, Washington spent an average of \$523,451 per month on its SFA program (range of total monthly state expenditures for FAP cases: \$295,271 to \$1,265,958).³⁹⁰ Consequently, the average state expenditure per SFA case during that year was \$451.64 (range of monthly average expenditures per FAP case: \$392.00 to \$558.92).³⁹¹

Of note, the average values presented above are positively skewed given the rapid rise in cases, total expenses, and expenses per case at the end of fiscal year 2022 due to the arrival of thousands of immigrants from Ukraine.³⁹² This is particularly the case for the SFA data given that many of the newly arriving Ukrainian immigrants were initially only eligible for SFA benefits (many of these Ukrainian immigrants are now eligible for federally funded benefits).³⁹³ Given the high likelihood of future stochastic shocks to immigration flows and the resulting spikes in expenditures that state funded benefits programs will need to manage, this analysis purposefully utilizes the positively skewed average values rather than the lower median values which could potentially underestimate spending in the case of an unexpected influx of immigrants.

As of 2021, Massachusetts non-citizen immigrant population is approximately 95.7 percent of the size of Washington's non-citizen immigrant population. Therefore, while Washington spent a total of \$34,748,226 in fiscal year 2022 on its state-funded food assistance program, Massachusetts could expect to spend approximately 95.7 percent of this amount, or \$33,247,690.³⁹⁴ However, this assumes that program costs scale similarly in both states, immigrant eligibility for state and federal benefits is the same across both states, the composition of the immigrant population is similar in both states, and take-up rates are also comparable. One key reason why the above assumptions may not hold is that Massachusetts has a much larger proportion of newly arrived immigrants who are Haitian, many of

whom are immediately eligible for federal SNAP benefits and would not need state-funded benefits.³⁹⁵ Thus, the \$33,247,690 estimate above may be an overestimate of the projected costs of state-funded food assistance in Massachusetts. In addition, it is important to note this estimate corresponds to providing benefits for a full caseload of recipients. Costs will be significantly lower during the initial roll-out period and then ramp up as enrollment increases.

Washington spent a total of \$6,281,411 in fiscal year 2022 on its state-funded cash assistance program.³⁹⁶ Thus, accounting for the small difference in the size of the non-citizen immigrant population, Massachusetts could expect to spend approximately \$6,010,160, again assuming that the scale-up of program costs, immigrant eligibility for benefits, the composition of the immigrant population, and take-up rates are similar across both states. There are at least two reasons why these assumptions do not hold but it is difficult to estimate the extent to which the combination of these two factors might impact projected program costs. On one hand, the SFA program in Washington has narrower eligibility criteria with respect to immigration status as compared to the proposed state funded cash assistance program in Massachusetts. On the other hand, as mentioned above, Massachusetts has a much larger population of newly arriving Haitian immigrants who are often immediately eligible for federal TANF benefits and would not need to access benefits from the state funded program. Finally, the estimate presented here represents the cost of state funded TANF benefits for a full caseload; program costs will certainly be lower during the initial roll-out period.

In addition to the above considerations, concerns related to mixed status families, public charge, and general anti-immigrant sentiments would chill participation in both proposed state funded programs. This would function to lower costs to the state. On the other side, the non-citizen immigrant poverty rate is higher in Massachusetts than in Washington, indicating that there is the potential for greater participation in these proposed programs in Massachusetts which would then raise costs to the state.

Overall, providing state-funded food and cash assistance benefits in Massachusetts is projected to cost approximately \$39.3 million for a full caseload of recipients. However, as described above, there are several factors at play that would function to either raise or lower total expenditures in practice. Nevertheless, there are a few key conclusions that can be drawn from these estimates. First, state expenditures will primarily be driven by the costs of providing and administering state funded SNAP benefits rather than TANF benefits due to the much broader eligibility criteria for SNAP as compared to TANF. The receipt of TANF benefits is also included in public charge determinations while the receipt of SNAP benefits is not included. In addition, the requirement to have a child support case in order to receive TANF benefits is a further deterrent for immigrant families, many of whom have been separated in the process of immigrating to the U.S.

Second, as is the case in Washington state, a large proportion of the state-funded benefits will go to mixed status households where certain family members are already receiving federal SNAP and TANF benefits. Thus, in many cases, Massachusetts will only pay the incremental costs of additional benefits for recipients living within households already receiving some federal benefits.

Third, the projected costs of providing state-funded food and cash assistance benefits in Massachusetts are a small percentage of the total value of federal SNAP and TANF benefits distributed in the state. For example, Massachusetts residents received approximately \$2.35 billion in federal SNAP benefits and \$213 million in federal TANF cash assistance benefits in 2021 for a total of \$2.265 billion in federal benefits across these two programs.^{397,398} Based on the Massachusetts-specific projections above, the total cost of providing state-funded food and cash assistance for immigrants who would qualify would be slightly over 1.5 percent of the total federal spending on food and cash assistance in the state. In fiscal year 2023, Massachusetts appropriated \$147.5 million for the EAEDC program and \$219.4 million for the EA shelter program.³⁹⁹ Thus, the state-level funding needed to provide the proposed food and cash assistance benefits is relatively small as compared to the amount already being spent on other Massachusetts state-specific benefits programs.

6 CONCLUSION

The complex landscape of laws governing immigrant eligibility for federal public benefits has created a challenging environment for immigrants seeking assistance. This report sheds light on the historical context and the current state of immigrant eligibility for benefits, emphasizing the impact of PRWORA restrictions and the subsequent emergence of state funded alternatives to federally funded programs such as SNAP and TANF.

The proposed legislation in Massachusetts, Bill H. 135/S. 76, presents a potential avenue for Massachusetts to create its own state funded programs to restore more widespread immigrant eligibility for food and cash assistance, subject to the appropriation of sufficient funding in the state budget. Thus, subsequent sections of this report explore the contextual relevance of such programs within the broader welfare framework of the state, delineate the demographics of Massachusetts's immigrant population, and develop a comparative analysis of state-funded benefits programs in five states that have both state funded SNAP- and TANF-type programs.

These findings are then applied to the Massachusetts context, drawing on data from Washington state as a reference. Overall, estimates indicate that providing state-funded food and cash assistance benefits in accordance with the policies outlined in Bill H. 135/S. 76 would cost the state approximately \$39.3 million for a full caseload of recipients. The cost breakdown underscores that these expenditures would largely be driven by the costs of providing and administering the state funded SNAP benefits, rather than the state funded TANF benefits. It is also important to recognize that these estimates rely on a number of assumptions and the overall costs may be higher or lower in actuality due to the interplay of various factors such as differences in eligibility guidelines, immigrant demographics, program take-up rates, and so on. In addition, costs would also be lower during the initial program roll-out period while caseload numbers are low.

In sum, this report provides a comprehensive examination of the costs and benefits associated with implementing state-funded food and cash assistance programs for a broad cohort of immigrants in Massachusetts. It serves as a valuable resource for policymakers and stakeholders considering the

implications of Bill H. 135/S. 76, offering insights into the possible financial and economic impacts as well as the potential improvements in health, poverty, and food insecurity for immigrant communities in the state.

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