Policy Brief: Expanding Food Benefits for Immigrants: Charting a Policy Agenda for New York City

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Ten years ago, FoodChange put out a report documenting problems in immigrant access to Food Stamps in New York City. Has the situation changed since then?

Introduction

In the United States, a century of social reforms has yielded several national programs that help people avoid hunger and food insecurity. In 2015, the Supplemental Assistance Program (SNAP, formerly known as Food Stamps), the largest, provided benefits to more than 44 million low-income U.S. residents at a cost of about $70 billion for fiscal year 2015. The Women, Infants and Children program (WIC) offers healthy food to about 6 million women and their young children at a cost of $6.2 billion. USDA’s School Food serves lunches to about 30.5 million school children and breakfasts to about 14 million at a total cost of about $17 billion. These food safety net programs, however imperfect in their scope or implementation, mitigate the effects of poverty and food insecurity, improve health and help the United States join the club of civilized nations that aspire to make access to the food needed for well-being the norm rather than a privilege.

Not every resident of our nation, however, has access to these food safety net programs and many are unaware of their eligibility or face obstacles in enrolling. One such group is immigrants, defined broadly as people born elsewhere who come to the United States to work, live or spend extended time.
In this policy brief, we explore the eligibility of various categories of New York City’s immigrant populations, from those who have become citizens to permanent residents (Green Card holders) to those who lack legal immigration status, for SNAP, WIC and School Food, the nation’s main food benefit programs. We also examine factors that facilitate or block immigrants’ enrollment in these programs. Our larger goals are to encourage more systematic study of immigrant access to food benefits and identify opportunities for improving access. We hope to widen a public conversation among immigrants and their organizations, food security groups, food justice advocates and policy makers about identifying policies and practices that will make New York City a national model for immigrant access to food benefits.

New York City’s Immigrants

In 2013, the city’s immigrant population reached a new peak of more than 3 million. Immigrants constitute 37% of the city’s population and 43% of its workforce. They contribute $257 billion dollars to our city economy, nearly a third of the city’s entire economy. In FY 2015, about 96,000 new immigrants moved to New York City from other countries. With foreign-born mothers accounting for 51% of the city’s births, approximately 60% of New Yorkers are either immigrants or the children of immigrants. Growing proportions of immigrants are the elderly and children, populations that often experience higher rates of food insecurity.

United States immigration laws and procedures divide immigrants into various categories, which in turn influence eligibility and access to food benefits. About 1.6 million of New York City’s immigrants are naturalized, meaning they have completed the legal procedures for becoming U.S. citizens. Another 600,000 are legal residents, holding or in the process of applying for Green Cards. While counting immigrants who lack legal immigration status is challenging, New York City estimated that in 2010, 499,000 of the city’s immigrants were undocumented. Politicians sometimes speak as if these categories of immigrants were fixed and assign them moral values, with some categories deserving benefits and others not. In fact, individuals move among categories. Moreover, many immigrant households are composed of mixed-status families, that is – individuals of differing immigration status (e.g., a permanent resident or undocumented parent and U.S. citizen children), complicating the determination of eligibility for food benefits, which are often assigned to households rather than individuals.
Even while some cities and states in the U.S. have passed laws limiting services to immigrants in an effort to dissuade immigrants from arriving to or settling in their area, New York City’s elected officials have sought to proactively welcome immigrants and have a series of policies designed to offer privacy protection and limiting reporting of immigration status to federal authorities (Mayor Bloomberg’s executive orders in 2003); inclusion (such as the IDNYC, which provides various benefits and allows immigrants to present valid identification to municipal agencies) and services (health care coverage, prenatal care and food benefits) to immigrants residing in the city. Further, pragmatic considerations about the long-term public costs of failing to ensure a healthy start for the US-citizen children of immigrant families have led many places to invest in the health and well-being of all. Even while debates continue about immigration and proposals for immigration reform and enforcement, cities like New York set an example for other municipalities across the country of how a decent society treats its vulnerable populations, whatever their age, gender, race, income or immigration status.

**Food Insecurity among Immigrants in New York City**

Data on food insecurity among immigrants are sparse, making it difficult to quantify the scope of the problem or identify promising or troubling trends. The Food Bank for New York City estimates that about 1.4 million New York City residents rely on emergency food programs, including soup kitchens and food pantries, each year. This includes about one in five children, one in five seniors, and nearly one in three veterans. About the same number, 1.3 million New Yorkers are food insecure, meaning they lack a stable, adequate everyday source of food.

