

Urban Institute Report: A new report to be released by the Urban Institute next week finds that families with mixed immigration status (some family members are citizens, others not) are quite prevalent -- in fact 10 percent of children in the U.S. live in such mixed status households, according to 1998 Current Population Survey data. The report reminds us that benefit and immigration policies which distinguish between citizens and noncitizens can affect citizens living in such families. For example, a citizen child living with immigrant parents will have access to fewer food stamps because of his parents' ineligibility, and would likely have to leave the U.S. if his undocumented parents are deported. This report underscores the importance of making legal immigrants eligible for SSI, Medicaid, and Food Stamps on the same basis as citizens. As you know the Republican Congress has to date only been willing to accept some of our proposals, targeting certain groups of particularly vulnerable immigrants (children and people with disabilities). The report acknowledges that our recent clarification that receipt of supplemental benefits such as Medicaid and Food Stamps -- whether by an immigrant or by his citizen children -- will not make the immigrant a public charge will encourage families to obtain the benefits for which they are eligible.

6/16/99 DRAFT

Urban Institute Report on Children Living in Mixed Family Households: On June 22, 1999, the Urban Institute is expected to release a government-funded report based on Census Population Survey (CPS) data concerning mixed status families. Mixed status families include families with United States citizen children who have immigrants parents who are either legal or undocumented or both. This report seeks to raise awareness of the unintended consequences of welfare and immigration reform policies on mixed families. The Urban Institute found that a large number of mixed families exist particularly in states and localities with high immigration populations (ten percent of all children live in the U.S. live in mixed families; nine percent of all U.S. families are of mixed status; and 14 percent of low-income families are mixed status). The report concludes that welfare reform policies that have resulted in benefit reductions to immigrants are likely to have an unintended "chilling" effect on the citizen children who live in mixed households. For example, the welfare reform policy that denies a immigrant parents access to Food Stamps and Federal TANF benefits may reduce a family's overall resources and may negatively affect the citizen children in these immigrant-headed families. Efforts to restore benefits to immigrants do not help these citizen children because they are already eligible for benefits but their immigrant parents continue to be ineligible. Furthermore, immigration policies that prevent undocumented parents from adjusting to legal status and policies that make it easier to deport immigrants compounds this problem and divides families. Finally, the report suggests that these findings may raise some constitutional issues because two classes of citizen children have emerged as a result of welfare reform.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

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JUN 9 1999

TO: The Secretary
Through: DS _____
COS _____
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FROM: Margaret A. Hamburg, M.D. *Ann Segal for*
Assistant Secretary for Planning and Evaluation

SUBJECT: CPS Analysis On Prevalence Of "Mixed Status" Families In The U.S., And The
Potential Policy And Legal Issues Of That Prevalence -- **INFORMATION**

The attached is an Urban Institute analysis of Census' 1998 Current Population Survey (CPS) data regarding the prevalence of "mixed status" families in the U.S. (i.e., families with at least 1 noncitizen immigrant parent, and 1 or more citizen children). These mixed status families are surprisingly prevalent, especially in high immigration states and localities, and they include either documented or undocumented parents, or both. These demographic findings, along with the potential policy and legal implications, may be of interest to the broad public, in addition to policymakers, advocates, and academic researchers. This is largely the first analysis of its kind to use mixed-status families as the unit of analysis to understand immigrant integration or the impacts of immigration and welfare reform. The analysis was funded in part under a cooperative agreement grant supported by ASPE, ACF, HCFA, the Department of Agriculture and the Immigration and Naturalization Service. We anticipate briefing interested Members of Congress and their staff prior to public release of the analysis. The Urban Institute has targeted release for June 18, 1999.

The following summarizes the major findings and issues raised by the study.

- Ten percent of all children in the United States live in mixed status families.
- Nine percent of all U.S. families are mixed status families, and 14 percent of low-income families (i.e., families below 200 percent of poverty) are mixed status families.
- Twenty-seven percent of all California families, and 40 percent of low-income California families, are mixed status.
- Fourteen percent of all New York State families, and 20 percent of low-income New York families, are mixed status.

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- In Los Angeles, nearly half (47 percent) of all children live in mixed status families, and these families comprise 43 percent of all families (and 59 percent of low income families in Los Angeles).
- In New York City, 27 percent of all children live in mixed status families, and these families comprise 26 percent of all families (and 30 percent of low income families in New York City).
- Policies targeted specifically to immigrants, such as benefit reductions under welfare reform, are likely to have "spillover effects" on the citizen children who live in the great majority of immigrant families. For example, denying noncitizen immigrant parents access to Food Stamps and Federal TANF benefits may reduce these families' overall resources and may negatively affect the citizen children in these immigrant-headed families.
- These "spillover effects" on citizen children resulting from the sharper distinctions between citizens and immigrants created under welfare and immigration reform, may have legal implications as well. The analysis raises the question of whether two classes of citizen children have been created: one that lives in households with noncitizens and suffers the disadvantage of reduced resources; and one that lives in households with only citizens and suffers no comparable disadvantage. To the extent these two classes of citizen children emerge, it becomes a potential legal issue as to whether it is an example of constitutionally acceptable discrimination against aliens, or more problematic instance of unacceptable discrimination between similarly situated citizens.
- The demographic prevalence of mixed status families and the impact of welfare and immigration reform on citizen children may pose longer term social and economic issues. For example, the citizen children currently being raised in immigrant families will be reaching their productive years at the same time as the "baby boom" population will be retiring, and when there will be fewer workers to support retirees than currently exist. Under most assumptions, it will be important for the relatively smaller future labor force to be as productive as possible in order to help mitigate the financial and social pressures related to these larger demographic trends. This goal of high productivity may be partially frustrated if citizen children in mixed status families are not provided the same level of social investment as other citizen children.
- Because the demographic prevalence of mixed status families is primarily the result of birthright citizenship, immigration policies based on family unity, and relatively high levels of immigration (both legal and illegal), the analysis may spur debate on these factors. The authors clarify that their intent is to call attention to the unintended consequences of social policies that base benefit eligibility on citizenship status, and not to question the constitutional principle of birthright citizenship or the family reunification

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basis of immigration policy. However, it is very possible that the analysis will spur a debate regarding these underlying factors that lead to mixed status families.

Attachment

cc: The Assistant Secretary for Legislation
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**All Under One Roof:
Mixed Status Families in an Era of Reform**

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**The Urban Institute
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Introduction

The casual observer -- and policy maker -- might readily believe that the country is neatly divided into two kinds of families: those composed of citizens who have strong claims to legal rights and social benefits, and those composed of noncitizens, whose claims to both are more contingent. American families, however, are far more complex: the number of families that contain a mix of both citizens and noncitizens is surprisingly large. Nearly one in ten U.S. families is a mixed status family, that is to say, a family in which one or more parents is a noncitizen and one or more children is a citizen. Further, mixed status families are themselves complex: they may be made up of any combination of legal immigrants, undocumented immigrants and naturalized citizens. Their composition also changes frequently, as undocumented family members legalize their status and legal immigrants naturalize. The number, complexity and fluidity of these mixed immigration status families complicates the design and implementation of the already complicated arenas of immigration and immigrant policy.¹

In this paper we document the prevalence of mixed immigration status families and discuss some of the immigration and citizenship policies that drive their formation. We identify a number of the challenges that mixed status families pose for achieving the goals of recent welfare and illegal immigration reform laws. More specifically, we explore how recent curbs on *noncitizens'*

¹Immigration policy determines who enters the United States and in what numbers. *Immigrant policy* can be viewed as the cluster of policies that govern how immigrants are integrated into the U.S. economy and society including those that determine participation in the social welfare state. See, Michael Fix and Wendy Zimmermann, "After Arrival: An Overview of Federal Immigrant Policy in the United States," in B. Edmonston and J. Passel eds., *Immigration and Ethnicity, The Integration of America's Newest Arrivals*, The Urban Institute Press, 1994.

use of public benefits may have the unintended effects of "chilling" citizen children's use of benefits. We note how efforts to single out immigrant children for the restoration of benefits such as food stamps may fall short of the intended objectives because most children of immigrants are already citizens who never lost their eligibility for benefits in the first place. These benefit restorations may also fall wide of the mark because the citizen children may still suffer the effects of their parents' reduced eligibility. Both of these results are, in a sense, the by-products of mixed status families and social policies that treat citizens and noncitizens differently.

We also examine how recent laws limiting undocumented immigrants' ability to adjust from illegal to legal status could effectively perpetuate certain mixed status families. They do so by freezing a growing number of parents and children into differing statuses: parents as undocumented immigrants or "outsiders" (to use Peter Schuck's phrase), children as citizens or "insiders."² At the same time, policies that make it easier to remove or deport illegal and legal immigrants could have the impact of dividing more mixed status families. While these policies might serve the goal of reducing illegal immigration, they do so at the expense of family unity. Finally, we note that a new policy denying legal immigrant status to aliens whose sponsors do not have incomes over 125 percent of poverty could have the unintended effects of either keeping families apart or transforming what might have been a legal immigration flow into an illegal one. The result, again, could be to increase the number of mixed status families whose members could face divided fates as the parents are locked into illegal status while their children are born as citizens. The citizen children in these families may not receive the same opportunities as other

²Peter H. Schuck, *Citizens, Strangers and In-Betweens, Essays on Immigration and Citizenship*, Westview Press, 1998.

citizen children due to their parents' legal status.

From the outset we should make clear that we do not believe the "solution" to the challenges raised by mixed status families is to transform the policies that give rise to them: most notably the strong family reunification thrust of our immigration policies and the grant of birthright citizenship. Our aim, rather, is to call attention to the unintended effects of social policies -- like welfare reform -- that do not appear to take into account the mixed legal statuses of immigrant families and the prevalence of citizen children within them when public benefits and rights are partitioned.

I. The Importance of Mixed Immigration Status Families.

Mixed Families' Demographic Importance. A review of the 1998 Current Population Survey (CPS) reveals that mixed status families are surprisingly prevalent. As Figure 1 indicates, 9 percent of U.S. families with children are mixed status families.³ Not surprisingly, such families are more prominent in the places where immigrants are concentrated. Over a quarter of California families with children, and 14 percent of New York families with children are mixed status families (Figure 1). At the same time, 85 percent or almost all immigrant families (i.e., those with at least one noncitizen parent) are mixed status families. The meaning of this is clear: *most policies that advantage or disadvantage noncitizens are likely to have broad spillover effects on the citizen children who live in the great majority of immigrant families.*

The demographic importance of mixed status families is made even clearer by the number of children who live within them. One in ten children in the United States lives in a mixed

³The data used for the analysis reported here have been corrected for overreporting of naturalized citizen status, in the Current Population Survey. See Passel and Clark, 1998, for an explanation of the problem and correction.

immigration status family.⁴ One quarter of all children in New York City and nearly half of all children in Los Angeles live in mixed families (Figure 2). That such a surprisingly large share of children lives in mixed families owes to the fact that noncitizens are more likely to live in families with children and noncitizens' families contain more children. According to the 1998 Current Population Survey (CPS), 54 percent of households headed by noncitizens have at least one child in them versus 36 percent for their citizen counterparts.⁵ Families with at least one noncitizen parent have an average of 2.04 children, while families with only citizen parents have an average of 1.86 children. Of course, high levels of immigration in recent years have also contributed to the growing numbers of mixed status families and to the number of children who live within them.

The Significance of Mixed Status Families for Social Welfare Policy. Beyond their straightforward demographic importance, mixed status families are significant because they are more likely to be poor than other families and hence to be of concern to social welfare policy. While mixed status families make up 9 percent of all families with children nationwide, they constitute 14 percent of all such families with incomes under 200 percent of poverty. Again, they are especially common in regions where immigrants are concentrated. Mixed status families represent 40 percent of low income families with children in California, and 20 percent of such families in New York State (Figure 3). Nearly three-fifths of low income children in Los Angeles and one-third of low income children in New York City live in mixed status families.

Mixed status families also account for a substantial share of children without health

⁴While 10 percent of U.S. children live in a mixed status family, only 3.6 percent of U.S. children under 18 are foreign born according to the Current Population Survey.

⁵Michael Fix and Jeffrey S. Passel, "Trends in Noncitizens' and Citizens' Use of Public Benefits Following Welfare Reform: 1994-97," The Urban Institute, March, 1999.

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insurance: 21 percent of all uninsured children nationwide, and over one-half of California's uninsured children live in mixed families.⁶

The Significance of Mixed Status Families in Partitioning Citizen Versus Alien Rights. A third reason mixed status families are important is because they redefine the legal and equity issues to which recent welfare and illegal immigration laws give rise. It could be argued, for example, that welfare reform has created two classes of citizen children: one that lives in households with noncitizens and suffers the disadvantage of losing benefits and the reduced overall household resources that may result. A second class of citizen children lives in households with only citizens and suffers no comparable disadvantage. The emergence of these two classes of citizen children begs the question whether their differing eligibility for benefits should be viewed as an example of constitutionally acceptable discrimination against aliens or as a more problematic instance of unacceptable discrimination between similarly situated citizens. In short, the presence of so many citizens in families with noncitizens suggests that recent reforms should be viewed both through a lens of *alien rights* as well as one of *citizen rights*, which are substantially broader and more robust constitutionally.⁷

Limited Study of the Extent and Dynamics of Mixed Status Families. A fourth reason for drawing increased attention to mixed status families goes beyond demographic and constitutional considerations. It is simply that the composition of these households, and the ripple effects of policies that affect their members have not been the subject of much scholarly attention. There has

⁶Urban Institute tabulations of March 1998 Current Population Survey (CPS).

