

 **CENTER ON BUDGET
AND POLICY PRIORITIES**

CC: Cynthia Jasso Rotun
Maritza Rivera
Julie Fernandez (D)
FYI
217-R

To: Minyon Moore
From: Bob Greenstein
Date: November 24, 1998
Subject: Legal immigrants, the FY 2000 budget, Hispanic and Asian voters, and the 2000 elections

In 1997 and 1998, the Administration won important victories in restoring benefits for legal immigrants that had been taken away by the welfare law. Nevertheless, substantial parts of the damage done to legal immigrants by the welfare law remain. Prior to November 3, I thought it unlikely the Administration could win more restorations in this area. Now, I think there is a strong chance you could win more here.

Since the election, newspapers have run a spate of articles discussing the pivotal role of the Hispanic vote on November 3. Republican strategists such as Ralph Reed are quoted as saying Republicans must do better with such voters, while news analyses note that anti-immigrant stands have hurt Republicans badly in California. Articles also report that 30 percent of the Hispanic electorate in California consisted of newly naturalized citizens voting for the first or second time. In fact, *USA Today* has reported that newly naturalized citizens tend to have higher turn-out than other voter groups. The articles also point out that Republicans who did well with Hispanic voters won by large margins.

This suggests that if the President's FY 2000 budget contains significant immigrant restoration proposals and the Administration pushes for them, Republicans may feel they have to give you something in this area. And if they do not and turn down your proposals, then Democrats and Vice President Gore should be able to use that to remind Hispanic and Asian voters in 2000 of the differences between the parties.

In short, this appears to be a "win-win" situation. Either further restoration will be achieved, or the rejection of Administration proposals in these areas can serve as a wedge issue with some key voting constituencies. I urge you to include immigrant restorations in the budget, as you have done each of the past two years.

The major constituency organizations that work on these issues are preparing a memo for the Administration on their priorities in this area; a number of these

wedge issue with some key voting constituencies. I urge you to include immigrant restorations in the budget, as you have done each of the past two years.

The major constituency organizations that work on these issues are preparing a memo for the Administration on their priorities in this area; a number of these priorities were included in your FY 1998 or FY 1999 budgets. Key areas where the Administration could propose important restorations include the following:

- Give states the option to provide coverage under Medicaid and the child health block grant to low-income legal immigrant children who have entered the United States after August 22, 1996, the date the welfare law was signed. States now are barred from extending such coverage. This proposal was in the Administration's FY 1999 budget.
- Give states the option to provide prenatal care to legal immigrant pregnant women who have arrived after August 22, 1996. States must provide Medicaid coverage for *delivery* costs when such women give birth but are prohibited from providing Medicaid coverage for prenatal care, which can result in healthier birth outcomes. This makes little sense.
- Provide SSI eligibility to legal immigrants who enter the country after August 22, 1996 and become disabled after arriving here. Should a poor legal immigrant hit by a bus or maimed in a workplace accident be denied SSI? The Administration fought for this in 1997 but didn't win it. Let's join this fight again.
- Provide SSI for legal immigrants here on August 22, 1996 who subsequently become elderly and poor. The 1997 restoration limits SSI to those elderly legal immigrants who were both 65 or older and *on the SSI rolls* on August 22, 1996. This is too restrictive. At a minimum, we should cover those who were in the U.S. and 65 or older on August 22, 1996 but not on the SSI rolls on that date. Current rules in this area penalize elderly legal immigrants who worked as long as they could and stayed off SSI as long as they could — and consequently weren't receiving benefits on August 22, 1996 — but who since have become poor. Fixing this would simply conform the treatment of elderly legal immigrants in SSI to the food stamp treatment for elderly legal immigrants the Administration won this June.
- Extend food stamps to poor legal immigrant parents here on August 22, 1996, or at least to working poor immigrant parents. Currently, children in these families can get food stamps, but their parents can't. The result is that the family as a whole, including the children, often does not have enough to eat. The primary people who would be covered under this proposal are individuals who came here legally, are working, and are trying to raise their children on below-poverty wages.

This is an area where good policy, basic decency, and politics converge. I hope you'll include such a package in the budget.

OK
~ \$50 million

\$100- \$150
over 5

no \$

no \$
(approx \$909 million)

Cheapest =
\$400 million
Trade 4 other \$ cuts.