Currently, more than 1.7 million New Yorkers receive SNAP, including more than 650,000 children. According to a 2013 report from the U.S. Centers for Disease Control that surveyed women giving birth, about 54% of New York City women giving birth in 2007 or 2008 enrolled in WIC, about 75% of those eligible; a quarter of eligible women did not enroll. No data are available on the immigration status of women in WIC. Some evidence suggests that fear of deportation deters some immigrant women from enrolling in WIC. The New York City Department of Education serves about 170 million school meals each year, dishing out more than 200,000 breakfasts and more than 600,000 lunches each school day. Although school meals are available to all school children, regardless of immigration status, we were unable to find any data on uptake among immigrant children.

A 2002 report by the Urban Institute, based on surveys of immigrant populations in New York City and Los Angeles found that 31% of the New York City sample were food insecure, almost three times the rate of food insecurity among native born New Yorkers. More than 10% of immigrants reported food insecurity with moderate hunger, a designation showing a higher level of need. Food insecurity and hunger rates were higher for noncitizens than naturalized citizens. In 2006, a report by FoodChange estimated that about 180,000 immigrants in New York City were eligible for but not enrolled in SNAP.

Some evidence suggests that food insecurity among immigrants is growing. In 2015, the New York City Coalition against Hunger (now Hunger Free America) found that 50% of New York City’s food pantries and soup kitchens that responded to their annual survey reported they were serving more immigrants than in the previous year.

**Health Consequences of Food Insecurity**

Food insecurity has been associated with a variety of adverse health and social consequences. A recent review found that food-insecure children are at least twice as likely to report being in fair or poor health and at least 1.4
times more likely to have asthma, compared to food-secure children. Food-insecure seniors have limitations in activities of daily living comparable to those of food-secure seniors fourteen years older.18

A study in New York State concluded that compared to food secure older people, food insecure older people were likely to have lower nutrient intake, skinfold thickness, self-reported health status and higher nutritional risk. Food-insecure elderly persons had significantly lower intakes of energy, protein, carbohydrate, saturated fat, niacin, riboflavin, vitamins B-6 and B-12, magnesium, iron and zinc, as well as lower skinfold thickness. In addition, food-insecure elderly persons were more than twice as likely to report fair or poor health.19 Food insecurity also undermines educational achievement20 and reduces worker productivity.21

Fortunately, solid evidence shows that SNAP, WIC and school food can reduce the problems associated with food insecurity. A recent White House review of the research evidence on SNAP concluded:

SNAP is highly effective at reducing food insecurity, and in turn has important short-run and long-run benefits for low-income families. SNAP’s benefits are especially evident and wide-ranging for those who receive food assistance as children; they extend beyond the immediate goal of alleviating hunger and include improvements in short-run health and academic performance as well as in long-run health, educational attainment, and economic self-sufficiency.22

WIC participation has been associated with a reduction in infant deaths,23 and cognitive and academic benefits for participating children, leading one study to conclude, “WIC meaningfully contributes to children’s educational prospects”.24 School lunch and breakfast programs have been shown to contribute to reductions in food insecurity,25 increases in adolescents’ consumption of fruits and vegetables,26 and improved academic success.27

The adverse impact of food insecurity on health and well-being at all stages of life and the solid evidence that public food benefit programs reduce these harmful consequences raises questions about the public health, economic and moral consequences of failing to make these benefits fully available to all sectors of the population, including all categories of immigrants. In the next section of this policy brief, we summarize information on the eligibility of various groups of immigrants for SNAP, WIC and School Food. We then examine three levels of factors that facilitate or block enrollment in these programs:

1. The federal, state and city laws and regulations that govern the operations of these three programs;
2. The organizational practices of immigrant serving and food security groups that promote and enroll people in these programs; and
3. Immigrants’ beliefs and knowledge about these programs.

Overview of Immigrant Eligibility for Food Benefit Programs

The Supplemental Nutrition Assistance Program. SNAP has been a vital safety net and poverty reduction program for low-income families, including immigrant families, confronting short-term or long-term economic hardship since 1964. It also provides nutritional support for low-wage working families, allowing families to feed their children, afford housing, and prevent health problems. However, in 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) ended eligibility for most (legal) noncitizen adult and child immigrants, although
citizen children of noncitizens remained eligible. This resulted in immigrant families remaining unaware of the complicated eligibility rules, and complex regulations, as well as being uncertain about whether they might be eligible for food benefits. Many legal immigrants and members of immigrant families – especially U.S. citizen children – who are eligible for SNAP are failing to receive them.