⁷ See generally, Hiroshi Motomura, "Review Essay: Whose Immigration Law?: Citizens, Aliens and the Constitution," 97 Columbia Law Review 1567, 1997.

been some research on the role of extended family members on immigrant households.⁸ And there is a rapidly growing literature on the intergenerational mobility of children in immigrant families, driven in part by the introduction of new questions regarding parental nativity on the Current Population Survey. Mixed status families, however, have rarely been used as a lens for studying immigrant integration or for understanding the impacts of welfare and immigration reforms.⁹

II. Fundamental Elements of Citizenship and Immigration Policy Drive the Creation of Mixed Status Families.

The number of mixed status families can be ascribed in large measure to two structural elements of U.S. citizenship and immigration policy. One is birthright citizenship. The other is immigration policy's abiding commitment to the goal of family unification and, in particular, the principle that citizens should be able to unite with immediate family members more or less as of right. A third feature of recent policy should also be noted: the proliferation of permanent and temporary immigration statuses, which creates new and more complicated types of mixed status families. The importance of each of these factors is reinforced by high, continuing levels of legal and illegal immigration.

Birthright citizenship. The framers of the Fourteenth Amendment to the Constitution, seeking to vest the recently emancipated slaves with citizenship, granted citizenship to "all

⁸ See, for example, Jennifer Glick, Frank Bean, and Jennifer Van Hook, "Immigration and Changing Patterns of Extended Family Household Structure in the United States: 1970-1990," 59 *Journal of Marriage and the Family* (February 1997) 177 - 191.

⁹ We should somewhat self-interestedly call attention to a federally-funded three year project at the Urban Institute that is seeking to examine the health and economic adjustment of immigrants in the wake of federal welfare reform. The project focusses on New York and Los Angeles and involves a household-level survey and analyses of immigrant households' adaptations to federal benefit curbs enacted as part of welfare reform. See, "Welfare Reform, The Economic and Health Status of Immigrants and the Organizations That Serve Them," Urban Institute WEB page: www.urban.org/centers/ps_welfare.html

persons born or naturalized in the United States."¹⁰ The amendment confers citizenship status on all persons born on U.S. soil, whether their parents are legally present or not. While some scholars have claimed that the framers did not intend to confer membership on the children of undocumented aliens,¹¹ their view remains a minority one.¹² Moreover, the constitutional, as opposed to legislative, basis of the doctrine makes it unlikely to be disturbed, despite repeated legislative efforts to overturn it.

The grant of birthright citizenship is a defining feature of U.S. immigration, civil rights, and family law, aligning the United States with other nations that confer citizenship on the basis of place of birth (*jus soli*), and distinguishing it from countries where citizenship derives solely from family heritage (*jus sanguinis*). Because most children of U.S. immigrants are born in the United States, birthright citizenship largely explains the fact that three-quarters of children in immigrant families (i.e. families with a non-citizen parent) are citizens.¹³ Eighty-nine percent of the children in mixed status families (i.e. families with a noncitizen parent and a citizen child) are citizens.

The birthright citizenship provision gives rise to two distinct and predominant types of mixed status families: those with an illegal immigrant adult and a citizen child, and those containing a legal immigrant parent and a citizen child. A 1998 study of the immigrant population

¹⁰The full text of the relevant clause reads: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." U.S. Constitution, 14th Amd.

¹¹See, Peter Schuck and Rogers Smith, *Citizenship Without Consent*, Yale University Press, 1985.

¹²A forceful counter-argument has recently been made by law professor Gerald Neuman, *Strangers to the Constitution: Immigrants, Borders, and Fundamental Law*, Princeton University Press, 1996. Neuman claims that because there were "illegal immigrants" before 1875, the drafters of the Fourteenth Amendment knowingly conferred birthright citizenship on children born in the United States to undocumented parents.

¹³Not all citizen children of immigrants are born in the United States, of course. Of the 2,570,000 foreign born children under 18 included in the Current Population Survey, 344,000 or 13 percent were naturalized citizens.

in New York that imputes legal status to the foreign born finds that 22 percent of all mixed status family households are headed by an undocumented immigrant and that one-third of all undocumented-headed households in New York contain citizen children. Of those undocumented-headed households with children, 70 percent contain a native-born child.¹⁴ Citizen children, then, predominate even in families headed by an undocumented immigrant (Figure 4).

Mixed families containing undocumented adults and citizen children and those containing legal immigrant adults with citizen children raise distinct and common issues.¹⁵ Both types of families may be reluctant to apply for public benefits for citizen children. Illegal immigrants are likely to fear detection and deportation, or worry that use of services by their citizen children will prevent them from eventually adjusting to legal immigration status. Legal immigrant parents may also be "chilled" from applying for public benefits for their children, but their reasons may differ. They may be concerned that benefit use will trigger a claim for repayment on the part of government or keep them from successfully sponsoring a relative for admission to the United States.¹⁶ Or they may erroneously believe that benefit use on the part of their citizen children can bar them from naturalizing.

Family Unification. A second structural element of U.S. immigration policy that gives rise to mixed status families -- but in a quite different way -- is the goal of family unification that has

¹⁴Background data from Jeffrey S. Passel and Rebecca Clark, "Immigrants in New York: Their Legal Status, Incomes and Taxes," The Urban Institute, April 1998.

¹⁵It is entirely possible for some mixed status families to include one undocumented parent, one legal immigrant parent and citizen children. In fact, such households may be rather common, given the large number of pending applications for admission.

¹⁶State claims for repayment may not be justified in some instances. The state of California agreed to repay funds received from hundreds of immigrants who had been ordered to pay back the value of Medi-Cal benefits they had received. See, Louis Freedberg and Sabin Russell, "Immigrants Fears Leave Children Without Insurance: Thousands Have No Health Care in California." *The San Francisco Chronicle*, January 15, 1999, p. A4.

dominated immigration policy at least since 1965. Of particular consequence is the hitherto unrestricted right of citizens to unite with their immediate family members (i.e., spouses, minor children, parents) which, in practice, has meant that most immigrants entering the United States as legal permanent residents join citizen family members.

As one scholar has written:

"The United States is committed to the principle that its citizens may both marry anyone they wish (excepting, of course, minors and persons of certain very close degrees of consanguinity) and live with that person in the United States if they so wish."¹⁷

In fact, over half of the approximately 800,000 immigrants admitted in FY 1997 came to join a U.S. citizen family member, with the remainder entering to unite with a legal permanent resident, for employment purposes, or as a diversity immigrant.¹⁸ The largest single category of family or any other type of immigrant admitted is spouses of U.S. citizens. Immigrants entering under the Immigration and Naturalization Act's family unification provisions are by and large young and most often have U.S. born citizen children after arriving in the United States, creating mixed status families. Of course, the continuing high levels of immigration to the United States ensures the ongoing creation of large numbers of mixed families.

The admission of a large number of spouses as immigrants, in turn, points to another feature of mixed families: the mixed status of parents. A slightly larger share of mixed families are

¹⁷ Guillermina Jasso, "Migration and the Dynamics of Family Phenomena," in A. Booth, A. Crouter and N. Landale eds., *Immigration and the Family: Research and Policy on U.S. Immigrants*, Lawrence Erlbaum Associates 1996. As we note later, this largely unrestricted right of entry for the spouses and children of U.S. citizens has been conditioned by a recent reform that requires for the first time that citizens who sponsor immediate family members have incomes exceeding 125 percent of poverty.

¹⁸ The 1990 Immigration Act created a new "diversity" category of permanent admissions to bring in immigrants from countries that had sent comparatively few immigrants to the United States in recent years. Refugees who adjust to legal permanent resident status are also included in the 800,000 admissions.

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made up of a citizen and a noncitizen parent than of two noncitizen parents (41 percent versus 39 percent) (Figure 5). But even when both parents are noncitizens, a large majority of their children (83 percent) are citizens (Figure 6).

Proliferation of Immigration Statuses. A third feature of recent U.S. immigration policy that has led to the creation of additional types of mixed status families is a proliferation in immigration statuses assigned to entrants. These statuses, which generally fall in between the classification of legal permanent resident (or green card alien) and undocumented alien, frequently allow noncitizens to work and live in the United States, but not to naturalize. In some instances the status is premised upon an assumption that the migrant's tenure is temporary. One such set of entrants is those granted temporary protected status and other groups who cannot return to their home country because of political turmoil. (In other cases, no assumption that the stay will only be temporary is made: an example is aliens who have been paroled into the country for humanitarian reasons.) These statuses have often been the by-product of immigration emergencies that have forced ad hoc accommodations in order to admit or to avert the deportation of those with strong equities in the country. Of course, children born in the United States to immigrants in these in-between categories are citizens and, thus, generate yet a different type of mixed status family.¹⁹

It goes without saying that not all citizenship and immigration policies promote the creation of mixed families. One set of policies that moves in the opposite direction is those that make naturalization comparatively easy -- at least by international standards. Several aspects of

¹⁹Non-immigrants, including students, temporary workers and tourists, are another group whose U.S. born children are citizens, creating yet another type of mixed family.

naturalization policy should be noted. One is the comparatively short period of residence that is required: three years for the spouses of citizens, five years for others.²⁰ Another is the automatic conferral of citizenship status on minor children when both parents have naturalized. A third is the comparatively modest level of language and civics knowledge that is demanded of naturalization applicants.²¹ At the same time, while the goal of policy can be seen as making naturalization accessible, administrative inefficiencies in adjudicating naturalization benefits have led to lengthy waiting periods and delayed legal immigrants' ability to convert their status.

III. Mixed Families and the Transformation of Immigration Law.

As we have seen, several foundational elements of immigration and citizenship policy drive the creation of mixed status families. Beyond these structural features, the number and fates of mixed status families have been affected by other, largely liberalizing, trends in immigration law and policy that emerged in the 1970s and 1980s. These trends extended the due process norms that had been well established in other domains of U.S. public law to immigration. In practice they set the noncitizen and citizen members of mixed status families on a more even footing when it comes to the claims they can make on society. But immigration law and policy evolve in an epiphenomenal manner. And just as the liberalizing expansions of rights of the 1970s and 1980s represented something of a reversal of the comparatively harsh immigration policies that preceded them, they, in turn, appear to have been reversed by the largely exclusionary legislation

²⁰ This period is considerably shorter than the 8 to 15 years a noncitizen must wait to become a citizen in Germany, for example.

²¹ While these can present formidable barriers for many applicants, again, they are comparatively low by the standards of most other industrialized countries. See, generally, Joseph H. Carens, "Why Naturalization Should Be Easy: A Response to Noah Pickus," in *Immigration and Citizenship in the 21st Century*, Ed. Noah Pickus, New York, 1998.

enacted by the Congress in 1996. Rather than aligning the differing fates of members of mixed status households, the new laws deepen divisions within them.

Liberalizing Trends of the 1970s and 1980s. In part as a result of Supreme Court doctrine that emerged in the 1970s, it became clear that the states did not have the authority to discriminate on the basis of alienage in their public benefit programs.²² While the federal government might retain this power to discriminate, there was little political impetus to do so, and until the mid-1990s few distinctions were drawn.²³ It could be argued that, by treating legal immigrants on a par with citizens, federal policy effectively discounted the importance of citizenship. As a result, citizenship distinctions were largely restricted to voting, holding political office, serving on juries, sponsorship of immediate family members, holding some public sector jobs and exposure to deportation. All important, to be sure, but not critical aspects of daily membership in the society. The net effect had been only modest incentives to naturalize and, by extension, a proliferation of mixed status families. Notwithstanding this proliferation, naturalization rates in the United States are quite high by international standards. According to the INS, almost half of immigrants admitted in 1977 had been naturalized by 1995.²⁴

Other policies -- also in large part the product of judicial doctrine -- muted distinctions based on immigration status. Perhaps the most striking and inclusionary was the grant of the substantive right to elementary and secondary education extended to undocumented children by

²²See generally, *Graham v. Richardson*, 403 US 67 (1971).

²³See, however, *Mathews v. Diaz*, 426 US 67 (1976), upholding the Congress' authority to deny certain Medicare benefits to legal permanent residents who had lived in the United States for less than five years.

²⁴U.S. Immigration and Naturalization Service, *Statistical Yearbook of the Immigration and Naturalization Service*, 1996, U.S. Government Printing Office: Washington, D.C., 1997, p. 142.

the landmark 1982 Supreme Court decision, *Plyler v. Doe*.²⁵ When viewed through the lens of mixed status families, this ruling eliminated critical differences in the rights and treatment of legally present and undocumented children who happen to be members of the same family. Again, legally distinct members enjoyed comparable substantive rights.

Along similar lines, courts extended new procedural rights to aliens in the process of being deported.²⁶ They also mandated the extension of some public benefits to immigrants falling in the "in-between" immigration statuses mentioned in the preceding section.²⁷ These and other rulings that extended new procedural and substantive rights to noncitizens effectively softened the distinctions in the treatment of immigrants in differing legal statuses. Viewed as a whole, these rulings on benefits eligibility, relief from deportation, and illegal immigrants' rights to education, turned in part on the duration and depth of immigrants' ties to their communities and families. They were also driven to some degree by a new willingness to apply communitarian or universalistic principles to the cases presented by aliens.²⁸ In the process they blurred the formal legal distinctions between citizens and legal noncitizens, and to a more limited extent, between legal and illegal noncitizens.