Congressional voters defy predictions

Some '94 defectors return to the fold

By Kathy Kiely
and Jessica Lee
USA TODAY

The Democratic Party's reliable voters responded Tuesday to a massive get-out-the-vote drive, defying prediction that they would be too depressed by scandal to vote.

The New Deal coalition of its activists, overwhelmingly African-American and Hispanic, and union members mounted the kind of intensive campaign usually reserved for presidential years.

Republicans struggled to maintain majorities in the Senate and House by motivating loyalists among the religious right, fiscal conservatives and business community.

But some of the angry white who fueled the 1994 Republican revolution reverted to the Democratic camp, according to exit polls. And middle-aged voters, 44-59, turned out in greater numbers than they did in the last mid-term elections and voted more heavily Democratic.

Despite predictions that the White House sex scandal would energize Republican activists, exit polls indicated that voting participation levels by members of the religious right was from 17% of voters in to 13% this year.

Nationally, union and African-American voter turnout held steady in the face of a sex scandal that many predicted would discourage traditional voters.

After a primary season in which voters stayed away from the polls in droves, some expected a near election day in the wake of President Clinton's sex-and-lies scandal. But that wasn't the case, at least not everywhere in the country.

"Turnout was very good, particularly among minorities," said Rep. Martin Frost, a Texas Democrat. "The Hispanic members of Congress and the black members were aggressively involved in turnout all year. They made a differ-

ence all over the country."

Rep. Maxine Waters, R-Calif., head of the Congressional Black Caucus, was overjoyed at the clear gains scored by black voters supporting Democrats in key races.

"It was a well-organized effort that helped capitalize on the mood among African American voters about the unfairness of Ken Starr," she said. "It became obvious they were out to get Bill Clinton. That played a role in this."

Turnout in North Carolina and Kentucky, two states with hot Senate races as well as some highly contested down-ballot contests, was "significantly up," according to Curtis Gans of the Committee for the Study of the American Electorate.

Kentucky is the state where the Congressional Black Caucus launched a get-out-the-vote bus tour aimed at Democratic voters in the closing days of the campaign.

AFL-CIO political director Steve Rosenthal said organizing among the 53,000 union members in Rep. Ted Sticksland's Ohio district helped the Democratic incumbent hold onto his seat. Rosenthal said labor efforts also played a big part in the Rep. Lane Evans' successful effort to hold onto his seat.

If Sen. Harry Reid, D-Nev., ends up holding onto his seat, Rosenthal said, it will in part be due to "a huge project" the unions mounted to urge their members to take advantage of a Nevada law that allows them to vote early by mail.

Big labor mounted its most massive get-out-the-vote drive ever. The AFL-CIO sent 0.5 million pieces of mail and made 5.5 million phone calls to urge union members to get to the polls. In addition, the unions dispatched thousands of volunteers in an unprecedentedly large grass-roots political missionary effort.

"We have found that when we talk to union members one by one, we can make the



Big turnout: Voters mark their ballots Tuesday at the Adult Education Center in Anderson, S.C. Poll workers at the center reported an unusually high turnout for a nonpresidential-year election.

Hispanics prove pivotal

By Maria Puente
USA TODAY

If early indications hold, several major candidates in the nation's political megastates are going to owe their election to a growing and increasingly sophisticated Hispanic vote.

In Texas, Hispanics helped Republican incumbent Gov. George W. Bush crush Democratic challenger Garry Mauro. Bush will easily exceed his goal of 40% of the Hispanic vote, according to exit polls. That certifies Bush as the single national Republican with the chance to win back millions of Hispanic voters turned off in 1996 by GOP rhetoric against immigrants, bilingualism and affirmative action.

"Bush is going to do better with Latino voters than any other white Republican in a statewide race ever," predicted Antonio Gonzales, president of the William Velasquez Institute, a think tank that tracks Hispanic voters in Texas and California.

In New York, Puerto Ricans and Dominican-Americans helped make the difference for Democratic Rep.

Charles Schumer in the no-holds-barred brawl for the U.S. Senate against incumbent Republican Al D'Amato. Exit polls showed Schumer with overwhelming support from Hispanics.

And in California, Hispanic voters made the difference for embattled Democratic U.S. Sen. Barbara Boxer in her squeaker race against Republican challenger Matt Fong, according to exit polls.

"The long-heralded potential of Latino voters is becoming an actual reality in that millions of Latinos are turning out at the polls," said Harry Pachon, head of the Tomas Rivera Policy Institute, a think tank that tracks the California Hispanic electorate, an estimated 14% of the total.