Research shows that eligible U.S. citizen children with immigrant parents that are not eligible for SNAP tend to use them at much lower rates than children of citizen parents, who are eligible.\(^{28}\) A recent study estimated that only 44% of citizen children living with noncitizen adults meeting SNAP program gross income eligibility requirements participate in the program compared to 65% of income-eligible families of all-citizen children and parents.\(^{29}\) Sharp declines in SNAP participation rates for low-income (legal) noncitizens that stayed eligible for SNAP benefits under PRWORA and for U.S. citizen children living in a household with noncitizen adults, regardless of the SNAP participation or eligibility status of the adult, suggest that the law introduced confusion about complicated eligibility rules, recent changes in law, and/or fear about participating.\(^ {30}\) Although eligibility was restored for a substantial proportion of immigrant adults in the years after PRWORA, these changes increased confusion among immigrants on eligibility requirements.

**Source:** NYC Human Resources Administration

**WIC.** WIC provides food benefits to millions of low-income pregnant women, infants and nutritionally at-risk children. WIC is presently the third largest federally funded food program after SNAP and the School Breakfast and Lunch Programs. The USDA’s Food and Nutrition Service manages it, and to be eligible for WIC, you must be a pregnant or postpartum woman, an infant, or a child up to the age of five. Moreover, participants must be income eligible, at or below 185 percent of the federal poverty level; women who are enrolled in SNAP, Medicaid, or cash assistance automatically qualify for WIC.\(^ {31}\) Because WIC provides services to mixed-status families and has no restriction on eligibility for immigrants, in its eligibility rules at least, it provides an exception to the general marginalization of social services to this population.\(^ {32}\)
School Food. Federally funded school meals significantly reduce the financial burden on low-income families, including immigrant families, and increase their children's intake of nutritious food. There is no residency or citizenship requirement to obtain these important benefits. School lunches and school breakfasts are available to all children regardless of immigration status. Yet, about 400,000 NYC public school students do not participate in the school lunch program, and 800,000 public school students do not eat school breakfast. As noted, whether or not immigrant children participate at different rates than non-immigrants is not known.

Whether lunch is free or provided at a modest cost depends upon family income unless students attend a school with a universal program under Provision 2 or the Community Eligibility program. New York City has eliminated the "Reduced Price" category. Students with family incomes above the reduced price cut-off must pay the "full" price, currently $1.75 in NYC.33 Students whose families receive Temporary Assistance for Needy Families (TANF) or SNAP or who are homeless, in foster care, or officially recognized as migrant or runaway youth are "Direct Certified" for free meals through computer matching of records.

Noncitizens may be at a disadvantage in terms of "Direct Certification" because they are less likely to be eligible for SNAP and TANF, the two largest referring categories. Thus, parental income-based applications are more important to noncitizen families, and advocates believe that some families are deterred by fears of being labeled a “public charge”, a status that can jeopardize applications for citizenship, or being reported to the U.S. Immigration and Custom Enforcement (ICE), though research corroborating this belief is not available. Additionally, the first information requested on the school lunch application form is a social security number. Although those without a social security number may apply, this requirement may be intimidating for families in which some or all members are undocumented, do not have social security numbers, or fear submitting official paperwork.
General Eligibility Rules for Food Benefits

Under current law, certain qualified immigrants are eligible for major federal public benefits programs. SNAP, WIC and school food have different rules that may lead to explicit or unintended exclusions of some immigrants and their children. Available evidence indicates that immigrants in general disproportionately under-enroll in food benefit programs for which they are eligible, and undocumented immigrants may be even less likely to enroll in food benefits for which they are eligible.\textsuperscript{34,35} Additionally, the federal government allows states to administer programs to supply food benefits in lieu of SNAP to noncitizens who do not qualify for SNAP benefits, at state expense. New York State, however, does not provide a benefit in lieu of SNAP to noncitizens.\textsuperscript{36}

The following “qualified” individuals are eligible for SNAP if they were lawfully residing in the United States on August 22, 1996: (1) lawful permanent residents, or LPRs (people with green cards); (2) refugees, people granted asylum or withholding of deportation/removal, and conditional entrants; (3) people granted parole by the U.S. Department of Homeland Security (DHS) for a period of at least one year; (4) Cuban and Haitian entrants; (5) certain abused immigrants, their children, and/or their parents; and (6) certain survivors of trafficking.\textsuperscript{37} All other immigrants, including undocumented immigrants, as well as many people who are lawfully present in the U.S., are considered “not qualified.” Table 1 shows these federal eligibility rules in greater detail whereas table 2 shows the eligibility rules for WIC and school food.