Against this backdrop of a largely court-formulated expansion of noncitizens' rights and benefits, the Congress in 1986 sought to reduce the size of the illegal immigrant population in the

²⁵457 US 202 (1982).

²⁶See, for example Peter Schuck, *Citizens, Strangers and In-Betweens, Essays on Immigration and Citizenship*, Westview Press, 1998 at 83.

²⁷*Berger v. Heckler* 771 F. 2d 1556 2d Cir. 1985.

²⁸On this point and on the epiphenomenal character of immigration law generally, see Peter Schuck's classic article, "The Transformation of Immigration Law," 84 Columbia Law Review, No 1, Jan. 1984.

United States by enacting a legalization program that eventually granted legal status to 2.8 million formerly illegal immigrants. The majority of those legalized under the law (The 1986 Immigration Reform and Control Act, or IRCA²⁹) had been in the United States for at least five years and a large share had native born U.S. children.³⁰ Soon thereafter the Congress enacted the 1990 Immigration Act, expanding legal immigration by 40 percent and retaining family unification as a central goal of immigration policy.³¹ At the same time, in what can be considered one of the few de facto acknowledgments of mixed status families under immigration law, the Congress granted work authorization to, and barred the deportation of, certain undocumented family members of immigrants who had legalized under IRCA.

The Exclusionary Policies of 1996. A harsh California recession, unabated levels of illegal immigration, and the emergence of immigration and welfare use among immigrants as wedge issues led the Congress in 1996 to enact an unprecedentedly tough legislative agenda that substantially restricted the legal and social rights of immigrants. As enacted, welfare reform or the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) transformed immigrant policy by:

- ▶ barring most immigrants from food stamps and Supplemental Security Income (SSI) -- cash assistance for the poor, elderly and disabled. Immigrants barred from these programs included "current" immigrants who were already in the United States at the time the law was enacted, and new "future" immigrants who had yet to enter;

²⁹P.L. 99-603, 100 Stat. 3359.

³⁰A survey of the legalized population showed that 69 percent of those who legalized after having been in the United States for at least five years had children. Although the survey did not report on the share of those children born in the United States, at least 40 percent had children under 5 who were likely to be U.S.-born. "A Survey of Newly Legalized Persons in California," Comprehensive Adult Student Assessment System (CASAS) 1989.

³¹P.L. 101-649, 104 Stat. 4978.

- ▶ barring new immigrants for five years from "federal means-tested benefits," defined so far to include Temporary Assistance for Needy Families (TANF), Medicaid and the Child Health Insurance Program (CHIP);
- ▶ giving states the option of barring current immigrants (i.e. those in the U.S. on or before August 22, 1996) from TANF, Medicaid, and the Social Services Block Grant. The law also gave states the option of barring new immigrants (arriving after August 22, 1996) from TANF and Medicaid following a mandatory five-year bar. In so doing, the Congress overrode settled Supreme Court doctrine by permitting states to discriminate against legal immigrants in determining eligibility for certain federal, state and locally-funded benefit programs;
- ▶ exempting some legal immigrants with strong equities from the benefit restrictions. These include refugees during their first several years in the United States, legal immigrants who have worked for 10 years or whose spouse or parents have done so; and non-citizens who have served in the U.S. military;
- ▶ barring "unqualified immigrants" from all "federal public benefits" and requiring that public agencies that dispense them verify the legal status of applicants.³² Unqualified immigrants not only include undocumented aliens but other groups with authority to remain in the United States without permanent residence, some of whom had been determined to be eligible for selected federal benefits by the courts.³³

The Antiterrorism and Effective Death Penalty Act,³⁴ and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996,³⁵ both passed in the same year as welfare reform, scaled back the rights of legal and illegal immigrants in far-reaching ways. They:

³² "Federal public benefits" includes any retirement, welfare, health, disability, public or assisted housing, post-secondary education, food assistance, unemployment benefit or any similar benefits to which payment or assistance is provided to an individual, household or family eligibility unit by an agency of the United States by appropriated funds of the United States. The Personal Responsibility and Work Opportunity Reconciliation Act, Pub. L. 104-193, Section 401(c).

³³ The Personal Responsibility and Work Opportunity Reconciliation Act, Pub. L. 104-193 (1996). One objective of welfare reform was to generate budget savings. As enacted in 1996 the welfare reform law's immigrant restrictions were expected to generate 44 percent of the law's \$54 billion in expected savings, despite the fact that immigrants represented about 7 percent of all welfare recipients. See, Congressional Budget Office, "Federal Budgetary Implications of H.R. 37334, The Personal Responsibility and Work Opportunity Act of 1996," August 9, 1996.

³⁴ Pub. L. 104-132 (1996).

³⁵ Pub. L. 104-208.

- ▶ mandate the deportation of legal permanent residents and illegal immigrants for relatively minor crimes, withdrawing discretion from immigration judges to consider the resulting hardship on family members;³⁶
- ▶ limit judicial review available to immigrants facing deportation or removal or seeking waivers to the new barriers of admissibility;³⁷
- ▶ raise the "hardship" standards noncitizens have to meet to avoid deportation (referred to as cancellation of deportation) by extending from 7 to 10 years the required length of U.S. residence and by introducing a new annual cap of 4000 where no previous limit existed;³⁸
- ▶ introduce new expedited removal and summary exclusion measures that apply to migrants arriving without papers or with false papers and to illegal immigrants residing in the United States for less than two years.³⁹ Migrants who are summarily excluded have no rights of appeal and are barred from entering for 5 years;
- ▶ make it harder for persons who had resided in unauthorized status to reenter the country, barring for three years those in the United States for more than six months and for 10 years those in the country more than a year.⁴⁰ These barriers to entry, in conjunction with the "sunset" of the provision that made it possible for illegal immigrants to adjust their status without returning to their home country, effectively foreclose the ability of the undocumented to gain legal status.⁴¹

Some of the reforms noted above -- in particular those that make it easier to deport, remove or bar immigrants from the United States -- may have the effect of dividing mixed status families. Other provisions, which complicate or foreclose adjustment from illegal to legal to

³⁶P.L. 104-208, Section 321.

³⁷See, for example, P.L. 104-208 Section 301, barring federal court review of the Attorney General's decision to waive newly imposed bars on admission for hardship.

³⁸Immigration and Naturalization Act, Section 240A(b)(1).

³⁹See, generally, P.L. 104-208 Sections 301 - 309.

⁴⁰P.L. 104-208 Section 301(b).

⁴¹Immigration and Naturalization Act Section 245(I) permitted illegal immigrants who qualify for a permanent resident visa through family or employer sponsorship to adjust their status without leaving the country for a \$1000 processing fee. In November 1997, President Clinton signed H.R. 2267, effectively sunseting Section 245 (I), while grandfathering in beneficiaries of immigrant visa petitions filed with the Attorney General before January 14, 1998.

citizenship status, may have the effect of freezing mixed status families into differing statuses: dividing the fates of family members, if not the families themselves, with potentially negative effects on citizen children.

A third major policy shift in 1996 introduces a powerful, back-door reform to legal immigration policy. The illegal immigration reform law imposed for the first time a minimum income requirement on legal immigrants' sponsors that exceeds the poverty line, making it more difficult for individuals and families to bring a relative -- including a spouse -- to live in the United States.⁴² In addition to this higher income level required of sponsors, the new law requires stronger documentation of income (i.e., of the three most recent years of federal tax returns) and forecloses taking into account the income of a spouse unless he or she has been living in the household for at least six months. The law also imposes a new binding requirement on immigrants' sponsors that they support the immigrant until they have worked for 10 years or become citizens, making sponsors liable for repayment of certain benefits that may have been used during that time.

IV. Mixed Families and the Implications of Welfare and Immigration Reforms.

Viewed through the lens of the mixed family, the 1996 welfare and illegal immigration reforms have far-reaching and, in some instances, unexpected implications for immigrants and their families, for the number of mixed families, and for public policy. Some effects can already be documented, but the full impact of these laws remains somewhat speculative.

⁴²P.L. 104-108, Section 551. Prior to enactment of the new law, the federal poverty level was used as a guideline, but there was no firm income requirement for sponsors.

Divided Fates. As mentioned, the prevalence of mixed status families means that when the law draws sharp distinctions between citizens and noncitizens it ends up treating members of the same family quite differently. Under welfare reform, for example, legal immigrants entering the United States after August 22, 1996, are barred from Medicaid for their first five years in the United States. As a result, a legal immigrant child who entered the U.S. two years ago would not be eligible for Medicaid but her U.S.-born citizen brother would be, even though both live in the same household and have the same resources available to them. The older child's lack of health insurance will mean that she has less access to preventive and other forms of health care than her sibling.

Spillover Effects. While benefit restrictions may explicitly target noncitizens, they inevitably affect citizen family members as well. Take, for example, current law governing noncitizens' access to food stamps. When the Congress barred noncitizens from food stamps, citizen children remained eligible but their noncitizen parents did not. Food stamps, though, are provided on a household not an individual basis. That is, the amount of food stamps received is based on the number of eligible people in the household. Thus, mixed family households, along with the citizen children in them, receive fewer food stamps than they did before the cuts and presumably have less to eat.

Spillover effects can also be seen in mixed families' declining use of public assistance -- despite their continued eligibility. We believe that falling benefit use in these households occurs in large measure due to the chilling effects of shifting eligibility requirements, uncertain and

sometimes overbroad application of the public charge provisions,⁴³ and the unfathomable complexity of the new rules regarding immigrant eligibility for benefits. The steep declines that we see in program participation within these households is not confined to their noncitizen members, but spills over to citizen children.

Data from Los Angeles County show that approved applications by noncitizen-headed families for welfare and Medi-Cal dropped by 52 percent between January 1996 and January 1998 while there was no change for citizen families.⁴⁴ Most of the children in these immigrant families are citizens. This decline occurred despite the fact that California had not changed its eligibility rules for noncitizens.⁴⁵ National data on benefit participation rates tell a similar story. Even though eligibility had changed for only a very few,⁴⁶ use of welfare (TANF, SSI, or General Assistance) by noncitizen-headed households fell by 35 percent between 1994 and 1997, but only by 14 percent among citizen-headed households.⁴⁷ This same trend can be observed in Medicaid and food stamp use.

⁴³ "Public charge" is a term used in immigration law to describe someone who is, or is likely to become, dependent on public benefits. In practice public charge considerations have historically been a factor in the admissibility of aliens (i.e., grant of a green card), but only rarely in the deportation of aliens in the United States.

In the past several years, public charge has been inappropriately invoked in some instances where noncitizens have attempted to reenter the United States and where immigrants have sought to naturalize. In some cases, noncitizens seeking to reenter the country have been asked to repay public benefits. The legality of compelling repayment in these contexts is suspect.

⁴⁴ This trend holds true for both legal and undocumented immigrant-headed families. The latter group would receive benefits only for their citizen children.

⁴⁵ Wendy Zimmermann and Michael Fix, "Declining Immigrant Applications for Medi-Cal and Welfare Benefits in Los Angeles County," The Urban Institute, July 1998.

⁴⁶ Many immigrants had their eligibility for SSI restored and virtually all states kept immigrants admitted to the United States before August 22, 1996, eligible for TANF. As a result, by 1997, few immigrants had lost eligibility for these benefits.

⁴⁷ Michael Fix and Jeffrey S. Passel, "Trends in Noncitizens' and Citizens' Use of Public Benefits Following Welfare Reform: 1994-1997," The Urban Institute, March 1999.

Since 85 percent of noncitizen households with children contain citizen children, these declines in noncitizen household participation in benefit programs are clearly affecting large numbers of citizen children. Further, the presence of citizen children does not seem to diminish these chilling effects. The decline in benefit participation from 1994-1997 for U.S. households in which all children are noncitizens is not statistically different from the drop for families where there is at least one citizen child.⁴⁸ These findings are supported by an analysis of changes in the food stamp program which compares the decline in participation of children living in native-born families with the decline among citizen children living in families containing legal immigrants. Use of food stamps by the latter group fell by 37 percent from FY 1996 to September 1997, while the former group fell by only 15 percent.⁴⁹

Recent federal guidance defining the public charge provisions in immigration law should eliminate some of the confusion that has led to these declines.⁵⁰ The new rules define a public charge as a noncitizen who has become or is likely to become primarily dependent on the government for subsistence. The guidance clarifies public charge's reach by drawing several important distinctions:

- For the most part, only immigrants applying for a green card and some noncitizens re-entering the United States after six months abroad must demonstrate they will not become a public charge. Public charge will not be taken into account when noncitizens apply to naturalize and will only rarely be grounds for deportation;

⁴⁸ Fix and Passel, 1999.

⁴⁹ Jenny Genser, "Who Is Leaving the Food Stamp Program: An Analysis of Caseload Changes from 1994 to 1997," Office of Analysis, Nutrition and Evaluation, The Food and Nutrition Service, U.S. Department of Agriculture, 1998.

⁵⁰ See 8 CFR Parts 212, 237, "Inadmissibility and Deportability on Public Charge Grounds; Field Guidance on Deportability and Inadmissibility on Public Charge Grounds; Proposed Rule and Notice," page 28676.

- ▶ A public charge determination will only arise from the use of cash welfare benefits like TANF and SSI; use of non-cash benefits such as Medicaid or food stamps will not trigger a public charge determination;⁵¹
- ▶ Use of welfare benefits by the family members of green card applicants will not be considered when making a public charge determination, except in the rare circumstance where those benefits are the family's only source of support;
- ▶ Public charge will not be applied to refugees and other immigrants admitted for humanitarian reasons.

