# Leave-behind

## Protect newcomers' access to food in the wake of SNAP cuts

Right now, thousands of refugees and other immigrants seeking safety from persecution are losing access to the federal food assistance benefits that make it possible for them to put food on the table. When Congress passed the "One Big Beautiful Bill Act," it cut off refugees and other humanitarian arrivals from the Supplemental Nutrition Assistance Program (SNAP).

In the face of unclear and confusing federal guidance, some states are implementing eligibility changes more broadly than the new federal law prescribes, unnecessarily cutting off some newcomers who still qualify. Each state has a moral and legal responsibility to avoid incorrectly denying benefits to those who remain eligible.

Though a large number of eligible newcomers are at risk being improperly cut off from their SNAP benefits, many are also now statutorily ineligible for the food assistance they once counted on. Beyond making sure eligible people don't lose their SNAP, states are also uniquely positioned to invest in programs and partnerships that prevent communities from going hungry.

### Background

The "One Big Beautiful Bill Act" (OBBBA) renders hundreds of thousands of people seeking safety from persecution and violence newly ineligible for SNAP benefits. The bill **specifically targets food assistance for refugees, asylees, and other immigrants seeking safety from persecution and violence** ("humanitarian arrivals"). With the exception of those who obtain Lawful Permanent Resident (LPR) status – which often entails a lengthy and expensive process – many humanitarian arrivals are now categorically ineligible for SNAP.

On October 31, the U.S. Department of Agriculture (USDA) issued guidance on how states should implement the SNAP eligibility restrictions that Congress included in OBBBA. The guidance explicitly acknowledges that existing exceptions still apply to the five year waiting period that many new green card holders face before becoming eligible for benefits. However, Special Immigrant Visa recipients – who are by definition, LPRs – and green card holders who adjusted from statuses like refugee or asylee remain conspicuously absent in charts listing the populations that are exempt from the bar, even though existing federal law says they are immediately eligible for federal public benefits like SNAP.

With the USDA failing to provide clear guidance, some states are erroneously turning away LPRs who entered the U.S. as refugees or with other humanitarian statuses, falsely assuming they are subject to the so-called "five year bar," despite clear evidence to the contrary.

Additionally, before Congress passed OBBBA, changes in immigration status did not impact humanitarian arrivals' eligibility for SNAP. Thus, many states have not prioritized maintaining their records to reflect the now-crucial detail of whether a SNAP participant has become a permanent resident or citizen. States that fail to confirm enrollees' current immigration status risk revoking SNAP benefits from eligible individuals.

Learn more about SNAP and how states are implementing eligibility changes here.

Beyond minimizing harm by avoiding improper denials, states also have the opportunity to proactively fill the gaps with state-funded parallel food assistance programs and investments in public-private partnerships with local community partners.

## Policy Asks

To mitigate harm and proactively work toward solutions as refugees and other humanitarian arrivals are cut off from federal food assistance, states must:

**Ensure that SNAP implementing agencies do not cut off eligible immigrants.** States must properly interpret federal law and policy guidance to make sure that eligible Lawful Permanent Residents – such as Special Immigrant Visa recipients and Green Card holders or citizens who were once refugees or asylees – are not cut off from SNAP.

- Abide by federal law by refraining from applying the "5-year bar" to humanitarian entrants who adjust to LPR status.
- Verify individuals' current immigration status to avoid improperly terminating benefits for those who have become permanent residents or citizens since first applying for food assistance.

**Create and fund state-run programs** that can fill the gap for newcomers who are newly cut off from SNAP benefits.

- Establish or expand state-run parallel food assistance programs for households who would qualify for SNAP but are excluded based on their immigration status. For example:
  - Washington and Minnesota operate parallel state-funded food assistance programs that can cover humanitarian arrivals who are newly cut off.
  - Massachusetts is considering legislation to provide food assistance to newcomers who are excluded from SNAP.
  - Vermont provided grant funding to refugee resettlement agencies to help them support individuals who are newly cut off from SNAP.
- Fund legal services to help humanitarian arrivals navigate the process of adjusting to Lawful Permanent Resident (LPR) status so that those who would be eligible for SNAP but for their immigration status can regain access to it. For example:
  - California and Massachusetts provide grants to nonprofit organizations that assist immigrants with legal services.

**Invest in programs and partnerships** with food banks, ethnic and community based organizations, educational institutions, businesses, faith-based organizations, and refugee and immigrant service providers working to prevent communities from going hungry.

- Provide or continue providing additional funding to food banks to help them meet the needs of refugee and immigrant populations newly cut off from SNAP.
  - Pennsylvania, Virginia, Utah, Oklahoma, Illinois, North Dakota, and many other states appropriated funds to support food banks responding to heightened need during the government shutdown, demonstrating that states have capacity to support food banks working to address emergent food security challenges.
- Promote and fund farmers' markets, restaurants, and local businesses and organizations that connect communities with nutritious, affordable food. For example:
  - States like Maryland and Pennsylvania provide resources to local businesses and nonprofits working to improve food security through Fresh Food Financing Initiatives.
- Expand access to free school meals for children enrolled in public schools and support initiatives to purchase food from local farmers and producers to provide culturally-relevant foods to schools and other organizations working to meet communities' needs. For example:
  - All public school students in New Mexico have access to free, culturally responsive meals. The state provides schools with grants to purchase locally grown food.