

# Disaster Rights of CA Immigrants

## #1 It's safe for immigrants to seek help

President Biden expanded the national [Protected Areas Policy](#) which states that immigration enforcement agents should not arrest or intimidate people at or near places where disaster relief is being provided: **emergency response shelters, service centers, places along evacuation routes (such as roadside checkpoints) or where family reunification is underway**

\*See page 2 for more **Protected Areas**

## #2 Everyone is eligible for disaster relief.

Eligibility for help is based on disaster-related needs – not on immigration status or income. Everyone is eligible for immediate, non-cash emergency relief. Eligibility for some longer-term government programs may require at least one citizen or eligible immigrant in the household. But all immigrants should feel safe to ask for the help they need from the responding non-profit or faith-based organizations.

CA state law ([SB 2327](#)) prohibits disaster relief workers from asking for unnecessary documents or from asking questions about an individual's immigration status. No one should be denied emergency assistance due to a lack of personal documents, which may have been lost or destroyed in a disaster.

## #3 Accepting disaster assistance will not affect your immigration status

Immigrants may be concerned that accepting disaster assistance could affect their immigration status. This is not true. The [Public Charge Rule](#) (Dec, 22) confirms that disaster assistance will not be considered in a public charge test when a person applies for a green card. This Public Charge Safe to Use List (see page 2\*\*) also includes non-disaster-related benefits and services that are never considered, such as food, medical care, insurance, children's programs, religious activities, education, and more. **Disaster relief assistance is free and does not have to be repaid.**

## #4 Everyone has rights – Report Concerns

Everyone has a right to emergency information and assistance in a language they can understand and in a place they can access. Advocates and Service Providers can educate themselves and their communities on immigrant rights before a disaster. They can help identify and mitigate obstacles to access. Afterward, they can make sure people have the accurate information and necessary support to successfully apply for assistance.

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## Links to Resources

- [List of free and low-cost legal advice services](#) in the San Francisco Bay Area
- [Directory of California Rapid Response Networks](#) to report ICE activities around protected areas – CA Collaborative for Immigrant Justice
- [Multi-language Earthquake Safety Information](#) - CADRE website
- [Links to local, state and national resources](#) and information - Immigrantinfo.org
- \*\*Public Charge Safe to Use List (May, 21) [English](#) [Spanish](#)
- [FEMA Government Disaster Assistance for Undocumented Immigrants \(English\) 10/9/20](#)

## \*Other Protected Areas:

In addition to disaster or emergency response and relief activities, “protected areas” include:

- A school, such as a pre-school, primary or secondary school, vocational or trade school, or college or university.
- Places that provide social services “essential to people in need”: food banks, domestic violence shelters, facilities that serve disabled persons.
- Places where children gather, childcare centers, after-school programs, foster care facility, bus stops, and playgrounds.
- Medical treatment facilities: hospitals, doctor’s offices, COVID-19 vaccination and testing sites, mental health providers, community health centers, urgent care centers, places that serve pregnant people.
- A place where there is an ongoing parade, demonstration, or rally.
- Places of worship or religious study including temporary structures dedicated to activities of faith.
- A place where a funeral, graveside ceremony, rosary, wedding, or other religious or civil ceremonies or observances occur.

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## FEMA Flyer on Government Assistance to Non-Citizens

- [Government Disaster Assistance for Undocumented Immigrants \(English\)](#) 10/9/20
- [联邦紧急事务管理局有关向非公民提供政府援助的传单 - Government Disaster Assistance for Undocumented Immigrants \(Chinese\)](#) 10/10/20
- [Government Disaster Assistance for Undocumented Immigrants \(German\)](#) 12/20/21
- [Government Disaster Assistance for Undocumented Immigrants \(Haitian Creole\)](#)
- [Government Disaster Assistance for Undocumented Immigrants \(Hindi\)](#) 1/20/22
- [Government Disaster Assistance for Undocumented Immigrants \(Japanese\)](#) 10/20/20
- [Government Disaster Assistance for Undocumented Immigrants \(Khmer\)](#) 10/26/21
- [Government Disaster Assistance for Undocumented Immigrants \(Kirundi\)](#)
- [Government Disaster Assistance for Undocumented Immigrants \(Korean\)](#) 10/10/20
- [Government Disaster Assistance for Undocumented Immigrants \(Portuguese\)](#)
- [Government Disaster Assistance for Undocumented Immigrants \(Serbo Croatian Bosnian\)](#) 12/20/21
- [FEMA Folleto sobre asistencia gubernamental a los no ciudadanos - Government Disaster Assistance for Undocumented Immigrants \(Spanish\)](#) 10/9/20
- [Government Disaster Assistance for Undocumented Immigrants \(Swahili\)](#)
- [Government Disaster Assistance for Undocumented Immigrants \(Tagalog\)](#)
- [Tờ hướng dẫn của Cơ quan Quản lý Tình trạng Khẩn cấp Liên bang \(FEMA\) về sự trợ giúp của Chính phủ đối với người nhập cư không phải công dân Mỹ - Government Disaster Assistance for Undocumented Immigrants \(Vietnamese\)](#)