New barriers to illegal immigrants' ability to adjust status create another kind of possible spillover effect.⁵² Under the new rules, undocumented immigrants are likely to remain longer in an illegal status. As a result of their parents living longer in the shadows of illegal status, citizen children in these mixed families may exhibit less intergenerational social and economic mobility than they would have if their parents had been able to legalize easier or faster. While some may argue this is an acceptable trade-off to help control illegal immigration, it is a trade-off that is thrown in sharper relief by acknowledging the prevalence of citizen children in these mixed status families. It is also a trade-off that was not publicly debated in connection with the passage of illegal immigration reform in 1996.

Public Benefit Restorations to Immigrant Children: Falling Short. Since 1996 the federal government has restored selected public benefits to legal immigrants.⁵³ The restorations

⁵¹ Persons in long-term institutionalized care that is paid for Medicaid or other public funds may be considered a public charge.

⁵² These new limits on adjustment arise from the combined effect of the new barriers to reentry and the sunset of INA Section 245(I) discussed above.

⁵³ SSI and derivative Medicaid have been restored to noncitizens in the United States before the welfare law passed who were already receiving benefits or who subsequently become disabled, including some noncitizens without legal permanent resident status. Federal food stamps have also been restored to noncitizen children under 18 in the U.S. prior to August 22, 1996, and some elderly and disabled immigrants.

go some distance towards putting citizens and noncitizens who arrived before August 22, 1996, on more equal footing.⁵⁴ However, efforts like the food stamp restorations that targeted noncitizen children already in the United States may be, in the end, more symbolic than real because of the prevalence of mixed status families. Three-quarters of children in immigrant families are citizens whose eligibility for benefits did not change. Since the food stamp restorations did not cover noncitizen parents, they remain ineligible, and their households continue to receive reduced benefits. The limited reach of the restored benefits is suggested by the fact that only 29 percent of families with a noncitizen parent have a noncitizen child, compared to the 85 percent that have at least one citizen child.⁵⁵ Further, the impact of the restorations targeting noncitizen children will become increasingly limited over time as those children turn 18 and “age out” of their eligibility.

Dividing Families. The new reforms depart from the historically central goal of family unification embedded in U.S. immigration policy. Under the new illegal immigration law, all family-based immigrants must have sponsors with incomes equal to 125 percent of the poverty level.⁵⁶ A high proportion of mixed families is not likely to meet the new income threshold: one-third of all mixed families have incomes under 125 percent of the federal poverty level (Figure 7). An even larger share (45 percent) of mixed families where there are no citizen parents will be

⁵⁴ However immigrants arriving *after* August 22, 1996 remain effectively barred from most federal means-tested benefit programs until they naturalize.

⁵⁵ Some state efforts to replace benefits for immigrants have employed the same targeting strategy. See, generally, Wendy Zimmermann and Karen Tumlin, *Patchwork Policies: State Assistance for Immigrants Under Welfare Reform*, The Urban Institute, May, 1999.

⁵⁶ This new income requirement applies to most legal immigrants who enter the United States after August 22, 1996. In practice, the standard is actually even higher because the family size includes the incoming immigrant or immigrants.

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unable to meet the threshold. By keeping legally-present, low-income immigrants and citizens from bringing their spouses to the United States, the law may be transforming what might have been a legal immigration flow into an illegal one. The law can also be seen as further diminishing the right of low-income legal permanent residents and citizens to marry and live in the United States with whomever they choose. Thus, policies intended to increase noncitizens' self-sufficiency could have the unintended effect of abridging citizens' rights.

In similar fashion, reforms that make it easier to deport or remove aliens in unauthorized status and aliens who have committed crimes -- possibly many years earlier -- are likely to divide immigrant families. Mixed families with an undocumented parent are faced with a tough choice: (1) leave the United States with the whole family, including U.S.-born citizen children; (2) have only the unauthorized parent leave, creating a single parent family in the United States; or (3) remain in the United States as an intact family, risk getting caught and deported, and then not being able to reenter for three or ten years. The difficult choices faced by these families point to the inherent tension between the goals of controlling illegal immigration and the effects of birthright citizenship.

Another recent reform acknowledges that many immigrants subject to deportation have citizen family members, but emphasizes enforcement goals over family unity. Prior to the 1996 law, an immigrant could avoid deportation if he could prove that deportation would cause him or his family members "extreme hardship." One factor considered was whether he had a U.S.-born citizen child. The new law toughens the standard for what is now called cancellation of removal by requiring that the immigrant prove his removal would cause "exceptional or extremely unusual hardship" to a citizen or permanent resident spouse, parent or child. The framers of this new law

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spelled out that,

...the alien must provide evidence of harm to his spouse, parent, or child substantially beyond that which ordinarily would be expected to result from the alien's deportation Similarly, showing that an alien's United States citizen child would fare less well in the alien's country of nationality than in the United States does not establish "exceptional" or "extremely unusual" hardship and thus would not support a grant of relief under this provision."⁵⁷

The legislation's goal is to make it easier to deport criminal and illegal aliens and to ensure that an alien parent not "derive immigration benefits through his or her child who is a United States citizen." Again, while these may be legitimate enforcement goals, to the extent they lead to more divided families and to citizen children being forced to leave the country they were born in, they raise questions about family policy and citizen, as well as alien, rights.

A De Facto Reduction in Mixed Families. Viewed collectively, the welfare and illegal reform bills may have the *de facto* effect of reducing the number of mixed families. By limiting benefits to legal immigrants and by exposing them to a greater threat of deportation, they create an incentive to naturalize, presumably increasing the number of families composed only of naturalized citizens.

Naturalizations have increased in recent years climbing from 434,000 in 1994 to over one million in 1996.⁵⁸ The number of immigrants naturalizing exceeded the number admitted for the first time in 1996. While naturalizations are on the rise, there is still a substantial backlog of people who are waiting to become citizens and, in some places, the waiting period can last up to

⁵⁷ Conference Report to accompany H.R. 2202, Illegal Immigration Reform and Immigrant Responsibility Act of 1996, September 24, 1996, 104th Congress, 2d session, Report 104-828, p. 213.

⁵⁸ U.S. Immigration and Naturalization Service, *Statistical Yearbook of the Immigration and Naturalization Service*, 1996, Washington, D.C., 1997.

two years, extending the time that families are in a mixed status. In addition, naturalization denials have increased in recent years. According to INS data, the share of citizenship applications denied increased from 7 percent in FY 1994 to 18 percent in FY 1996.⁵⁹ These denial rates suggest that despite the United States' comparatively easy naturalization process, many families may be left involuntarily in mixed status.

In addition to naturalization backlogs, the Immigration and Naturalization Service is experiencing less well-publicized backlogs in applications for green cards. Between FY 1994 and FY 1997 the number of pending applications for adjustment of status increased more than five-fold (from 121,000 to 699,000).⁶⁰ As a result, there are more illegal immigrants in mixed families waiting longer to become legal immigrants and remaining that much further from becoming citizens.

Conclusion

As we have seen it is extremely difficult to achieve the sometimes conflicting objectives of the nation's immigration and immigrant integration policies: to control illegal immigration while promoting family unification, immigrant self-sufficiency and economic and social integration.

Further, the mixed immigration status of immigrant families and the complex interdependencies of citizen, legal immigrant, and undocumented family members, make it difficult to set policy for noncitizens without having unintended effects on citizens, particularly citizen children.

⁵⁹ U.S. Immigration and Naturalization Service, 1997. Another report analyzing more INS data indicates that the denial rate has continued to grow and that the share of applicants denied U.S. citizenship grew from 16 percent in the first quarter of FY 1998 to 37 percent in the first quarter of FY 1999. National Association of Latino Elected Officials, "INS Makes Progress on Naturalization Backlog, But Denial Rate Increases Dramatically," Press Release, March 1, 1999.

⁶⁰ U.S. Immigration and Naturalization Service, Office of Policy and Planning, *Annual Report: Legal Immigration, Fiscal Year 1997*, No. 1, January 1999.

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One effect, then, of welfare and, to a lesser extent, illegal immigration reform is to treat citizen children in mixed status families as second-class citizens. Of course, one ready solution to this problem would be to eliminate birthright citizenship. But this solution would represent a radical departure from the long-settled determination of U.S. immigration policy that the second generation will be treated as citizens and not as the children of foreigners. Its adoption would signal a shift towards the approach taken by many European nations that treat not just newcomers, but also their children as outsiders, thereby perpetuating a type of hereditary disadvantage that departs from U.S. historical tradition.

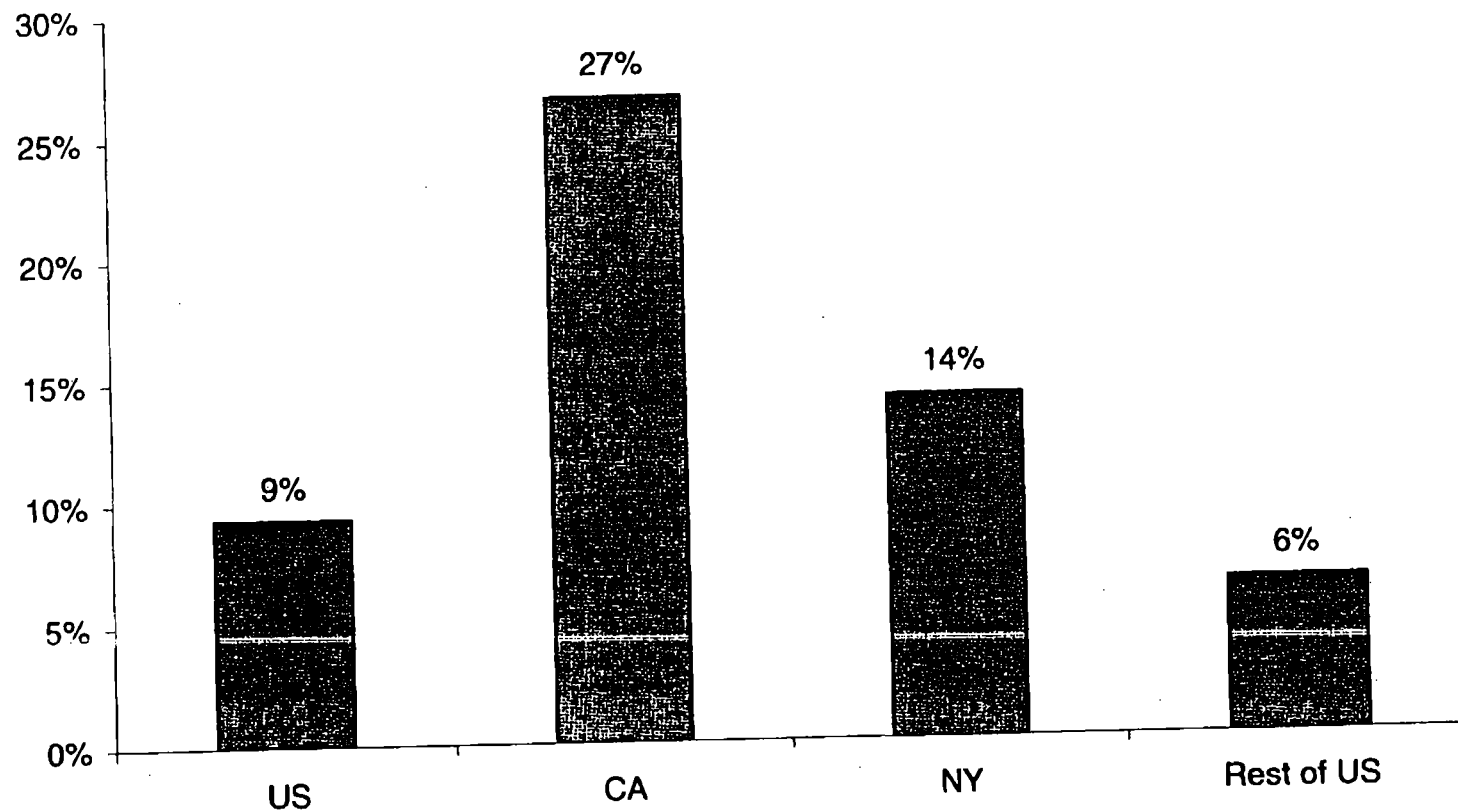
Support for this paper has been provided by the Ford, William and Flora Hewlett, and Andrew W. Mellon Foundations and by a consortium of federal agencies that includes the Office of the Assistant Secretary for Planning and Evaluation, the Administration for Children and Families and the Health Care Financing Administration of the U.S. Department of Health and Human Services, the Food, Nutrition and Consumer Services and the Economic Research Service of the U.S. Department of Agriculture, and the U.S. Immigration and Naturalization Service.

