



SSI For Noncitizens

What is Social Security (SSI) and who can get it?

SSI is a federal program that gives monthly benefits to low-income people. To get SSI, you have to be 65 or older or so disabled you can't work. There are more rules and limits if you are a noncitizen. Even if you are in the U.S. permanently and legally *and* you are at least 65 or disabled, you may not be able to get SSI.

To get SSI as a noncitizen, you have to fit into one of these 3 immigration categories:

1. You are an American Indian born in Canada
2. You get SSI based on an application filed before January 1, 1979

OR

3. You are a **"qualified"** noncitizen

How do I know if I am a "qualified" noncitizen?

If you

- have a **green card** and were lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- are a **"refugee."** (This includes if you are "Amerasian" and your father was a U.S. citizen in Southeast Asia during the Vietnam War years, if you are from Cuba or Haiti, or if you are an Afghan or Iraqi Special Immigrant).
- have been granted **asylum**.
- have been **paroled** into the U.S. for at least a year.
- have been granted **withholding of deportation** or **cancellation of removal**.
- have been granted a **T-visa** as a victim of severe trafficking.
- have been given **battered immigrant** status.

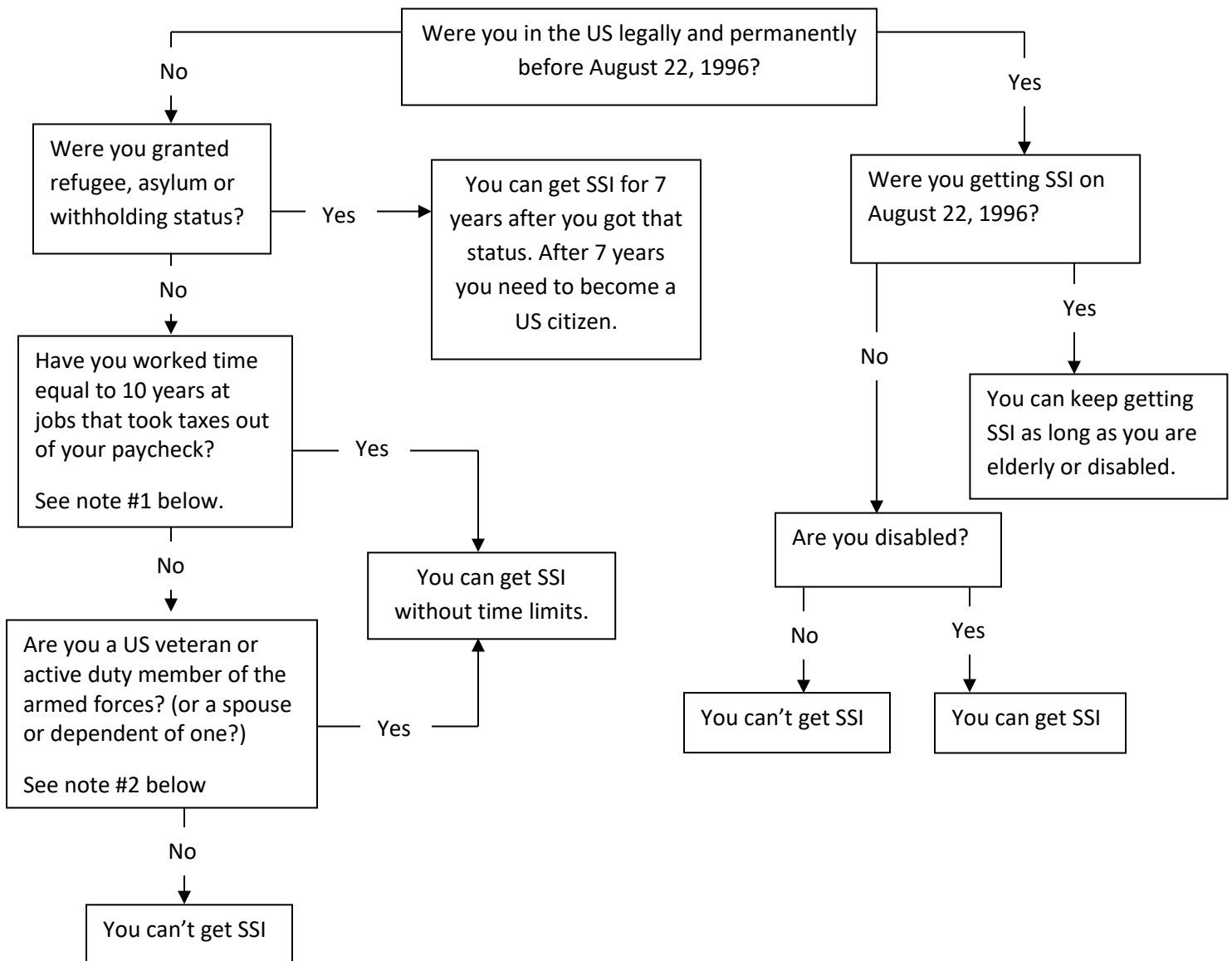
Then you are a qualified noncitizen.

If you don't fit into one of these categories, you can't get SSI.

If you do fit onto one of these categories, you still have to meet strict residency requirements. See the flowchart below to see if you can get SSI.

If you have questions about SSI and noncitizens, contact your local legal aid office.

Okay, I fit into one of the immigration categories listed on page 1. Can I get SSI?



Note #1 - Work Time: Time that your spouse spends working counts as your work time. If you immigrated as a child, your parents' work time while you were a minor can be counted. It can be complicated. SSA helps you figure out work time.

You can't count work time for any month after December 31, 1996 if you got public benefits (AFDC, Food Stamps, SNAP, MA or MFIP) that month. Talk to SSA or a lawyer for details.

Note #2 – Hmong soldiers and veterans with sponsors:

Hmong soldiers who fought with the CIA during the Vietnam War are not "US veterans" under US law.

If you are a veteran or active duty member of the armed forces who came to the US through the petition of a relative after December 12, 1997, income and assets of your sponsor and your sponsor's spouse are counted as if they are your own. That could put you over the limit to be able to get SSI. But, if you do not have food and shelter because your sponsor is not supporting you, you may get benefits. You may also be able to get benefits if you have been abused by your spouse or parent, you no longer live with your abuser, and your need for benefits is because of the abuse.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

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