

## KEY POINTS TO DISCUSS WITH IMMIGRANT APPLICANTS

- \* Provide a copy of the IM-31B Rights and Responsibilities form to the applicant.
- \* Applicants have the option to provide immigrant status and/or SSN of each EU member. If the applicant chooses to not provide (declines to declare) immigrant status or the SSN, that EU member is considered a non-applicant. The individual will not receive food stamp benefits, however, his/her income and resources are still included on the food stamp budget.
- \* If the immigrant has a sponsor who signed an affidavit of support on or after 12/19/1997 and does not meet a deeming exemption, the sponsor's income and resources are deemed to the immigrant's EU.
- \* If the immigrant is exempt from deeming due to indigence, the immigrant must be reported to the Attorney General of the US. The immigrant will face no negative consequence from INS for receiving food stamp benefits. If the immigrant is still concerned about being reported to the Attorney General, the immigrant can choose to have the sponsor's income and resources deemed to his EU even though she/he is exempt from deeming due to indigence. Explain that deeming the income and resources may cause an EU to be eligible for fewer food stamp benefits, or may cause the EU to not be eligible.
- \* If the immigrant has a sponsor and receives food stamp benefits, the sponsor may be liable for those food stamp benefits. A notice will be sent to the sponsor notifying them of the liability. However, stress that neither the sponsor nor the immigrant will face negative consequences from INS for participating in the Food Stamp Program.

### DON'T FORGET TO

- Ask if the immigrant has previous statuses if the current status is LPR or battered immigrant and is less than five years, but the entry date of the immigrant is greater than five years.
- Request information regarding the sponsor (income, resources, address, verification of affidavit, etc.) as applicable.

### HOW TO DETERMINE INDIGENCE

- Add the EU's own income any cash or in-kind assistance provided by the sponsor or others to the EU.
- Compare the income result to the 130% of federal poverty income. Refer to the Basis of Issuance Tables and look up the Limit Maximum Gross Income for the EU size, or refer to the Simplified Reporting Requirements chart for the EU size.
- If the total income is less than 130% of FPL, the EU is indigent.
- If the total income is greater than 130% of FPL, the EU is not indigent.