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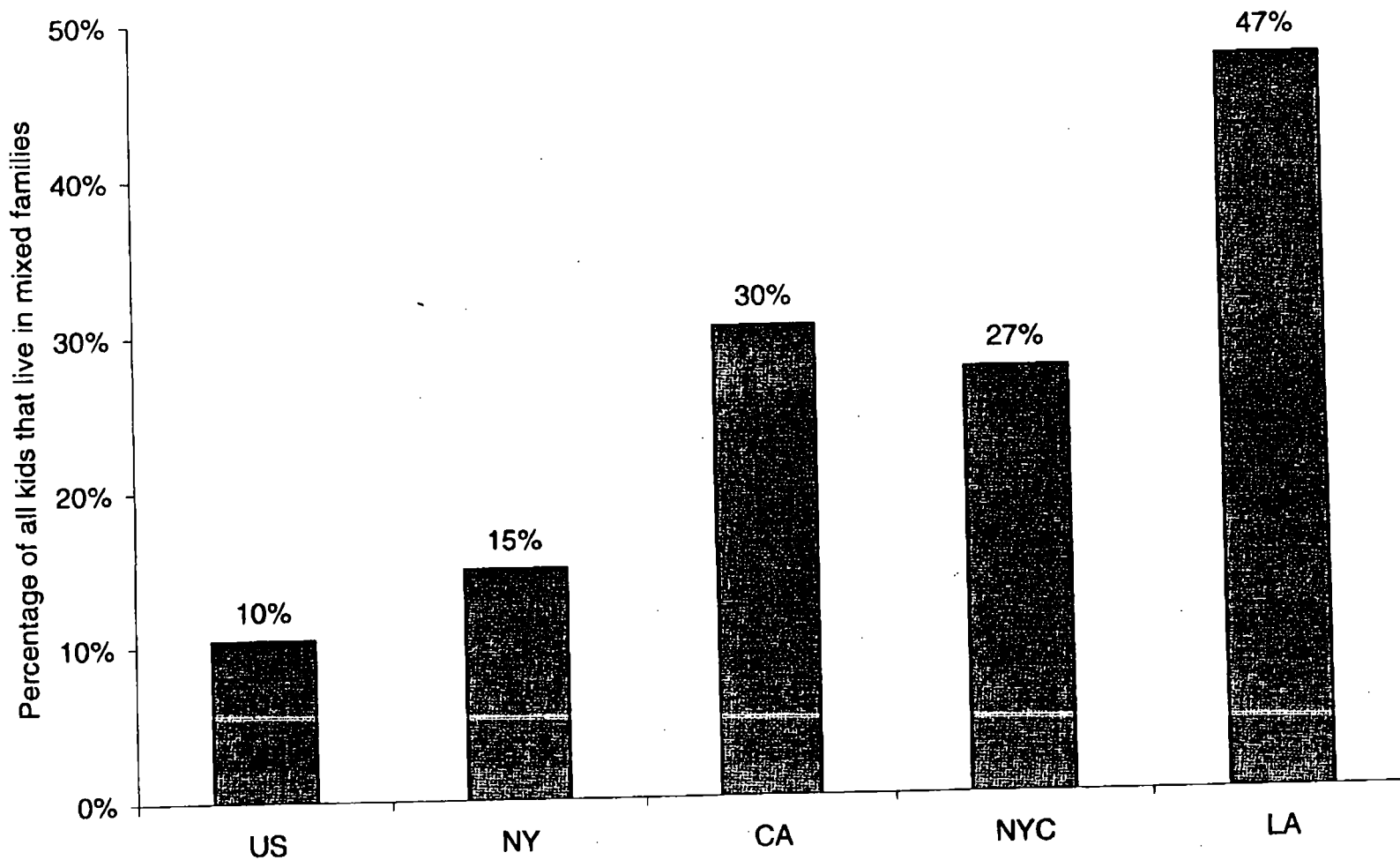
**Figure 1. Mixed families* as a share of all families with children,
for the U.S. and selected states: 1998**



*A mixed family has at least one noncitizen parent and at least one citizen child.

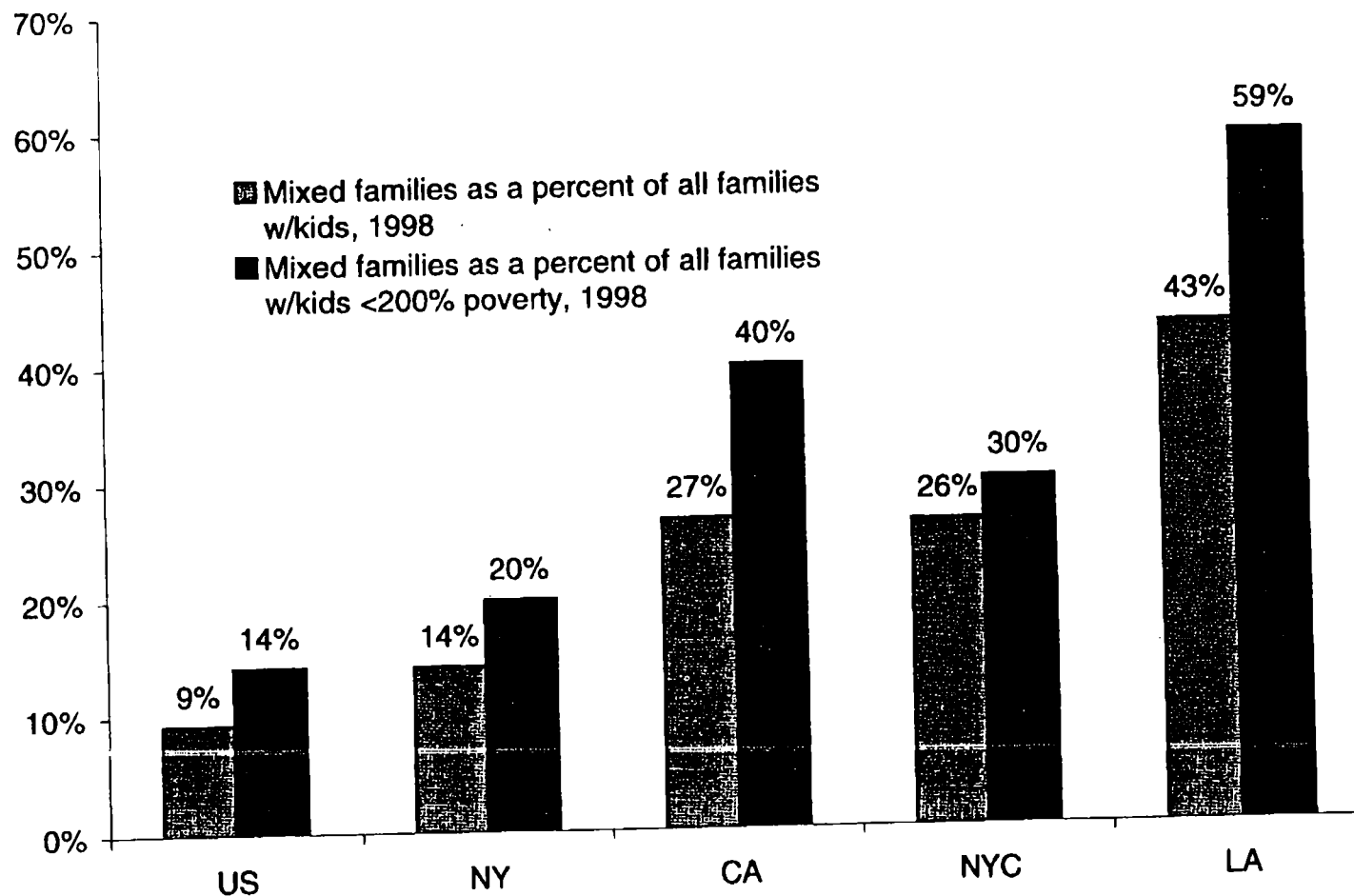
Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

Figure 2. Share of all children who live in mixed families, 1998



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

Figure 3. Mixed families as a share of all low income families with children, 1998



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

Figure 4. Immigrant-headed households containing U.S.-born children (as a percentage of all immigrant households with children) by legal status of household head: New York, 1995

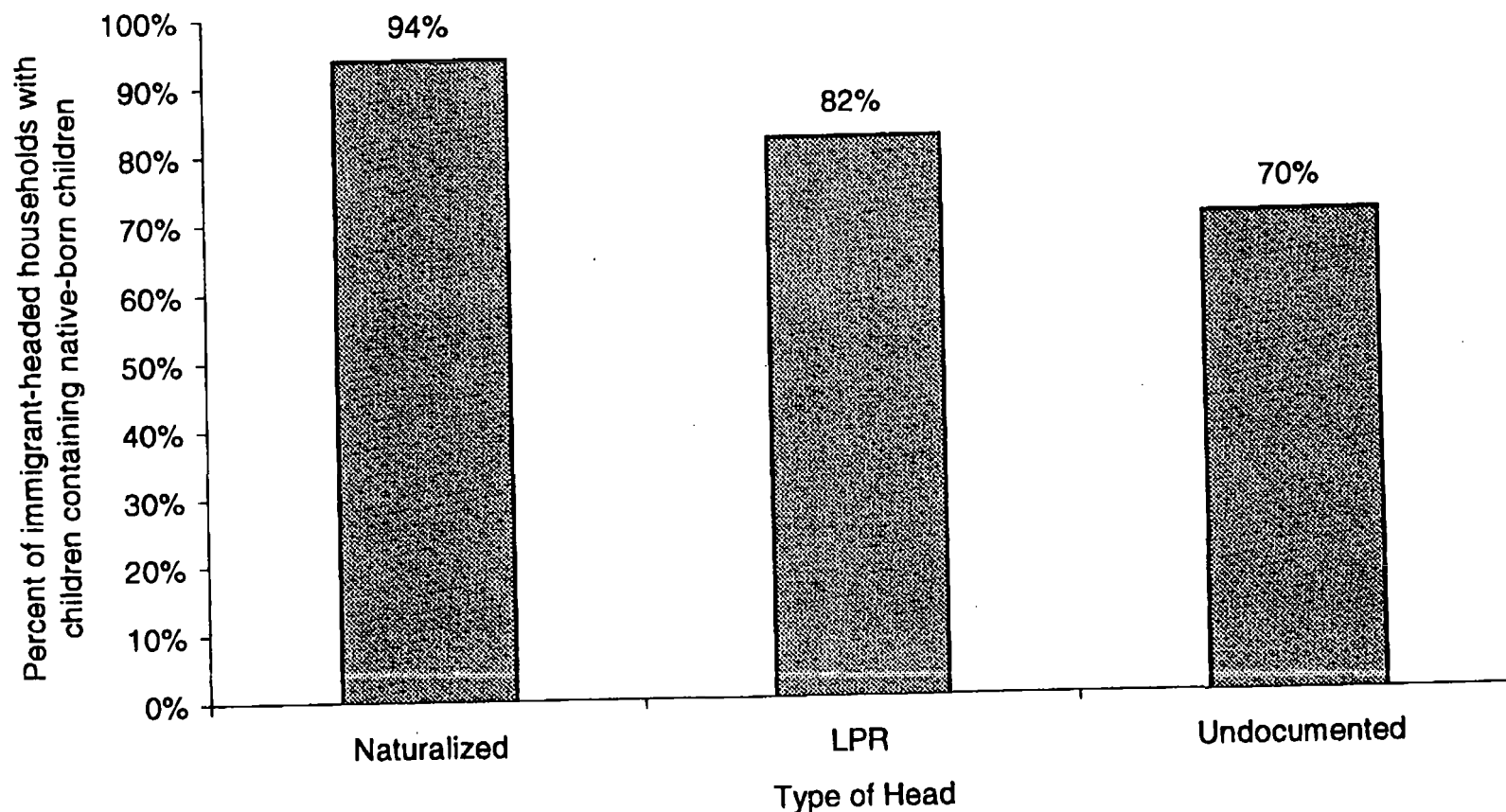
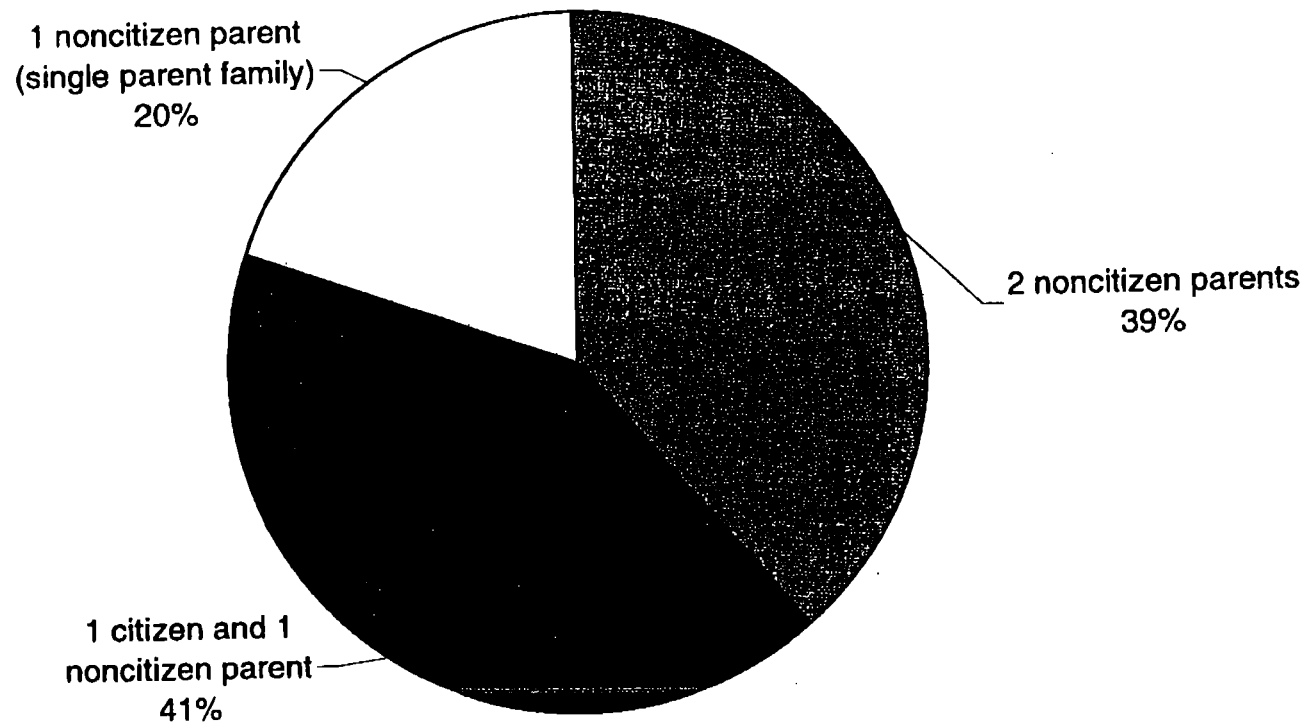


Table reads: Seventy percent of New York's undocumented immigrant-headed households with children contain native-born citizen children.