More are turning up on ballots as well. Twenty-four Hispanics ran for seats in the House, and pollsters predict as many as four more seats could be added to the Hispanic Caucus, bringing the total to 22. Nationwide, an unprecedented number of Hispanics ran for statewide offices: 20 candidates in nine states, eight in New Mexico alone. Of those, 12 are Demo-

crats, seven are Republicans and one was in a nonpartisan race.

Only about 1/3 of the national electorate in 1994. Hispanic voters increasingly are making their presence felt in the nation's largest states: California, Texas, New York, Illinois and Florida.

The Hispanic vote also is maturing, meaning voters increasingly pick and choose candidates rather than vote straight party tickets in Texas, they're likely to come out strong for Democrat John Sharp in the race for lieutenant governor against the GOP's Rick Perry.

"Hispanics are going to go for Bush in the high 40s to low 50s ... but that doesn't mean they're going to give the GOP all their votes," Gonzales said. "Sharp is going to get 75%-80% on Hispanics, and that's a sign of maturity. It means they're thinking."

Another characteristic of the Hispanic vote is that millions — 30% of the 1994 Hispanic electorate in California — are newly naturalized citizens voting for the first or second time. These voters tend to turn out in higher percentages than other voter groups.

Dems push to the end to increase black votes

By Jessica Lee
USA TODAY

Democrats from President Clinton on down put laser focus on getting African-American voters to the polls. Early exit polls Tuesday showed that black voters, who are about 17% of the voting age population, were marking 10% of the ballots.

But in early returns, that 10% was looking big enough to break more than one Republican redoubt in the South.

The Democratic National Committee (DNC) spent a record \$500,000 to get out the vote among African-Americans. It targeted voters in key gubernatorial and Senate races in Georgia, New York, Nevada and Missouri.

Their task was a delicate one. In some states where extensive appeals to the interests of black voters could trigger a backlash among whites, the DNC and Democratic congressional campaign acted as surrogates to make the case for Democratic victory.

In a final burst of telephone bank activity, Democrats put Clinton's recorded voice to work in thousands of phone calls in states such as California, New York, New Jersey, Ohio, Texas, Nevada and those in the Deep South.

Dora Van, an African-American who is a legal typist in Sacramento, got a call around 5:30 p.m. Monday when she got home from work. "At first I thought it was a prank," she says. "Then I realized it was his voice tell-

ing me to go out and vote. It made me feel really special, like I could do something for our country."

The Congressional Black Caucus also pushed hard. Rep. Charles Rangel, D-N.Y., raised \$1.3 million for a final turn-out drive.

The liberal People for the American Way's last-minute ad campaign included a radio spot by celebrated African-American author Toni Morrison that was targeted to listeners of black-owned radio stations.

there's a lot at stake in the elections and union members will vote," Rangel said.

In 11 of the nation, including several states where

racism were going down to the wire, dismal weather was doing nothing to turnout.

For special-interest groups, the final days of the 1998 cam-

paign were truly "radio" active. Groups that run the gamut from the NAACP to the Campaign for Working Families targeted their supporters via

the airwaves.

"We did a lot of advertising on radio as a traditional families," said conservative presidential candidate

Gary Bauer, head of Campaign for Working Families, a political action committee. "We ended up in 170 different places around the country."

Washington Post
 Washington, DC
 November 16, 1998

GOP Governors Look to Wield Stronger Hand in Party Affairs

By DAN BALZ
 Washington Post Staff Writer

Excerpted from above article...

The success of Bush in Texas and his brother Jeb, who was elected governor of Florida in his second attempt at the office, has attracted particular attention among Republicans since the midterm elections. Beyond the appeal that comes with one of the best-known names in Republican politics, the Bush brothers stressed what they call "compassionate conservatism"—in contrast to the congressional wing's harder-edged ideology.

"I think the lesson of the election is that sharp-elbowed conservatism doesn't work and what they offer is a new paradigm of compassionate conservatism," said Marshall Wittmann of the Heritage Foundation.

Both Bushes reached out to minority voters and proved far more popular among those constituencies than most other Republicans running this year. (Arizona Sen. John McCain, who captured a majority of the Hispanic vote, is one exception.) George W. Bush won 49 percent of the Hispanic vote in Texas. Jeb Bush captured about 60 percent of the Hispanic vote in Florida. By way of contrast Dan Lungren, the Republican gubernatorial nominee in California, won less than a fifth of the Latino vote there.

