

FREQUENTLY ASKED QUESTIONS

CalWORKS and Immigration

benefitsSF

1. I am not a U.S. citizen. Am I eligible for CalWORKs?

You may be eligible if you are a “qualified” immigrant. This includes lawful permanent residents (those who hold a “green card”), those with refugee or asylum status, conditional entrants, people granted withholding of deportation or removal, Cuban/Haitian entrants, and certain victims of domestic violence. Victims of human trafficking (applicants for and holders of a “T” visa), and applicants for and holders of a “U” visa may also be eligible.

2. Will my immigration status be reported to ICE or other immigration authorities?

No. Immigration status is confirmed, but only used to check whether you are eligible for CalWORKs. Immigration officials cannot use this information to deport you unless there is a criminal violation. San Francisco’s City of Refuge Ordinance prohibits City employees from assisting or cooperating with any federal immigration investigation, detention, or arrest procedures.

3. Can my children get CalWORKs even if I don’t have proper immigration status?

Yes. Your children may be eligible even if you aren’t. You may apply for CalWORKs for your children who are under age 18, if they were born in the US or have legal residency in the US. You will, however, have to show proof of your income and resources to determine the amount of cash aid for your children.

4. Is information about sponsorship required as a part of applying for CalWORKs?

Yes. Immigrants with sponsors may qualify for CalWORKs, depending on the sponsor’s income. Sponsored immigrants will, in most cases, be required to provide information on the sponsor’s income and assets. Immigrants with sponsors can also get time-limited CalWORKs if they would go hungry or be homeless without assistance.

5. Do I have to get fingerprinted?

Yes. Finger imaging is required when applying for CalWORKs, but that information can only be used to prevent or prosecute welfare fraud. Finger images will not be shared with law enforcement or immigration authorities.

6. Will applying for CalWORKs cash aid make it harder for me to get a “green card” or become a citizen in the future?

Not necessarily. You might have a problem getting your green card later ONLY IF you are unable to show at that time that you no longer need CalWORKs, (for example, because you have a job) OR if CalWORKs is your family’s only source of support. If you are a victim of abuse who has filed a self-petition under the Violence Against Women Act, or a refugee or asylee, you can use CalWORKs without hurting your chances of getting a green card.

If you are applying for U.S. citizenship, you cannot be denied citizenship for lawfully receiving CalWORKs. If you already have a green card, using cash welfare should not be a problem for you.

Any non-citizen who is concerned about the potential impact of using cash benefits on future ability to obtain a “green card” or citizenship status should speak with an immigration attorney or legal aid office.

For more information, go to sfhsa.org/CalWORKs.htm or call 415-557-5000

This FAQ provides general guidance only and is not meant to substitute for legal advice. For more information on immigrant eligibility for public benefits: National Immigration Law Center at www.nilc.org. For info about how benefits impact your immigration status: <http://www.uscis.gov> and search for "public charge."

This fact Sheet is current as of June 2010. It is not to be used as a substitute for Federal, State or County regulations. The SF Department of Human Services has copies of current regulations you may review.