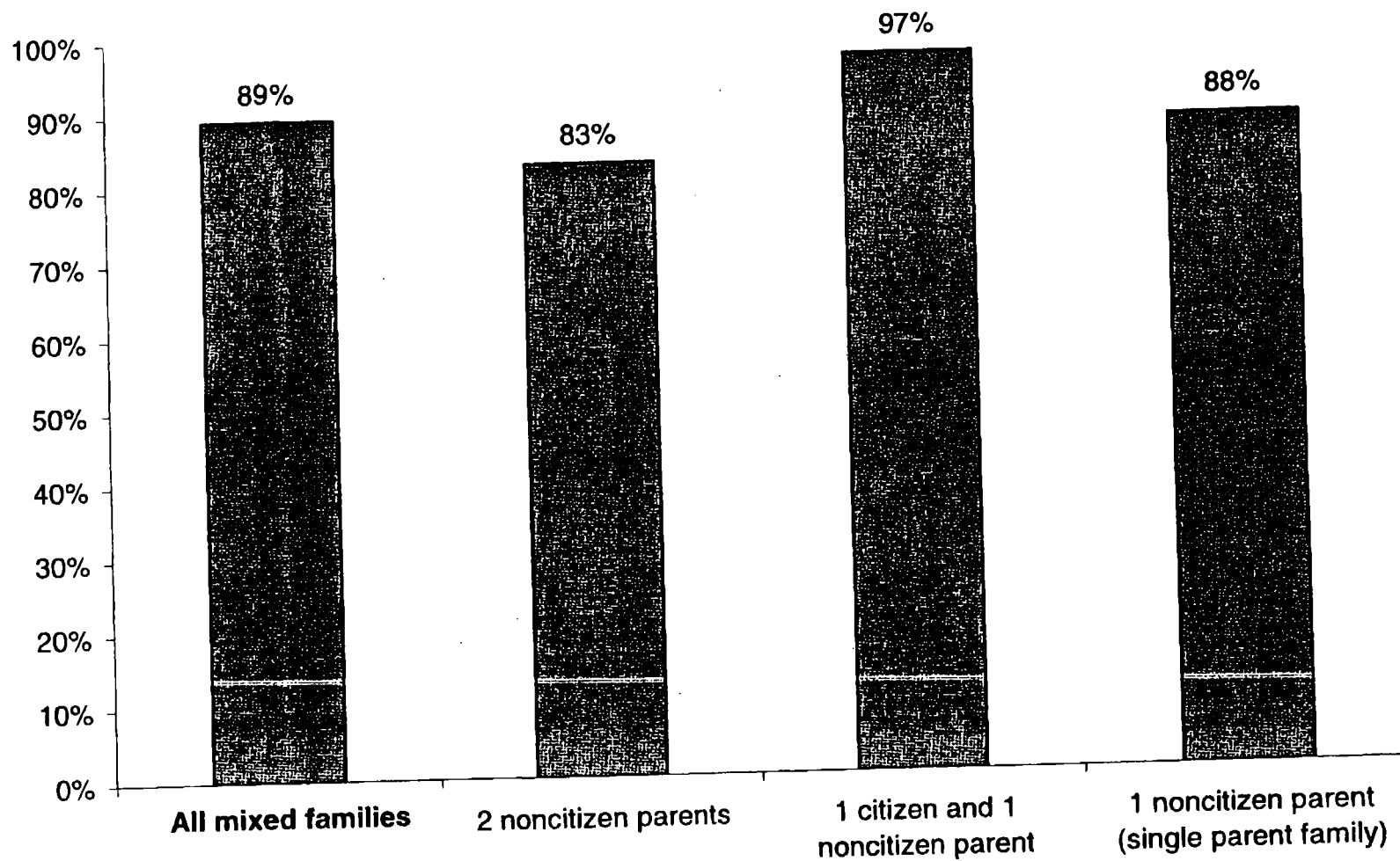
Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

Figure 5. Citizenship of parents in mixed status families, 1998



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

**Figure 6. Share of children in mixed families who are citizens,
by type of family, 1998**



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

June 10, 1999

NOTE TO: Chris Jennings
Cynthia Rice

FROM: Irene Bueno 

RE: URBAN INSTITUTE REPORT ON THE PREVALENCE OF "MIXED STATUS"
FAMILIES

Attached is an internal memo by David Nielsen of HHS/ASPE on a report that Urban Institute will issue concerning use of certain government program by families with mixed immigrant status on June 18, 1999 and a copy of the report. **Please do not circulate either of these documents.**

Since the government funds this report, HHS and other agencies will offer briefings that the Urban Institute will conduct for appropriate Hill staff and groups just prior to the release of the report.

Please review and let me know if you have any questions or concerns.

Thanks.

CC: Devorah Adler
Eric Gould
Genie Chough

TO: Irene Bueno, DPC (fax#: 456-5581)
Girley Wright, ACF (fax#: 205-3598)
Pam Green-Smith, ACF (fax#: 401-0981)
Penny Pine, HCFA (fax#: (410) 786-5534)
Marty Svolos, HCFA (fax#: (410) 786-3517)

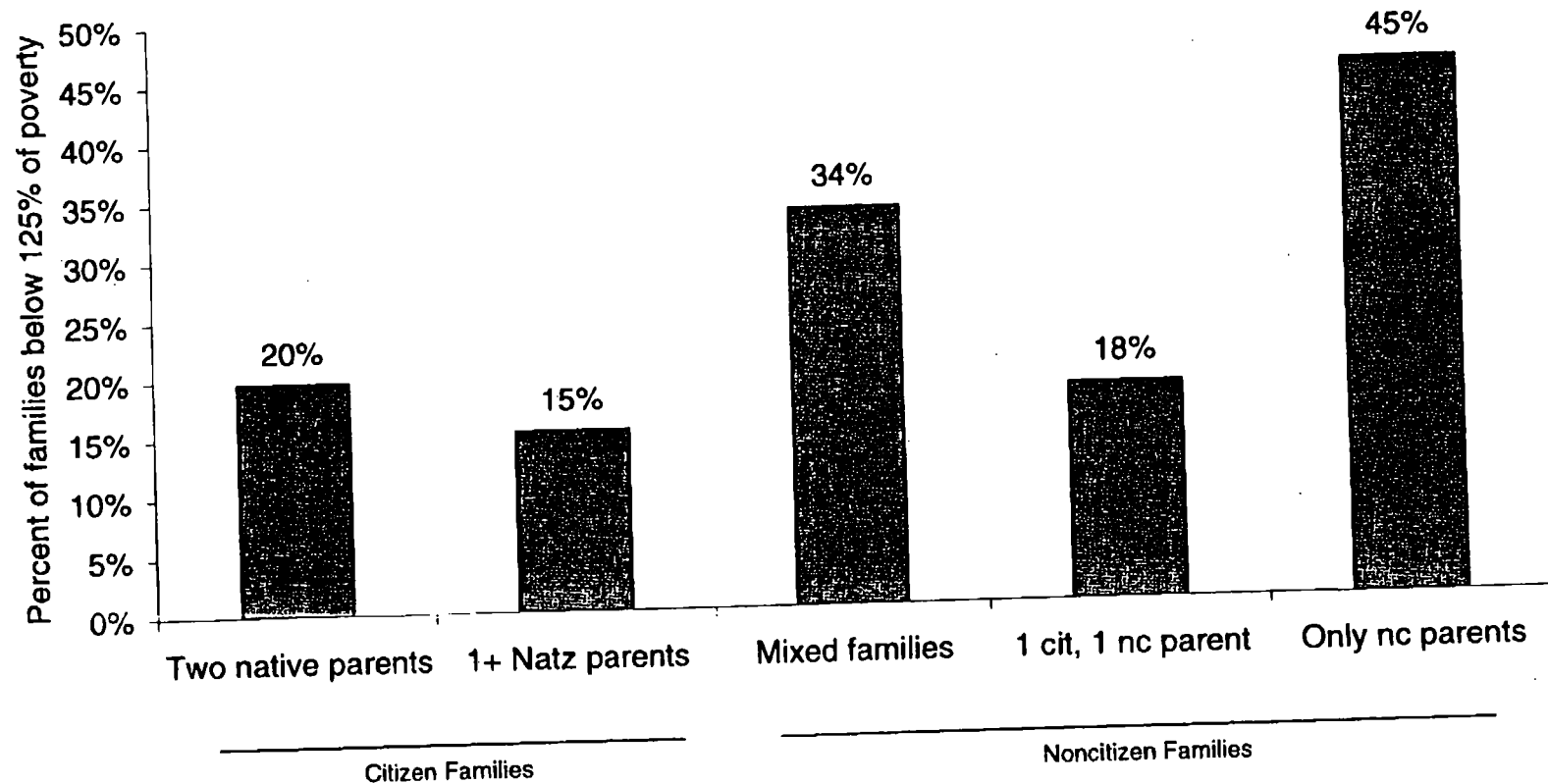
FROM: David Nielsen

SUBJECT: Urban Institute Report On the Prevalence Of "Mixed Status" Families

Attached you will find the above referenced Urban Institute Report, along with a Memo to the Secretary summarizing key findings and issues. Please note that the Report is not available to the public until June 18th. Any questions, please call. Thanks!

Attachments

Figure 7. Share of families with children having incomes under 125 percent of the poverty level, by type of family, 1998



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)

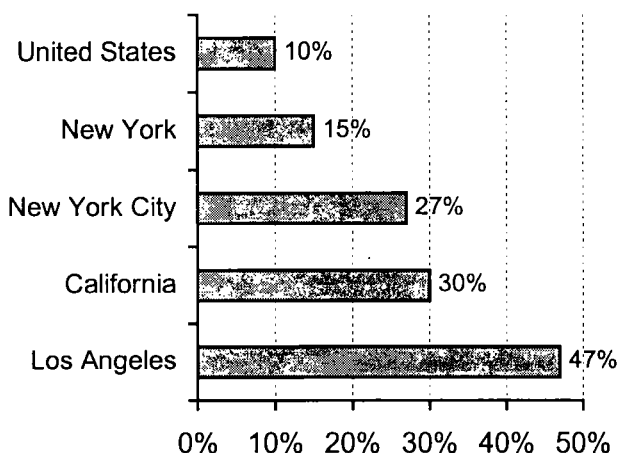
All Under One Roof: Mixed-Status Families in an Era of Reform

by Michael Fix and Wendy Zimmermann

for release June 24, 1999

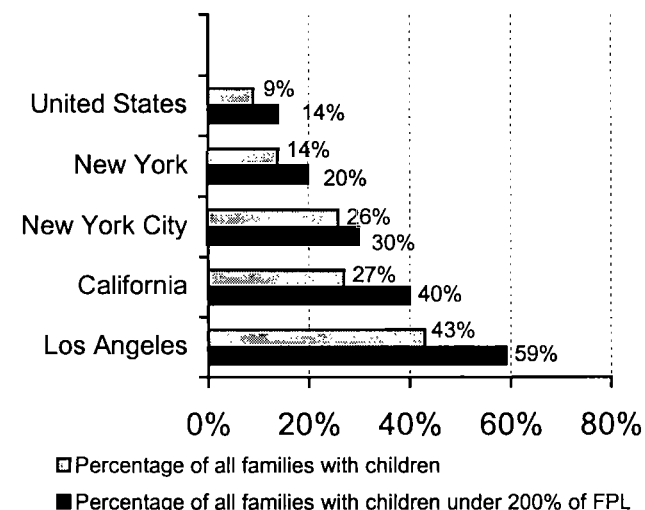
- Seventy-five percent of children in immigrant families (at least one parent is a noncitizen) are citizens.
- One in 10 children in the United States lives in a mixed-status family (at least one parent is a noncitizen and one child is a citizen).
- One in ten U.S. families is of mixed status.
- One-quarter of families in New York City and nearly half of all children in Los Angeles live in mixed families.
- In New York City, mixed-status families make up 30 percent of all families with children living below 200 percent of the federal poverty level (FPL). In Los Angeles mixed-status families are nearly 60 percent.
- In New York City, 70 percent of all undocumented households with children include citizen children. (However, undocumented-headed households are *less* likely to include children than other immigrant-headed households.)
- Twenty-one percent of all children without health insurance nationwide and over half of the uninsured children in California live in mixed-status families.
- One-third of mixed-status families have incomes below 125 percent of the poverty level, the cut-off under new rules for sponsoring admission of immediate relatives into the country. These policy changes will make it more difficult for immigrant families to unite.