Winning minority votes, say Republican strategists, is crucial to the party's long-term aspirations. "If you look at the current demographic trends, relying exclusively on male and white voters . . . is a recipe for permanent minority status," said Ralph Reed, former executive director of the Christian Coalition.

① HIV & Refugees

Exemption for immigrants who after
8/22/96 — SSI
who become disabled

② Benefit Restoration — until citizenship

⊗ Restore SSI for immigrants who
entered after 8/22/96 who become disabled
after entry
Retaining 5-year ban
⊕ deeming (Medicaid)

2008

⊗ Pre-natal care for women who
enter after 8/22/96

Exempt from 5-yr. ban for
pregnant women

⊗ Exempt from 5-year ban for
children Medicaid / CHIP

House Seats

in unalterable path to taking
se in 2000."

Core Support

ocrats' turnout effort was
party's core support among
members and women. In the
weeks, every level of the
involved in the effort, from the
the 1,000 volunteers who
Washington state to boost
college professor and newly
an African Island.

alysis documents their suc-
participation among union
or example, jumped to 22%
in 1994, when the De-
the II. No complete num-

bers' turnout were avail-
ecdotal evidence shows they
ference in several key races.
or example, where Democrats
represent the Republican effort to
rnnn's office for the first time
triction, black voter turnout
or d with 19% in 1991.

done by the Christian Coal-
that Democrats even managed
the Republican Party's most

identified religious conser-
said they voted for a Democ-
said they voted for a Repub-
Republicans garnered 57%
the religious right, as com-

United Gov. Pete Wilson (R)
United Gov. Zell Miller (D)
Gov. Terry Branstad (R)
United Gov. Roy Romer (D)
United Gov. Lawton Chiles (D)
Gov. Phil Batt (R)
Gov. Jim Edgar (R)
United Gov. Benjamin Nelson (D)
United Gov. Bob Miller (D)
United Gov. George Voinovich (R)
Gov. Arne Carlson (R)

A House Divided

Narrowest 20th century House majorities:

YEAR	MAJORITY PARTY	MARGIN
1917-19	Republicans ¹	8
1923-25	Republicans	19
1931-33	Republicans ²	2
1943-45	Democrats	13
1953-55	Republicans	8
1957-90	Republicans	22
1990-99	Republicans	13 ¹

¹ Democrats later took control of the House due to
Republican deaths

² Democrats later took control with help from third-
party members

³ Not counting one undecided race in Oregon

pared with the Democrats' 21%. Some of
that could be attributed to the Democrats'
recruitment of more conservative candi-
dates, particularly in the South. But Mr.
Gephardt argued that they were also at-
tracted to the party's focus on issues rather
than scandals.

News in the wee hours

Christian Coalition Director Randy
Tate agreed: "Democrats had an agenda,
albeit a liberal agenda... and some agenda
will beat no agenda every time."

The full impact on the House races and
the campaigns for governor couldn't be de-
termined until the wee hours of the morn-
ing, when West Coast results came in and
close races were finally determined.

Among the late gains for Democrats
were two House seats in Washington, one
in Wisconsin, and another in California.
The Republicans managed their own off-
setting wins on the West Coast, picking up
two California House seats and defeating
Democrat Rep. Jay Johnson in Wisconsin.

But Mr. Johnson, a former television re-
porter who rode Mr. Clinton's coalition in
1996 to win the heavily Republican district
based around Green Bay, proved to be the
only Democratic incumbent to go down in
defeat. Five Republican incumbents, on
the other hand, lost their seats.

Among the late returns in the gover-
nor's races was the re-election of Hawaii
Gov. Ben Cayetano, an endangered Demo-
crat hurt by a weak economy. In Nebraska
and Colorado, Republicans managed two
victories that helped to offset their losses in
the South. Nebraska Gov. Ben Nelson will
be succeeded by Lincoln Mayor Mike Jo-
hanns and Colorado's Roy Romer will be
succeeded by State Treasurer Bill Owens.

Minorities Put Democrats Over Top in Key Races

By DENNIS PARKER

Staff Reporter of THE WALL STREET JOURNAL

Minority voters were decisive in key
elections Tuesday, reclaiming center stage
from the "angry white males" who torpe-
doed Democratic hopes four years ago.

