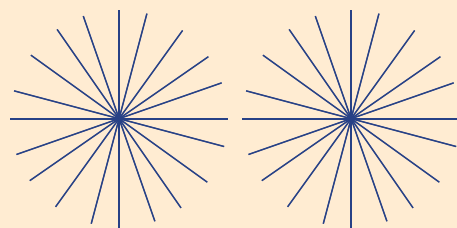




KNOW YOUR RIGHTS DURING DISASTERS



FEMA & Immigration Enforcement



MEMO FOR IMMIGRANTS AND ORGANIZATIONS SERVING IMMIGRANTS DURING EMERGENCIES AND DISASTERS

● ● ● JULY 24, 2025

Recent changes in the federal government have renewed concerns and fears over potential immigration enforcement actions during disasters. This has raised questions among some community members about whether they should pursue emergency assistance during and following disasters. This document summarizes what we know now in a Q&A format about immigrant eligibility for emergency services.

A coalition of organizations are closely monitoring how FEMA is interacting with non-citizens and mixed-status households, and how immigration enforcement agencies like ICE may be involved. As of the date of this document there are no new policies establishing restrictions on emergency non-cash or cash assistance since January 2025.

We are concerned, however, that there may be changes on the horizon or new ways in which recent executive actions may be applied to emergency assistance (for example, greater cooperation with ICE, denial of benefits to mixed status households, withdrawal of language access support, etc.). If and when we see any of these things happen, we will update this guidance.

If you see any of these things happen on the ground, please contact disaster-response-information@justsolutionscollective.org

IN A DISASTER, IF I LACK IMMIGRATION STATUS, CAN I SEEK HELP?



Yes. Everyone affected by a disaster is eligible for non-cash emergency help like food, water, shelter, and medical care. No one will or should ask for documentation. Don't risk your life or others due to fears of immigration enforcement. All disaster survivors, regardless of immigration status, are eligible for non-cash emergency help including food and water, medical care, shelter, crisis counseling, and some disaster legal services.

Most non-profit and service organizations provide help regardless of immigration status.

Given the uncertainty of the situation, we recommend that everyone know their rights.

(See the list of resources included in this guide)

WHAT'S THE DIFFERENCE?



MASS CARE & EMERGENCY ASSISTANCE

Everyone, regardless of their immigration status, can access mass care and emergency assistance. This is the help that's available in the immediate aftermath of the disaster and includes things like food and water, finding loved ones, mass evacuation support, and more. **You don't need to fill out an application with FEMA to access this assistance.** Emergency responders will be in the community while the disaster is happening to provide life saving assistance.



FEMA CASH ASSISTANCE

Once community lifelines are stable, meaning that the disaster itself has passed, power is being restored, and the immediate life threatening danger has passed, FEMA will pivot to addressing short-term recovery needs to get survivors back to a "liveable standard." This aid can include cash assistance. FEMA does this through their Individual Assistance programs. **You will need to fill out an application with FEMA to access this assistance.**

WILL ICE BE AT EMERGENCY SHELTERS?



Historically, Immigration and Customs Enforcement (ICE) actions at emergency shelters have been extremely rare. However, with recent changes in federal guidance, it is up to the local ICE office to determine whether they engage in immigrant enforcement actions in what used to be "protected spaces" or "sensitive locations," including disaster shelters and evacuation.

It is also possible that Immigration and Customs Enforcement (ICE) agents may be called in by FEMA to help with emergency assistance. Again, with recent changes in federal guidance, it is up to the local ICE office to determine whether they engage in immigrant enforcement actions, even when their agents are involved in emergency relief actions.

Contact us if there are reports of ICE activity at emergency shelters or during mass care & emergency assistance



COMMUNITY ORGANIZATIONS CAN PROVIDE SUPPORT

In jurisdictions where local law enforcement is coordinating with ICE, law enforcement presence may create additional fears and cause for concern for undocumented immigrants and their family members.

Community organizations can take steps to ensure that community members know their rights. They may also engage with local law enforcement leaders to clarify protocols and policies with local law enforcement agencies before disasters happen.

Federal and local emergency management systems often contract with nonprofit organizations to establish and operate emergency shelters and to provide emergency services. Organizations providing these services cannot prevent immigrant enforcement actions, but they can take steps to ensure that their staff and their clients know their rights.

WHO QUALIFIES FOR FEMA CASH ASSISTANCE FOR HOUSING OR OTHER NEEDS?



