



Executive Summary

Intergovernmental Affairs Stakeholder Engagement

April 21, 2011

Background

On April 21, 2011, the Office of Public Engagement (OPE) hosted a two part national stakeholder teleconference specific to issues affecting refugees, asylees and other non-citizens. The first portion of the stakeholder call focused on the expiration of Supplemental Security Income (SSI) benefits for certain refugees and other non-citizens. This discussion was led by representatives from the Social Security Administration (SSA), the Department of Health and Human Services (HHS), and various program offices within U.S. Citizenship and Immigration Services (USCIS). During the second portion of this engagement, representatives from U.S. Customs and Border Protection (CBP), the Department of State (DOS) and multiple USCIS program offices walked stakeholders through the derivative refugee and asylee immigration process.

Below you will find an executive summary of this engagement.

Part I. Expiration of SSI Benefits

Under the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), most legal non-citizens were barred from federally funded assistance programs for the first five years they were in the U.S. However, certain qualified non-citizens, such as refugees and asylees, were exempt from this bar, and were potentially eligible to receive federal assistance (including SSI), on a time-limited basis. SSI is a federal income supplement program that provides monthly assistance to low income, elderly, blind and disabled individuals. Generally, the time-limited SSI eligibility period for these non-citizens has been seven years from the point at which immigration status was attained.

On September 30, 2008, the President signed into law the SSI Extension and Disabled Refugees Act (P.L. 110-328), which amended section 402 of PRWORA. This amendment granted a two year extension of SSI eligibility to time-limited non-citizens who attested that they have made a good faith effort to pursue U.S. citizenship. It also made all individuals who have submitted an application for naturalization exempt from any time limits during the effective period of the law (FY 2009 - FY 2011).

As of September 30, 2011, the SSI eligibility period reverts to seven years.

As part of its efforts to assist individuals at risk of losing SSI benefits, USCIS will prioritize processing of Form N-400, Application for Naturalization, filed by individuals (1) who are within one year of having their SSI benefits terminated and (2) whose Form N-400 is pending for four months or more from the date of receipt. USCIS encourages SSI recipients applying for naturalization to identify within their N-400 application that they are SSI beneficiaries; this will ensure that the applications received are given priority status. In addition, USCIS seeks to expand its efforts to educate the public through the recently launched Citizenship Education and Awareness Initiative. USCIS plans to expand its outreach efforts to include individuals affected by the seven year limit on SSI benefits and provide recipients with information regarding the naturalization process and other available resources.

During the teleconference, SSA explained the means by which the agency notifies SSI recipients that their eligibility is time-limited. In addition to the explanation that occurs during the initial SSI application process, the agency notifies all SSI recipients through the distribution of the following notices:

- SSI midyear mailer notice (an annual reminder, sent to all time-limited SSI recipients)
- Seven year suspension notice (sent to recipients reaching the end of 7-year eligibility)
- Nine year suspension notice (sent to recipients who received a two-year extension)

An example of each notice has been provided as an attachment to this document.

In addition, the HHS Administration on Aging provided information about its network of state and area agencies on aging, which work closely with elderly refugees and other noncitizens. HHS identified these agencies as possible ways to disseminate information regarding the expiration of SSI benefits.

This interagency collaboration has allowed for greater identification and sharing of resources and stronger working relationships with community partners, and has enabled the three agencies to educate stakeholders and respond to inquiries regarding the naturalization process and the expiration of SSI benefits.

Part II. Overview of the Derivative Refugee and Asylee Immigration Process

During the second portion of this engagement, USCIS, DOS and CBP identified the step-by-step process a derivative refugee or asylee would follow when migrating to the United States. The process highlighted:

- Overview of the USCIS application process,
- Receipt of USCIS Approval Notice,
- Overview U.S. Embassy or Consulate interview,
- Identification of documents received prior to travel to the U.S.,
- Arrival through U.S. Port of Entry,
- Timeframe of when information is present in SAVE,
- Production of the USCIS employment authorization document, and
- Production of the Social Security Card.

Please view the attached document to see a detailed view of this process.