This time, it was nonwhites, especially
African-Americans, particularly in the
Deep South, who spearheaded a surprising
Democratic resurgence. Strategists of both
parties concluded that black votes made
the difference in two Senate and two gov-
ernatorial races in the South, as well as in
the New York Senate race. Democratic
candidates prevailed in all five.

Motivated by Threat to Clinton

"The black vote obviously was critical
in the outcome of many races," White
House pollster Mark Penn said. "They
were energized by seeing the Republican
right threaten President Clinton and all the
Clinton administration stands for."

Republican pollster Edlie Mahe
agreed. "We [Republicans] probably got
60% of the white vote in the South," he said.
"But if you're only getting 7% or 8% of the
black vote, it just makes it really, really,
really difficult to move the numbers. The
Democrats did an extraordinarily fine job
in communicating the message. 'Those
people are a threat to you,' and a threat is
always the most powerful motivator."

Paradoxically, exit polls show black
turnout didn't increase on a national basis;
in fact, black voters accounted for an es-
timated 10% of the total national vote this
year, down from 11% in the last off-year elec-
tion of 1991. (Whites accounted for 82% of the
vote this year, Hispanics 5% and Asian-
Americans 1%.) But blacks gave an es-
timated 88% of their votes to Democrats. The
black impact was especially concentrated in

selective, highly competitive races.

In Alabama, for example, the victorious
Democratic candidate for governor, Don-
ald Siegelmann, drew 96% of the black vote,
according to exit-poll estimates. Well over
90% of the black vote in New York went to
Democratic Senate candidate Charles
Schumer, who ousted Republican incum-
bent Sen. Alfonse D'Amato. In Illinois, De-
mocratic Sen. Carol Moseley-Braun, who is
an African-American, lost re-election de-
spite pulling an estimated 97% of the black
vote. In Maryland, where incumbent De-
mocratic Gov. Parris Glendene survived a
tough GOP challenger, the black vote
jumped to 20% of the total this year from
only 12% in 1994, according to senior politi-
cal analyst David Basitis of the Joint Cen-
ter for Political and Economic Studies.

A good economy, combined with
turnout appeals from President Clinton, in-
labor unions and others, made the differ-
ence, Mr. Basitis said. A recent survey by
the Joint Center found that blacks, by a
51% majority, felt better off under the Clin-
ton economy. "Blacks still aren't making
as much as whites, but the black poverty
rate is at an all-time low."

Pattern Among Hispanics

Hispanics, a rapidly growing group ex-
pected to outnumber African-Americans
within a decade or so, also tilted toward
Democrats on Tuesday. But their vote was
far less monolithic than the black vote.

In California, incumbent Democratic
Senator Barbara Boxer drew an estimated
73% of the Hispanic vote in her winning re-
election bid. (She and GOP challenger
Mitt Romo split the Asian-American vote.)
In Texas, GOP Gov. George W. Bush won
nearly half of the Mexican-American vote.

"The Hispanic vote is still very much up

for grabs," said Frank Sharry, executive
director of the National Immigration For-
um, a pro-immigration group. "And while
Mexican-Americans lean Democratic,
they still vote by candidate and by issues."
Mr. Bush reached out to them, a culturally
conservative group, by stressing family is-
sues and targeting a disproportionate
amount of his campaign treasury to El
Paso and other Hispanic areas.

Minority voters also seem to have
longer memories. In California, GOP gov-
ernatorial candidate Dan Lungren, who
lost big to Democrat Gray Davis, was hurt
by the strident anti-immigration stand
taken by GOP Gov. Pete Wilson in 1994.
Meanwhile, successful appeals to minori-
ties, whether by Democrats or by Republi-
cans such as Gov. Bush, also rested on
foundations that have taken years to build.

Gov. Bush, for example, "spoke out for
Hispanics" while some other prominent
Republicans were bashing immigrants in
the 1996 GOP presidential primaries, noted
Mr. Sharry. Meanwhile, President Clinton
has steadily championed issues of black
concern, said Mr. Basitis of the Joint Cen-
ter for Political and Economic Studies.

Asked if Mr. Clinton is indebted to black
voters, Mr. Basitis replied: "If you look at
the 1998 budget deal, the White House al-
ready has delivered to the black caucus."

Hopes of Some Tobacco Foes Go Up in Smoke

By THE WALL STREET JOURNAL Staff Reporter

WASHINGTON—When the proposed
national tobacco settlement was an-
nounced in June 1997, the attorneys gen-
eral who negotiated it were thought to be
destined for higher office.