You may qualify for FEMA cash assistance for housing or other needs if you or any member of your household (including a child under 18 years old at the time of the disaster) is a U.S. citizen, non-citizen national, or a qualified non-citizen. If you are not sure if you qualify for FEMA cash assistance, consult with an attorney before you apply for FEMA's individual assistance programs including cash assistance (and preferably before you are affected by a disaster).

Qualified non-citizens include:

- Lawful Permanent Residents ("Green Card" holders)
- Persons granted asylum
- Refugees
- Persons granted withholding of deportation
- Persons paroled into the U.S. for at least one year for humanitarian purposes or significant public benefit
- Cuban/Haitian entrants
- Certain battered aliens or their spouses or children
- Certain victims of a severe form of human trafficking or other crimes, including persons with a "T" visa
- Persons residing in the U.S. pursuant to the Compacts of Free Association (COFA) with the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau

CAN I APPLY FOR FEMA CASH ASSISTANCE IF MY FAMILY IS MIXED-STATUS?



Only one person in a household should apply for FEMA assistance. If your family has a “qualified immigrant” or US citizen member, that person can apply for assistance, even if it is a child. If that applicant is eligible, the household is eligible. FEMA will only verify the immigration status of the applicant or eligible minor child. Do not provide information about the immigration status of anyone else in your household.

For example, a parent or legal guardian can apply for FEMA help on behalf of a minor child who is a U.S. citizen, non-citizen national or a qualified non-citizen and who was under 18 years old at the time of the disaster. You do not have to give FEMA information about your immigration status if you are applying on behalf of an eligible minor child, but you will have to provide the child’s name, age, and social security number or other documentation. But if a child applies, it might show that the parents are not “qualified” immigrants.

Given the uncertainty of the situation, we encourage households to receive counsel from an immigration attorney prior to applying for cash benefits.



WILL FEMA SHARE INFORMATION ABOUT MY IMMIGRATION STATUS WITH ICE OR CBP?

The applicant must sign a sworn statement called a Declaration and Release stating that the applicant (or eligible minor child) is a citizen or qualified alien. The release authorizes FEMA to verify the immigration status of the applicant or minor child. That form includes the statement, “I understand that the information provided regarding my application for FEMA disaster assistance may be subject to sharing within the Department of Homeland Security (DHS) including, but not limited to, the Bureau of Immigration and Custom Enforcement.”

Given the uncertainty of the situation, we encourage households to receive counsel from an immigration attorney prior to applying for cash benefits.

While FEMA has said in the past that it does not routinely provide information to ICE or Customs and Border Enforcement (CBP), applicants should know that this is a possibility so they can make an informed decision about whether to apply.

WILL APPLYING FOR HELP FROM FEMA AFFECT MY APPLICATION FOR A GREEN CARD OR CITIZENSHIP?

No. Disaster relief, including disaster cash assistance, is not considered in a “public charge” decision when you or your family members apply for a green card. These kinds of emergency benefits are not considered in an application for citizenship.

What if I don't speak English?

Ask for an interpreter if you need help. FEMA should provide an interpreter at no cost to you.



RESOURCES FOR FINDING AN IMMIGRATION LAWYER OR NON-PROFIT:

Immigration Advocates Network

[National Immigration Legal Services Directory_- Immigration Advocates Network](#)

National Partnership for New Americans

<https://partnershipfornewamericans.org/legal-services-to-immigrants-refugees-in-need/>

American Immigration Lawyers' Association

<https://www.ailalawyer.com/>

DOJ List of Pro Bono Legal Services

<https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>

Immigration Law Help

<https://www.immigrationlawhelp.org/>

IMMI

<https://www.immi.org/en/Info/learning-center>

Informed Immigrant

<https://www.informedimmigrant.com/resources/legal-help/how-to-find-an-immigration-lawyer/>

KNOW YOUR RIGHTS RESOURCES:

National Immigration Law Center

<https://www.nilc.org/resources/>

ACLU

<https://www.aclu.org/know-your-rights/immigrants-rights>

Immigrant Legal Resource Center

[Red Cards / Tarjetas Rojas | Immigrant Legal Resource Center | ILRC](#)

United We Dream

<https://unitedwedream.org/resources/know-your-rights/>

Informed Immigrant

<https://www.informedimmigrant.com/resources/>

PARTNER ORGANIZATIONS



**NATIONAL
IMMIGRATION
LAW CENTER**



**NATIONAL LOW INCOME
HOUSING COALITION**

**ORGANIZING
RESILIENCE**



**PROTECTING
IMMIGRANT
FAMILIES**



JUST SOLUTIONS