Share of All Children Who
Live in Mixed-Status Families



Source: Urban Institute analysis of 1998 Census Bureau data, 1999.

Mixed-Status Families as a Share of All Families
with Children, by Income



Source: Urban Institute analysis of 1998 Census Bureau data, 1999.

Legal Immigrant Eligibility for Food Stamps

Restrictions on participation by legal immigrants appear to have deterred participation by their children, many of whom retained their eligibility for food stamps. Participation among U.S. born children living with their legal immigrant parents fell faster than participation among children living with non-immigrant parents. The number of children living with legal immigrants fell by 37 percent, versus 15 percent for children living with non-immigrant parents.

	Participants: October 1996	Participants: September 1997	Participation Change	Percent Change
Children Living with Legal Immigrants	1,251	742	434	37%
Children Not Living with Legal Immigrants	11,034	9,804	1,682	15%

From: *"Who is Leaving the Food Stamp Program? An Analysis of Caseload Changes from 1994 to 1997"*, USDA, March 1999 (the information in the report is based on Food Stamp QC data for FY94 and FY97).

**PROGRAM DEVELOPMENT DIVISION
FOOD STAMP PROGRAM**

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REMARKS: See Table 3 Page 6

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Who is Leaving the Food Stamp Program?

An Analysis of Caseload Changes from 1994 to 1997

United States Department of Agriculture
Food and Nutrition Service

Office of Analysis, Nutrition, and Evaluation
March 1999

Background

The number of people receiving food stamps fell by over 5.9 million between summer 1994 and summer 1997, with most of the decline occurring in the year between September 1996 and September 1997. This decline occurred during a period of strong economic growth – unemployment fell, inflation stayed low, and the percentage of Americans living in poverty fell slightly. In the same period, Congress enacted and States implemented sweeping reforms to the Food Stamp Program (FSP) and to the nation's welfare programs.

Some point to the participation decline as proof that the strong economy is lifting all boats, providing job opportunities and higher wages for all, including low-income families. Welfare reform is credited with moving millions of families from dependence on the state to work.

However, others raise more troubling questions. Suppose families are not leaving the safety net for paid employment and self-sufficiency but rather remain poor but without assured access to sufficient food to meet their basic needs? Suppose people leaving welfare remain eligible for food stamps but don't realize that these benefits are still available to them? These critics cite the increased demand for assistance at food pantries and soup kitchens as evidence that declining caseloads are not necessarily a sign of success.

These questions cannot be answered conclusively yet. However, an analysis of food stamp administrative data provides some initial insights into the changes that have occurred in the Food Stamp Program. This analysis examines FSP administrative data from 1994, when FSP caseloads peaked, and 1997, the most recent year when full data are available. 1997 was a transition year as States replaced the Aid to Families with Dependent Children (AFDC) program with Temporary Assistance for Needy Families (TANF) and when changes to the FSP took effect. Thus this report provides information about caseload changes during the early stages of implementation. This analysis focuses on those groups most affected by welfare reform – single parents, legal immigrants, and unemployed childless adults.

General Trends

As Table 1 shows, three major groups accounted for almost all the drop in the food stamp caseload between 1994 and 1997. The number of legal immigrants fell by 54 percent, accounting for 14 percent of the total decline. The number of childless unemployed adults fell by 44 percent, accounting for 8 percent of the total decline. Finally, the number of families receiving welfare benefits fell by 28 percent. Because this group accounts for such a large share of the FSP caseload, they represented 61

percent of the decline. Only 17 percent of the decline came from other groups, including elderly, the disabled, and households with earnings and no welfare income.

Thus, the steepest declines in participation occurred among legal immigrants and unemployed childless adults, the two groups affected by tough new restrictions under welfare reform. However, most of the reduction occurred among the large group of cash welfare households.

Trends Among Single Parent Families

Among other changes, welfare reform was designed to move families from welfare to work. The Aid to Families with Dependent Program (AFDC), which was an entitlement for needy single parents with children, was replaced by block grants to States to operate the Temporary Assistance to Needy Families (TANF), which was designed to provide short term assistance to help poor families become economically self-sufficient.

As Table 2 shows, the number of single-parent families, the group most affected by welfare reform, fell by 17 percent. Within this group, the number receiving AFDC or TANF benefits fell by 27 percent but the number of those *not* receiving welfare *rose* by 9 percent. This suggests that welfare reform has been partially responsible for the drop in welfare caseloads. Had it been solely the strong economy, the number of food stamp households with welfare and without welfare would have both fallen by similar amounts. It also suggests that at least some families that no longer receive welfare continue to receive food stamps.

Among single-parent families, the number of those with earnings rose by 10 percent. And

while the number of single-parents receiving AFDC or TANF benefits fell overall, the number of those who combined welfare with work also rose by 9 percent. This points to an increased reliance on work among single parents.

However, it is important to note that the number of single-parent households with no income from either welfare or work also rose by 9 percent. Also, the number of single-parent food stamp households receiving welfare dropped by nearly 900,000, while the number not receiving welfare rose by only 120,000. Because we only have data on food stamp participants, we don't know whether the households leaving both welfare and food stamps found jobs and are economically independent, or are unemployed and in need.

Trends Among Legal Immigrants

Welfare reform legislation made most legal immigrants ineligible for food stamps. Those who were participating at the time the law went into effect could participate until September 1997. New applicants became ineligible starting October 1996.

In 1994, nearly 1.5 million legal immigrants received food stamps. This number dropped sharply after welfare reform was enacted. The number of legal immigrants receiving food stamps declined steadily throughout late 1996 and most of 1997 (Figure 1). The decline was gradual throughout the year, rather than falling sharply between August and September 1997. This indicates that as current immigrants left the program, they were not replaced by new immigrant participants.

Restrictions on participation by legal immigrants appear to have deterred

Not
Geo

participation by their children, many of whom retained their eligibility for food stamps. Participation among U.S. born children living with their legal immigrant parents fell faster than participation among children living with native-born parents (Table 3). The number of children living with legal immigrants fell by 37 percent, versus 15 percent for children living with native-born parents.

The number of naturalized citizens receiving food stamps rose by 173,000 between 1994 and 1997, an increase of 66 percent (Table 4). This reflects the surge in naturalizations starting in 1993.

Trends Among Childless Unemployed Adults

Welfare reform restricted most childless unemployed adults to no more than three months of food stamps in a 36-month period, unless they were employed or participating in qualified work programs. Many parts of the country were exempt from the work requirement and time limit, due to waivers granted to areas with high unemployment rates or insufficient jobs.

As expected, the number of unemployed childless adults fell by 476,000, a drop of one third, between August 1996 and September 1997 (Figure 2). This decline was sharpest in the period between January and March, 1997, as States implemented the time limits.

Trends Among the Elderly

The number of households with aged members dropped by 86,000 from 1994 to 1997, a decline of less than five percent. Over time, the number of elderly receiving benefits is very steady, while the share of the

caseload that they represent fluctuates. During periods of caseload expansion, elderly households represent a declining share of the food stamp population. During periods of caseload decline, they represent a larger share.

Changes in Ethnic/Racial Composition

Some have raised a concern that those finding work and leaving welfare are predominantly non-Hispanic whites, leaving the welfare caseload even more disproportionately minority. The data do not support this claim. The racial composition of the food stamp caseload as a whole is virtually unchanged between 1994 and 1997 (Figure 3), despite steep drops in participation overall.

The same is true for AFDC/TANF recipients. Whites left the food Stamp Program and welfare at the same rate as minorities. The number of whites receiving welfare and food stamps between 1994 and 1997 fell by 32 percent, compared to a 31 percent drop for African Americans and a 27 percent drop for Hispanics. As a result, the caseload composition is very similar for both years.

The one group where the racial/ethnic composition did change significantly is the unemployed childless adult group subject to time limits. While the proportion of blacks in this group remained unchanged between 1994 and 1997, the proportion of whites fell, while the proportion of Hispanics doubled. However, this is a relatively small group that may be heavily affected by State waiver policy.

About the Data

The data come from Food Stamp Quality Control records. The cases are derived from

State samples of caseloads pulled each month for a review on payment accuracy. Records from all States for all months during a fiscal year are combined into one file. Each year, there are about 50,000 households represented in the data. The files are then edited for consistency and weights are assigned.

We analyzed data from two years -- 1994, the year participation peaked; and 1997, the most recent year that we have complete data.

Limitations of the Analysis

The analysis compares snapshots of the food stamp population at different points in time. It does not follow individuals or families over a course of time, showing their movements on and off jobs, welfare, or food stamps. Nor does this analysis provide any information about low-income households not receiving food stamps, including former participants.

TABLE 1
Participation Changes from 1994 to 1997
(in thousands)

	Participants: Summer 1994	Participants: Summer 1997	Participation Change	Percent Change	Share of Decline
Legal Permanent Residents	1,537	706	-831	54 %	14 %
Childless Unemployed Adults	1,148	648	-500	-44 %	8 %
AFDC/TANF Participants	13,052	9,442	-3,610	-28 %	61 %
All Other Participants	11,697	10,707	-990	-8 %	17 %
TOTAL	27,434	21,503	-5,931	-22 %	100 %

TABLE 2:
Single Parent Households by Presence of Earnings and Welfare Receipt: 1994 and 1997

	Households: 1994	Households: 1997	Participation Change	Percent Change
All Single Parents	4,595	3,816	-779	-17 %
With AFDC/TANF	3,319	2,422	-897	-27 %
Without earnings	3,022	2,097	-925	-31 %
With earnings	297	325	28	9 %
Without AFDC/TANF	1,276	1,394	118	9 %
Without earnings	568	614	46	8 %
With earnings	708	780	72	10 %
With earnings	1,005	1,105	100	10 %

FIGURE 1:
Legal Immigrant Participants:
August 1996 through September 1997

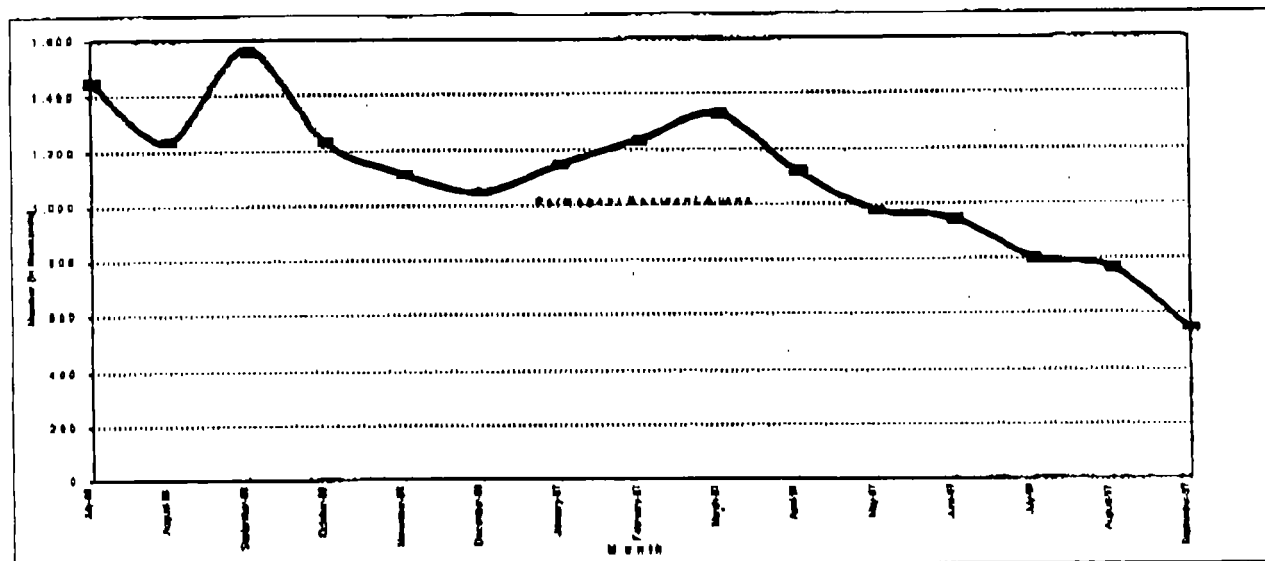


TABLE 3:
Number of Children Participating by Citizenship Status of Parents:
October 1996 and September 1997
(in thousands)

	Participants: October 1996	Participants: September 1997	Participation Change	Percent Change
Children Living with Legal Immigrants	1,251	742	434	37 %
Children Not Living with Legal Immigrants	11,034	9,804	1,682	15 %

TABLE 4:
Number of Legal Immigrants by Status: 1994 and 1997
(in thousands)

	Participants: 1994	Participants: 1997	Participation Change	Percent Change
Permanent Resident Aliens	1,453	547	-906	- 62 %
Refugees	359	235	-104	- 31 %
Naturalized Citizens	264	437	+173	66 %
All Legal Immigrants	2,056	1,219	-837	- 41 %