But a bill based on the settlement died
in the Senate, and some of the attorneys
general most prominently associated with
the antitobacco movement suffered de-
feats in this week's elections.

Minnesota Attorney General Hubert H.
"Skip" Humphrey, a Democrat whose suit
against tobacco companies grabbed head-
lines, lost the governor's race to Reform
Party candidate, former professional
wrestler J. "The Body" Ventura.
In Massachusetts, Democratic Attor-

ney General Scott Harshbarger, who sued
tobacco companies and helped to negotiate
the proposed settlement, lost to Republican
Paul Cellucci in his bid for governor. Jay
Nixon, Missouri's Democratic attorney
general who sued tobacco companies in
1997, lost his Senate race to incumbent Re-
publican Christopher "Kit" Bond.

Not everyone associated with the anti-
tobacco movement lost. California Democ-
rat Gray Davis and Alabama Democrat
Donald Siegelmann, both of whom had filed
private lawsuits as lieutenant governors
against tobacco companies in solidarity
with the attorneys general, won gubernatorial elec-
tion in their respective states.

Other attorneys general who had sued
tobacco companies were re-elected.

legislative control game

Women, minorities propelled Democrats in key races

By Jessica Lee and Maria Puente
USA TODAY

USA IVS

WASHINGTON — Nationwide, voter turnout sank to a 50-year low Tuesday, but strong local efforts to turn out women, minorities and union members helped Democrats win several key contests and frustrate Republican ambitions in congressional and gubernatorial elections.

"The turnout by eligible voters was 36.1%, the lowest since 1912," says Curtis Gans, director of the Committee for the Study of the American Electorate. Voter News Service, an association of television and wire service companies, reported a slightly higher turnout, 37% of the voting-age population.

Democrats attributed their better-than-expected showing to unabashed New Deal coalition-building on issues such as education, health care and Social Security.

Republicans acknowledged their message failed to move enough voters. House Speaker Newt Gingrich promised to spend "a fair amount of time over the next week to 10 days" trying to find out why.

One reason for the unexpected outcome, activists from both parties say, is that some conservative voters felt they were being taken for granted, and other constituencies felt wanted.

In a reversal of recent election dynamics, African-Americans and Hispanics seemed to feel needed while religious conservatives complained that the GOP gave them short shrift.

Randy Tate, director of the Christian Coalition, says "an issues vacuum in Washington, D.C." caused about one-fourth of its male membership to desert the GOP.

Overall, women turned out at about the same rate as men. But according to the nonpartisan Pew Research

Center, women "gave much stronger support to Democrats than men gave to Republicans."

Although top-of-the-ticket Republicans did well among Hispanics in Florida and Texas, Hispanics gave lopsided support to Democrats. Their votes lifted California Democrats such as Cruz Bustamante, who was elected the state's first Latino lieutenant governor.

Also in California, Democratic Sen. Barbara Boxer beat challenger Milt Ford by 10 points. The exit polls showed she got only 47% of the white vote but 88% of the black vote and 74% of the Hispanic vote.

But Hispanic loyalty to Democrats was not enough to make a dent in the juggernaut of votes for Republican Gov. George W. Bush in Texas.

Exit polls conducted by the Southwest Voter Registration Education Project showed Bush took 37% of the Hispanic vote, with 63% going to his Democratic challenger.

That historic high-water mark only enhances Bush's potential as a GOP presidential contender in 2000.

In New York, Democrat Charles Schumer stunned three-term Republican Sen. Al D'Amato, beating him by 14 points. He did it with 85% of the Hispanic vote and 87% of the black vote, whereas he split the white vote.

In the Deep South, black voters turned out for white Democratic candidates. "In 1994 the black vote was about 19% of the total (in the region). It was 28% this year," says David Bositis of the Joint Center for Political and Economic Studies, a think tank that studies issues of concern to African-Americans.

He says the turnout exceeded African-Americans' 27% share of the voting population, an unusually high mark. In Georgia, black voters outpolled white voters to put Democrat Roy Barnes in the governor's mansion and elect Thurbert Baker as the state's first black attorney general.

graphic makeup of their states. That power can be used by the dominant political party to draw lines that help their candidates win election to Congress and the legislature.

Excessively partisan redistricting, however, can be challenged in court. It often is done to increase — or reduce — the influence of minority voters.

