

# The Miami Herald

Posted on Mon, Aug. 30, 2010

## Disabled refugees face loss of Social Security benefits

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Eustacio Guevara is among almost 4,000 refugees from Cuba and other countries scheduled to lose Social Security disability aid Oct. 1.

Eustacio Guevara spent 14 years in Cuban jails as a political prisoner and when he finally got a visa to relocate to the United States as a refugee in 2000 he thought he would live out his days in Miami free of worries or fears.

“It was like a dream come true,” Guevara, 61, told El Nuevo Herald earlier this month in an interview at his home in Miami's Allapattah neighborhood.

But Guevara's dream may become a nightmare.

Guevara is among almost 4,000 refugees from Cuba and other countries scheduled to lose Social Security disability aid Oct. 1 because they are in violation of a federal law that requires disabled foreign refugees to become citizens within seven years of arrival if they want to continue receiving Supplemental Security Income, or SSI.

### LETTER OF WARNING

This month, Guevara received a letter from the Social Security Administration warning that his \$505 monthly SSI check may end.

Mark Hinkle, a Social Security Administration spokesman, said a maximum of 3,800 refugees could lose their SSI by the cutoff date. One possible temporary solution for some recipients, he said, would be to show the agency documents demonstrating they have applied for citizenship, in which case benefits would be extended a year.

Mark Hetfield, senior vice president for policy and programs at the Hebrew Immigrant Aid Society, said if Congress doesn't extend the requirement, as many as 37,000 elderly or disabled refugees could lose their benefits over a 10-year period. Hinkle said he could not confirm figures beyond the 3,800 by Oct. 1.

Hetfield said the Obama administration may propose another temporary extension, but he said a permanent solution would require stripping legislation of the citizenship clause.

“We all encourage citizenship, but not by saying if you don't naturalize we will throw you out on the street,” Hetfield said. “These are refugees and asylees fleeing from political persecution and when they are more vulnerable and more elderly we pull the rug out from under them.”

Oscar Alvarez, a staffer in an immigrant aid organization helping Guevara, estimated the number of Cuban refugees who could be affected by the cutoff to be in the hundreds. Hetfield said that though he had no specific figures, Florida led the country in the number of people who could be affected and that the largest

contingent came from Cuba and the former Soviet Union.

This is only the latest instance since a 1996 law that requires citizenship that disabled foreign refugees face a cutoff of their benefits.

In 2003, a similar situation developed when the first wave of refugees to arrive since the welfare-reform law took effect reached the seven-year maximum.

Originally, the law set a five-year limit for SSI-qualified foreign refugees to become citizens, but the deadline was then lengthened to seven years because at the time immigration authorities took more than a year and often more than two years to process naturalizations.

## TWO-YEAR REPRIEVE

At then-President George W. Bush's urging, Congress in 2008 agreed to a two-year reprieve of the benefits' cutoff date -- until Oct. 1.

The threat of losing his chief source of income hit Guevara earlier this month when the Social Security warning letter, dated Aug. 2, arrived in the mail. Guevara is now being assisted in efforts to avoid loss of his benefits by Miami-based Florida Immigrant Advocacy Center, FIAC.

"The problem for many of these disabled refugees is that not everyone has access to an organization like FIAC or money to pay an attorney to represent them," said Alvarez, the FIAC staffer assisting Guevara.

Guevara was admitted as a Cuban refugee in 2000 because in 1967 he was arrested in Cuba on charges of working against the government. He was sentenced to 20 years but served 14. He says he was regularly beaten.

Guevara arrived in December 2000 and moved in with a relative in Allapattah. Eventually he moved to his current small apartment where he lives with his wife.

A doctor certified Guevara as nearly blind and disabled and as a result he began receiving an SSI monthly check, first for \$478 and now for \$505.

Like many other elderly or disabled refugees before him, Guevara did not become a citizen within seven years of arriving for multiple reasons. Many refugees believe they cannot become citizens unless they speak English; many can't pay the filing fee; or they are simply unaware of the requirement.

Citizenship for green-card holders is not mandatory.

The most important factor for Guevara, he said, is that no one told him he had to become a citizen, and no one gave him a deadline to do so. Also, he had no green card until a few months ago.

Alvarez also is assisting Guevara in filing for citizenship. Last week, Alvarez gave Guevara a letter to show Social Security officials that he is making a "good-faith effort" to speed naturalization.

Alvarez said it was possible Social Security officials would reconsider cutting off SSI benefits for people who are in the process of naturalization.

Alvarez also has filed an appeal on Guevara's behalf with the Social Security Administration asking that the cutoff of benefits be reconsidered.

For now, Guevara is fearful that come Oct. 1 he will not be able to pay his rent and that the landlord will

evict him.

“I don't want to complain against the United States because this country has helped me immensely, but the reality is that I may be homeless,” he said.

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