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<th>Immigrant Category</th>
<th>Eligibility</th>
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Table 1. — Guide to Immigrant Eligibility for SNAP\textsuperscript{38}
- Lawful permanent residents who do not have 40 qualifying quarters of work
- Persons paroled into the U.S. for at least one year
- Victims of battery or abuse
- Persons 65 years of age or older who were lawfully residing in the U.S. on August 22, 1996

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<th>Eligible for SNAP after 5 years of qualified immigration status.</th>
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- Lawful permanent residents who have 40 qualifying quarters of work
- Qualified immigrant children under 18 years of age
- Qualified immigrants receiving disability-related assistance or benefits
- Veterans or persons on active duty in the U.S. Armed Forces (and qualifying family members)
- Refugees, asylees, and victims of human trafficking (and their derivative beneficiaries)
- Persons with Iraqi or Afghan special immigration status
- Amerasian immigrants
- Cuban and Haitian entrants
- Persons whose deportation has been withheld or who have been granted conditional entry
- Certain Hmong or Highland Laotians entrants (and their spouses and children)
- Certain American Indians born abroad

- Undocumented immigrants

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<th>Undocumented immigrants are ineligible for SNAP, but may apply on behalf of their qualifying U.S. citizen children.</th>
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Table 2: Summary of Other Public Food Assistance Programs Available to New York City Immigrants
A variety of other New York City non-profit organizations such as food pantries, soup kitchens, and church-based programs provide food and other types of assistance to people in need, including immigrants. These programs often have few or no eligibility requirements based on immigration status. While these other sources of food are an important part of the city’s food assistance landscape, they are not considered in this policy brief, which focuses on the major publicly funded food benefit programs.

### Facilitators and Barriers to Immigrant Access

In order to identify priorities for taking action to improve immigrant access to food benefits, it will be necessary to map major facilitators and barriers, and then assess the feasibility and impact of various options for reform. Here we propose a framework for such an analysis that can inform both the public conversation that is needed and the empirical studies that can provide the evidence policy makers and advocates need to make informed decisions. Figure 1 shows this framework, illustrating that each domain has reciprocal relationships with the other two.

#### Figure 1. Key Facilitators and Obstacles to Immigrant Access to Food Benefits
**Policy and law** is defined as federal, state and city policies, laws and regulations that facilitate or block access to each of the three major food benefit programs in New York City because of how public municipal agencies implement and interpret federal and state rules on food benefits to contribute to enrollment. Facilitators include mandates and funding for outreach and education, less restrictive eligibility requirements, and adequate funding to meet needs. Barriers may include complicated SNAP eligibility rules for immigrants and frequent changes in law and funding levels, making planning, outreach and education more difficult.

**Institutional and organizational practices** are defined as the current practices of immigrant-serving and food security groups, churches and others involved in assisting immigrants with food benefits. Examples are outreach, enrollment, and education procedures, the linguistic capabilities and culture competence of staff, and the hours and days the agency is open. Facilitators include practices that engage the diverse populations an agency seeks to serve and training staff to be familiar with the specific requirements for each benefit program. Possible barriers are hours of operation that limit access for working families or lacking staff that are linguistically and culturally capable of serving the relevant immigrant populations.

The **beliefs, experiences and knowledge of immigrant families and communities** are defined as beliefs that are held by individuals and immigrant communities because of their prior social, political, and religious experiences and the knowledge they have about food benefits, health and nutrition, and community services. Since many immigrants are also low-income and people of color, their beliefs and attitudes are shaped by the intersection of their experiences at the intersection of these categories. Facilitating factors include knowledge of the health benefits of adequate nutrition, beliefs that those who work and pay taxes are entitled to benefits regardless of immigration status, and being connected to family members or peers who receive food benefits. Barriers may include the belief...
that food insecurity is the norm or fears that use of benefits will attract negative scrutiny from U.S. Immigration and Customs Enforcement.

In the coming months, our Institute and others can use this framework to more fully map the landscape of immigrant access to food benefits. In order to develop a focused agenda for changing the policies and laws, organizational practices and immigrant knowledge, beliefs and values that influence access to food benefits, the following questions need to be answered:

1. Of the many factors influencing these policies and laws, organizational practices and immigrant knowledge, beliefs and values, which are the most important facilitators and barriers and which are the most amenable to change? Our Institute is now launching a survey of frontline providers and conducting interviews with staff of agencies serving immigrants to begin to answer this question. Other types of evidence are also needed.

2. Among what immigrant groups—by age, nationality and immigrant status—are food insecurity levels highest? A more complete assessment of unmet needs can help to develop priorities for intervention.