"Democrats across this country made it very clear that they want to be heard when it comes time to draw district lines," Maryland Senate President Thomas Miller says.

Going into the election, Republicans had hoped to take control of a dozen or more state legislative chambers, including both houses in several states. They gained only in Michigan and Minnesota.

By contrast, Democrats picked up majorities in Indiana, New Hampshire, North Carolina, Washington and Wisconsin. In Washington, they took over control of both houses from Republicans.

The changes at the state level, unlike those in Congress, will have an immediate impact. In Florida, Michigan and Colorado, Republicans will control the governor's office and both branches of the legislature. In California, North Carolina, Washington and Alabama, Democrats will exercise total control. One party will control both legislative houses in 24 states, up from 18 today.

This year, says Tim Storey of the National Conference of State Legislatures, "people weren't looking for a whole lot of change."

Republicans say state elec-

tions were decided on local issues, not broad national trends. As a result, they drew no lofty conclusions from the results.

"These are races that are decided at the neighborhood level," says Mike Collins, spokesman for the Republican National Committee.

The most significant state legislative results came in these states:

► **Indiana**, where Democrats broke a tie in the House to win a majority. That will help Democratic Gov. Frank O'Bannon combat a Republican Senate.

► **New Hampshire**, where Democrats took control of the Senate for the first time since 1912 and were likely to pick up about 15 seats in the Republican-run House.

► **North Carolina**, where Democrats took the House and padded their lead in the Senate. That will give Gov. James Hunt a unified government.

► **Washington**, where both houses moved into the Democratic camp for Democratic Gov. Gary Locke.

► **Wisconsin**, where Democrats took over the Senate and denied GOP Gov. Tommy Thompson full control of the legislature.

► **Michigan**, where Republicans took over the House on the coattails of GOP Gov. John Engler, who will have both houses in his camp.

► **Minnesota**, where Republicans took over the House. With the Senate remaining Democratic and Reform Party candidate Jesse Ventura elected governor, power will be split three ways.

ate legislatures

in state legislatures on Election Day they control as well as the terms of government. Key gains here, North Carolina, Washington took chambers in Michigan; one party controls both houses

	Democrat	GOP	Split
Mo.	X		
Neb.			
Nev.			X
N.H.			X
N.J.			
N.M.	X		
N.Y.		X	
N.C.	X		
N.D.		X	
Ohio		X	
Okl.	X		
Ore.		X	
Pa.		X	
R.I.	X		
S.C.			X
S.D.		X	
Tenn.	X		
Utah		X	
Vt.	X		
Va.			X
W.V.	X		
Wis.			X
Wyo.		X	

USA TODAY

draw congressional and legislative district lines after the 2000

Governors and legislatures redraw those maps every 10 years to reflect the demo-

cc: Clara
Josie

CENTER ON BUDGET AND POLICY PRIORITIES

F A X

From the desk of...
Ellen Nissenbaum
Legislative Director

202-408-1080
Fax: 202-408-1056
nissenbaum@cbpp.org.

Center on Budget and Policy Priorities

To: Maria Echaveste

Date: Dec. 8

RE: Odds/ends

Hello Maria. You may remember seeing me - with my little girl in hand - at the event last Friday with the President on the Earned Income Tax Credit. We had helped get the families for the event and, as you may know, do a lot of work on the EITC. After I saw you, I stuck my head in your office to see you for a minute (and because I wanted Nora to meet, as I explained to her, "one of the important women in the WH who helps the President"), but you seemed quite busy so I didn't want to interrupt. I wanted to catch up with you regarding three things:

One, the memo we (signed by Bob Greenstein) sent you and others regarding the proposal to include in the President's FY 2000 budget further targeted restorations for legal immigrants. I know Cecilia Munoz will be talking with you as well on this. We've had a few more thoughts about it - nothing critical, but thought I'd pass them along if you had a chance.

Two, I didn't know if you were aware of a significant problem in New York City - and now emerging elsewhere in the country - of low income families being denied the ability to even apply for food stamp and Medicaid benefits when they apply for TANF. I'm enclosing a two-pager we did on this at the request of some Hill folks who wanted more information. We are talking to the agency and DPC staff but are increasingly concerned that, with every passing day, more poor families are failing to receive critical assistance that they are entitled to and badly need. This is not just about having the agencies enforce the law, but actually help promote use of these "work support" programs that help poor families transition from welfare to work.

