

MIGRATION-RELATED POLICIES ON CARES ACT, H.R. 748/ S. 3548

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, H.R. 748/ S. 3548 became law. The \$2.2 trillion, 880-page supplemental appropriations bill includes a range of measures to mitigate the impacts of COVID-19. For detailed information on provisions that relate to refugees, we urge you to make full use of [COVID-19 Legislation: Quick Facts and Analysis for Refugees and Resettlement Agencies](#), a resource that Refugee Council USA members, including USCCB/MRS, worked together to create. This current document highlights some of the major migration provisions in CARES and also gives an overview of how the Public Charge Rule applies.

Migration-Related Provisions Included in CARES:

- As a general rule, CARES leaves in place the ineligibility of the undocumented and other “non-qualified aliens” for cash assistance, including any cash assistance provided in CARES
- CARES prohibits anyone in a household from receiving the \$1,200-per-adult and \$500- per-child cash assistance if the household includes one or more undocumented immigrants. However, CARES covers “resident aliens” who filed federal taxes in 2018 or 2019 or before and have a social security number, and who either have a green card or meet certain IRS residency requirements. This will likely exclude some recently arrived refugees, asylees, Cuban- Haitian Entrants, and certain other migrants.
- CARES appropriates \$350 million for Migration and Refugee Assistance (MRA), to be used “to prevent, prepare for, and respond to coronavirus” although it is uncertain if funding will be allowed for refugee resettlement.
- CARES appropriates \$258 million for International Disaster Assistance (IDA), to be used internationally “to prevent, prepare for, and respond to coronavirus”

How does the Public Charge Rule apply to CARES?

- **“Public benefits not considered”** for public charge include Emergency Health Assistance, Child Health Insurance Program, Unemployment Insurance, and others. USCIS [issued an alert](#) clarifying that COVID-19 related screening, testing, treatment, or vaccines (when developed) will not negatively affect immigrants in future public charge determination.
- **“Public benefits considered”** for public charge determinations include such programs as Supplemental Nutrition Aid Program (SNAP), or numerous others. USCIS clarified that there is a totality of the circumstances test. For example, if someone documents that they received SNAP as a result of health or employment loss due to COVID-19, that would be taken into account. Additional public charge resources are available [here](#).
- **REMEMBER:** Refugees, asylees, T and U visa applicants, Afghan and Iraqi Special Immigrants, Special Juvenile Immigrants, Violence Against Women Act applicants and others are not subject to the Public Charge Rule.

Will there be additional legislation related to COVID-19?

There is likely to be further legislation for the mitigation of and recovery from COVID-19. We will continue working for greater inclusiveness and support for refugees and immigrants and to address gaps in healthcare and economic support.