3. What are the best practices for improving immigrant access to food benefits among immigrant-serving, food security and other organizations in New York City? Can these practices be disseminated to others and sustained over time? What are best practices from other cities?

4. What policy and political streams favor action to improve immigrant access to food benefits in New York City? What organizations and individuals will support reform and who will oppose such efforts?

Answers to these questions will enable policy makers and advocates to develop strategies and campaigns for reform.

Next Steps

In the coming months, researchers at the CUNY Urban Food Policy Institute and the Jaime Lucero Institute for Mexican Studies will collect evidence to answer the above questions. We will share findings with others seeking to improve access to food benefits for immigrants with the goal of developing a comprehensive agenda for changes in policies and laws, organizational practices, and immigrant knowledge, and beliefs.

An important goal of this policy brief is to stimulate discussion among immigrants’ rights and food security advocates, social service providers, researchers on immigration and on food security, policy makers and public officials about feasible strategies for improving immigrant access to food benefits in New York City. To accelerate this process, in the final section we summarize some of the recommendations that have been in previous reports on immigrant access to benefits or that have been suggested by the individuals and organizations we interviewed for this brief. They are presented here not as final recommendations but as an invitation to begin the conversation about priorities and focus.
Possible Changes in Policy and Regulations

1. Create a New York-based municipal and state sponsored program to provide benefits equivalent to SNAP for all immigrants not currently eligible due to immigration status
2. Remove requirement for social security number on the School Food form
3. Improve data sharing among city and state agencies (with proper confidentiality protections) to facilitate enrollment in multiple benefit programs for which recipients are eligible, and create new eligibility systems as New York City and State restructure and modernize public benefits delivery systems
4. Establish policies and practices at city and state agencies that can enroll applicants in multiple programs for which they are eligible at the same time (e.g., Single Stop programs)
5. Develop strategies to minimize adverse impact of higher minimum wage on eligibility for food benefits
6. Ensure that a percentage of caseworkers in Human Resources Administration (HRA) offices speak the same language as the populations they assist
7. Deliver extra and continuing training on immigrant eligibility rules for HRA caseworkers
8. Establish policies and practices at city and state agencies that can enroll applicants in multiple programs for which they are eligible at the same time (e.g., Single Stop programs)

Possible Changes in Organizational Practices

1. Establish formal and informal partnerships between immigrant serving and food security organizations to exchange and disseminate best practices and to share respective expertise
2. Improve training around protected classes such as immigrant victims of domestic violence, and refugees and their eligibility to benefits
3. Ensure food benefit advocates speak two or more languages in order to make understanding the process more accessible to all people, particularly those for whom English is not the primary language
4. HRA should continue to participate in language-appropriate outreach and application assistance, including supporting collaborations with more recently arrived immigrant communities that immigrant-serving and food security organizations have not yet been able to reach.
5. Increase options for “one stop” shopping to make it easier for immigrant families (and others) to get multiple benefits in one setting.
6. Link programs and activities related to food benefits to other healthy eating initiatives in immigrant communities

Possible Educational and Communications Campaigns on Food and Food Benefits

1. Create citywide collaborative educational campaigns sponsored by food security, immigrant serving, and health professional organizations and city and state agencies to be conducted in New York City’s most common languages with focus on immigrant communities to:
   • Promote awareness of existing food benefit programs and their eligibility requirements
   • Counter stigma towards enrolling in SNAP, WIC and School Food programs
   • Publicize health and educational benefits of participation in food benefit programs

These campaigns should use all available media (e.g., subway and bus ads, social media, immigrant print, and radio and TV outlets) and settings (e.g., hospitals, health centers, social service agencies, parks, law clinics, etc.)
2. The Mayor and City Council Speaker, alongside with HRA and the Mayor’s Office of Immigrant Affairs, and other elected officials can continue to use their positions to help dispel myths and fears, explain immigrants’ rights to SNAP, and inspire immigrants to apply.
References


This information can be accessed in the SNAP State Options Report.
For more information, a guide to Immigrant Eligibility for Federal Programs can be accessed at www.nic.org/issues/economic-support/updatepage/

New York State defines “undocumented immigrants” as immigrants who do not have the permission or acquiescence of USCIS to remain in the U.S. They may have entered the U.S. legally but violated the terms of their entry (e.g., over-stayed a visa) or entered the U.S. illegally.
Immigrant Eligibility Criteria: All immigrants, regardless of status, including the undocumented population.
Non-citizen children and children of non-citizen immigrants qualify for free/reduced-price meals depending on family size and income.


This information can be accessed in the research report *Opportunities for States to Coordinate Medicaid and SNAP Renewals.*

