

# DACA and DAPA Access to Federal Health and Economic Support Programs

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ON NOVEMBER 20, 2014, President Obama announced a series of actions on immigration. These actions include the creation of the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program and an expansion of the existing Deferred Action for Childhood Arrivals (DACA) program. DACA and DAPA recipients will be considered lawfully present in the U.S. during the period of their deferred action grant.

The following describes their eligibility for federal health care programs and economic supports, if all other requirements are met.

	ACA	Medicaid	CHIP	SNAP	TANF	SSI	Social Security Retirement Benefits	Medicare	Tax Credits EITC/CTC
DACA	NO	NO Except emergency services	NO	NO	NO	NO	With 10 years of work history, paid taxes, and reach retirement age	With 10 years of work history, paid taxes, and reach retirement age	YES
DAPA	NO	NO Except emergency services	NO	NO	NO	NO	With 10 years of work history, paid taxes, and reach retirement age	With 10 years of work history, paid taxes, and reach retirement age	YES

## Federal Health Care

### The Affordable Care Act (ACA)

The Obama administration issued regulations that deny access to health coverage under the ACA for DACA recipients (including those eligible under the newly announced expanded DACA program) and is expected to do the same for DAPA recipients. DACA and DAPA recipients will be denied access to the ACA marketplace, so they will be unable to buy a qualified health plan with subsidies or at full cost.

### Medicaid and Children’s Health Insurance Program (CHIP)

DACA and DAPA recipients are ineligible for federal Medicaid and CHIP services, with the exception of emergency Medicaid.<sup>1</sup>

<sup>1</sup> Some states provide access to state-funded medical assistance to broader groups, including DACA grantees.

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## Other Federal Public Benefits

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) denies eligibility for all of the major federal health care and public benefit programs to DACA and DAPA recipients. As noted above, DACA and DAPA grantees are not eligible for Medicaid or CHIP, except for emergency Medicaid services. They are also ineligible for SNAP (a.k.a. food stamps), TANF (a.k.a. welfare), Supplemental Security Income (SSI), HUD public housing/Section 8 subsidies, and numerous other federal public benefits.

## Social Security and Medicare

Once DACA and DAPA recipients receive work permits, they may apply for a Social Security number (SSN). Social Security and Medicare are earned benefits funded through workers' payroll taxes. They are based on the credits earned from the taxes paid and work performed in the U.S. Most often, taxpayers need to pay into 40 qualifying quarters (10 years) of work to be eligible for Social Security retirement benefits and Medicare.

President Obama's new deferred action programs provide access to work authorization for three-year periods. DACA and DAPA recipients will not be entitled to Social Security or Medicare benefits automatically. They would be able to apply to collect their Social Security payments only if they have sufficient work history recorded in the Social Security database and only once they reach retirement age or have a qualifying disability. Prospective DACA and DAPA grantees are, for the most part, decades away from retirement.

## Tax Credits

The **Earned Income Tax Credit (EITC)** is a tax credit for working people with low or moderate income. The amount of the credit depends on an individual's family size, filing status and exactly how much he or she earned that year. Because DACA and DAPA recipients are eligible for SSNs, they will be treated the same as any other taxpayer who files federal income taxes with an SSN. DACA and DAPA recipients may claim EITC eligibility for themselves and their children who have SSNs only if they are otherwise eligible.

DAPA and DACA grantees with work permits will be able to work lawfully as employees, and are likely to increase their income and earnings as well as their tax payments (as shown by studies surveying DACA's impact in its first two years). The net effect will be that these programs will generate much more federal and state income tax revenue.

The **Child Tax Credit/Additional Child Tax Credit (CTC/ACTC)** is a tax credit for low-wage working families to help them pay for their children's most basic needs. Families are eligible whether they file their taxes with an SSN or an Individual Taxpayer Identification Number (ITIN). Therefore, DACA and DAPA status does not provide any change in eligibility for the CTC/ACTC. In fact, these individuals may become ineligible for this credit if their income goes up.

### FOR MORE INFORMATION

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