Finally, and on a personal note, wanted to see if you could assist me: my daughter, Nora, had hoped to meet the President. We had hoped to get a picture (w/her and the Prez) so she could do a report for her 1st grade show/tell. Unfortunately, he had to leave right after his remarks. (He did wave at her - and she was thrilled!) I wondered if it's possible to get a photo of the President, perhaps one that could be signed to Nora. If so, it could either be mailed to her (3047 Oliver St NW, DC 20015) or I can arrange to pick it up.

Thanks Maria. Perhaps we'll get a chance to catch up at some point. Enjoy the holidays.



CENTER ON BUDGET AND POLICY PRIORITIES

November 20, 1998

DENYING POOR FAMILIES THE RIGHT TO APPLY FOR MEDICAID AND FOOD STAMPS IN NEW YORK CITY

For more than two decades, one of the most basic principles of federal Medicaid and food stamp law has been that all persons have the right to apply for benefits without delay. Through Republican and Democratic administrations, and through numerous rounds of legislation liberalizing or narrowing these programs' eligibility rules, this principle has remained inviolate. When the Reagan Administration learned that a few local offices in one state were limiting households' right to apply for food stamps, it took prompt and firm action to compel the state to bring those offices' practices into compliance with federal law.

Nonetheless, New York City has established a policy of deliberately delaying low-income families' opportunity to apply for Medicaid and food stamps. City officials have been quoted in news accounts saying that families are made to return, in some cases more than once, before they may receive an application form. The City argues that it has made applying for Medicaid and food stamps more difficult to encourage families to become self-sufficient. This practice, however, is both counterproductive and unlawful. Even if families denied the right to apply for Medicaid and food stamps find entry-level jobs, few will receive health insurance for their family and many will remain poor enough that they need food stamps to help feed their families. Food stamp rules allow extensive work requirements to be imposed on applicants and recipients, but they do not permit states or cities to deny households the right even to apply or to delay the point at which they may apply.

So far, New York has instituted these new practices in nine offices throughout the City. Another nine are slated to be converted to these policies by the end of the year, with the remainder changing over by the end of March. Both the Health Care Financing Administration (HCFA), the component of HHS that oversees the Medicaid program, and USDA's Food and Nutrition Service (FNS), which administers the Food Stamp Program, are investigating these practices, the details of which the City has readily admitted in media articles. To date, however, neither federal agency has taken any formal enforcement action.

Food Stamp Law. The 1996 welfare law restricted food stamp eligibility for certain individuals (mainly legal immigrants and unemployed persons without children), but a broad bipartisan consensus remained that states may not deny anyone the right to apply for food stamp benefits. Indeed, section 835 of the welfare law reiterated a long-standing food stamp rule by requiring that "a State agency...shall permit an applicant household to apply to participate in the program *on the same day* the household first contacts a food stamp office in person during office hours" (emphasis added). City

officials have been quoted as saying that they expect that when FNS issues regulations to implement the 1996 welfare law, New York will be permitted to pursue its policy of refusing to accept applications at the initial visit. That is flatly incorrect. Since the 1996 law itself contains the explicit requirement that households be allowed to apply on the first day they contact the office, no regulations can override the statutory requirement.

Part of the reason for requiring food stamp offices to accept immediate applications is that section 838 of the 1996 welfare law requires that food stamps be provided within seven days of applying to households in particularly severe need — for example, a household with less than \$150 of gross income for the month and no more than \$100 in liquid resources. The City has said it is recording the names and addresses of people who initially try to apply for food stamps. If the household is not allowed to complete an application, however, its need for emergency food stamps cannot be assessed.

It should be noted that the federal government pays the entire cost of food stamp benefits. New York City is achieving no savings for the city or state budgets by denying families the right to apply for food stamps. Indeed, since the City and State each pay a quarter of food stamp administrative costs, they may be increasing their costs by requiring eligibility workers to see families more times than is necessary for an application.

Medicaid Law. Medicaid rules are equally clear. Section 1902(a)(8) of the Medicaid statute requires states to "provide that all individuals wishing to make application for medical assistance under the [Medicaid] plan shall have opportunity to do so." Sections 435.906 and 435.930 of the federal regulations implement this statute by requiring that state and local agencies operating Medicaid "must afford an individual wishing to do so the opportunity to apply for Medicaid *without delay*" and must "furnish Medicaid promptly to recipients *without any delay caused by the agency's administrative procedures*" (emphasis added). The 1996 welfare law did not change any of these requirements.