Figure 2:
Childless Unemployed Adults:
August 1996 through September 1997

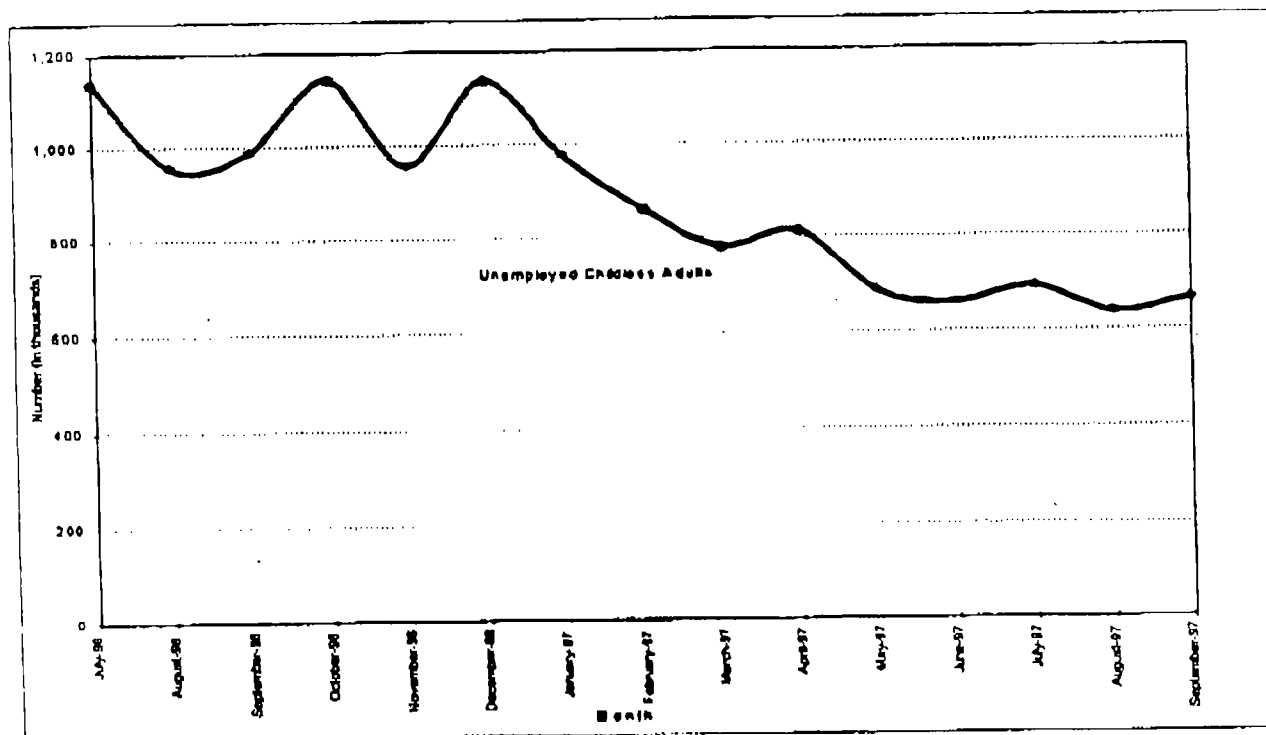
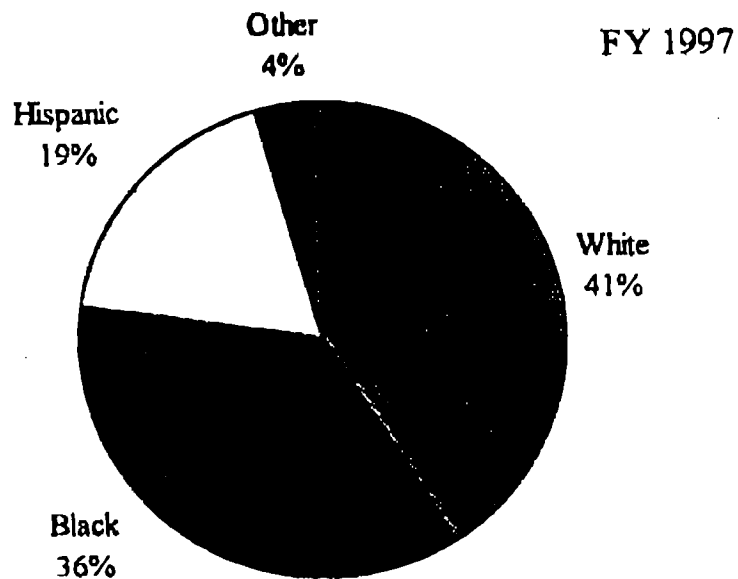
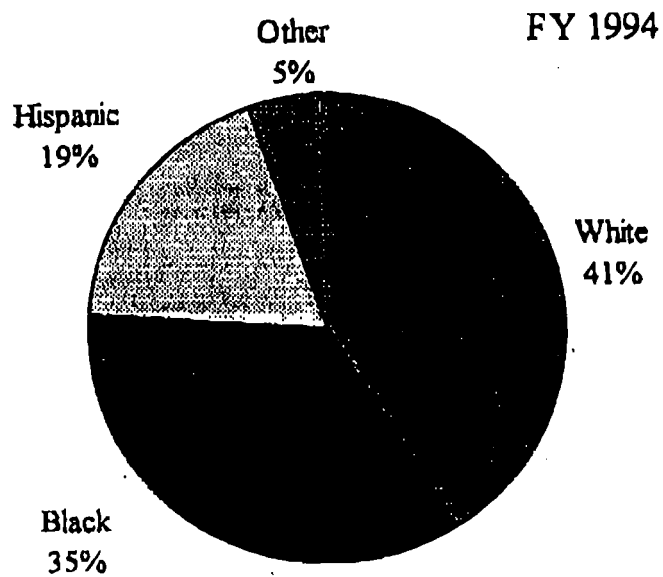


Figure 3
Racial Composition of Food Stamp Participants Receiving Welfare: 1994 and 1997



*Embargoed
until March 1, 1999*

**TRENDS IN NONCITIZENS' AND CITIZENS' USE OF PUBLIC BENEFITS
FOLLOWING WELFARE REFORM, 1994–1997**

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“NONCITIZENS’ USE OF PUBLIC BENEFITS DECLINES FASTER THAN CITIZENS FOLLOWING WELFARE REFORM”

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Jeffrey S. Passel
The Urban Institute

BACKGROUND

With the enactment of the 1996 welfare reform act,¹ the Congress imposed broad new restrictions on legal immigrants’ access to public benefits, set new time limits on refugees’ eligibility for many federal benefits, and introduced new bars on the access of “unqualified immigrants” to services.² But perhaps more important than these changes in eligibility are welfare reform’s chilling effects — chilling effects that may discourage immigrants from using health, nutrition, or other benefits, despite the fact that many remain eligible. These chilling effects originate, among other things, in confusion on the part of immigrants and providers about who is eligible for benefits and in fears relating to the application of the public charge doctrine.³

An earlier study by the Urban Institute found evidence of such chilling effects in Los Angeles County.⁴ In that study, approved applications of legal noncitizen families for Medi-Cal and Temporary Assistance for Needy Families (TANF) fell 71 percent between January 1996 and January 1998, while there was no decline among citizens. The drop occurred even though during the period examined, there was no change in legal immigrants’ eligibility for these programs in California and denial rates in the County remained steady.

In this brief report we use the Census Bureau’s Current Population Survey (CPS) to document *national* trends in immigrants’ use of public benefits in the period following welfare reform. Specifically, we examine changes in participation between 1994 and 1997 reflected by the March CPS.⁵ During 1994 changes in welfare rules were just beginning to be broadly

¹ The Personal Responsibility and Work Opportunity Reconciliation Act, Pub. L. 104-193 (1996).

² While most of these unqualified immigrants are undocumented immigrants, many are legally present in the United States and have work authorization. See, generally, Michael Fix and Wendy Zimmermann, “The Legacies of Welfare Reform’s Immigrant Restrictions,” *Interpreter Releases*, November 16, 1998.

³ “Public charge” is a term used by the Immigration and Naturalization Service (INS) and the State Department to describe someone who has, or is likely to become, dependent on public benefits. Public charge considerations have historically been a factor in the admissibility of aliens (i.e., grant of a green card) and, only rarely, in the deportation of aliens in the United States less than five years.

In the past several years, public charge has been inappropriately invoked in some instances where noncitizens have attempted to reenter the United States and where immigrants have sought to naturalize. In some cases, noncitizens seeking to adjust status, naturalize, or reenter the country have been asked to repay public benefits. The legality of compelling repayment in these contexts is suspect.

⁴ See, Wendy Zimmermann and Michael Fix, “Declining Immigrant Applications for Medi-Cal and Welfare Benefits in Los Angeles County,” The Urban Institute, July 1998.

⁵ The CPS collects information on program use and income in March for the preceding *calendar* year. Thus, the information collected in the March 1995 CPS pertains to calendar year 1994; and the March 1998 CPS, to calendar year 1997. Throughout this document, we use the CPS data from March 1995 and 1998 for reference years

debated. By the end of 1997, welfare reform had been in place for a year and a half, although full implementation was not yet complete. In addition, the CPS for both years provides comparable data on benefit use for the entire nation.

The current analysis builds on methods developed by the Urban Institute over the past decade that permit us to distinguish refugees, naturalized citizens, and temporary immigrants from other legally-present immigrants.⁶ Drawing such distinctions is important for two main reasons. First, conventional comparisons between the benefit use rates of natives and the foreign-born mask substantial variation in rates and trends among substantively different segments of the foreign-born population. Second, following welfare reform, citizenship status has become an increasingly important determinant of eligibility for public benefits.

We should emphasize that most legal immigrants and refugees remained eligible for welfare and Medicaid benefits throughout the period examined: 1994 through 1997.⁷ The same cannot be said for federal food stamps, however, as many legal immigrants' eligibility was supposed to end as of September 1997, while new noncitizen applicants became ineligible starting October 1996. Finally, while most immigrants arriving after welfare reform's enactment are barred from federal means-tested public benefits for at least five years,⁸ these "future" immigrants represented a small share of the noncitizen population at the time of the March 1998 CPS.

PRINCIPAL FINDINGS

- ▶ When viewed against the backdrop of overall declines in welfare receipt for all households, *use of public benefits among noncitizen households⁹ fell more sharply between 1994 and 1997 (35 percent) than among citizen households (14 percent)*. These patterns hold for welfare (defined here as TANF, SSI, or General Assistance), food stamps, and Medicaid.
- ▶ *Refugees experienced declines (33 percent) that are at least as steep as those within the noncitizen population* — despite the protections for refugees incorporated

1994 and 1997. The data from the March 1995 CPS have been reweighted to correct for an error in the official weights (Jeffrey S. Passel and Rebecca Clark, "Immigrants in New York: Their Legal Status, Incomes, and Taxes," The Urban Institute, April 1998).

⁶ See, Passel and Clark, *supra* note 5.

⁷ Welfare reform gave the states the option of barring legal immigrants in the U.S. before August 22, 1996 from TANF and Medicaid. However, virtually all states extended benefits to these pre-enactment immigrants. See, Fix and Zimmermann, *supra* note 2.

⁸ "Federal means-tested public benefits" have been determined to be Temporary Assistance to Needy Families (TANF), Medicaid, the Child Health Insurance Program (CHIP), Supplemental Security Income (SSI) and food stamps.

⁹ Unless otherwise noted, the comparisons of citizens and noncitizens exclude refugees and temporary immigrants (i.e. "nonimmigrants" according to immigration law), which are treated separately. *Citizens* include natives, persons born in Puerto Rico and other outlying areas, and immigrants who have acquired citizenship through naturalization. *Noncitizens* include aliens admitted as lawful permanent residents and undocumented immigrants.

into welfare reform and the fact that few refugees¹⁰ had lost their eligibility for benefits by March 1998.

- ▶ *For low-income populations (i.e., with incomes below 200 percent of poverty), program usage also fell faster for noncitizen than citizen households.*
- ▶ *Welfare use in noncitizen households with children also fell faster (36 percent) than households with children where all adults are citizens (23 percent).*
- ▶ One result of these trends is that *noncitizens account for a disproportionately large share of the overall decline in welfare caseloads that occurred between 1994 and 1997*. While 23 percent of the drop in welfare caseloads can be ascribed to noncitizens, they represented only 9 percent of households receiving welfare in 1994.
- ▶ *Welfare use among elderly immigrants and naturalized citizens did not appear to change between 1994 and 1997.*
- ▶ *When welfare use among “all” households is examined, noncitizen participation levels are higher than citizens’ in both 1994 and 1997, despite rapid declines in noncitizen use rates. But, when we look at poor households (i.e., those under 200 percent of poverty), noncitizens’ participation rates in 1994 were no different from those of citizens; by 1997, however, levels had declined so that noncitizens had lower participation rates than citizens (14.5 versus 17.9 percent). When we examine poor households with children, noncitizen rates are lower for both 1994 and 1997 — falling to almost half of the level of citizens in 1997 (14.0 versus 25.8 percent).*
- ▶ *Neither naturalization nor rising incomes account for a significant share of noncitizens’ exits from public benefit use.*

In the following section we examine patterns of benefit use in three different ways. First, by *household*, disaggregating by all households, by households with incomes below 200 percent of poverty, and by those containing children. We then present findings for *individuals*, distinguishing use patterns for working-age adults 18 to 64 and the elderly, age 65 and over. We conclude the section by disaggregating trends by differing *legal status* groups, most notably refugees and naturalized citizens. In each instance, differing units of observation reveal differing relative levels and trends in benefit use by citizens and noncitizens.

¹⁰ A refugee is defined legally as a person outside his/her country of nationality who is unable to return because of a well-founded fear of persecution. Because their departure from their home country is involuntary and unplanned, and because many suffer physical or mental trauma, refugees have been made eligible for most public benefits from the date of their arrival.

We assign refugee status based on country of birth and period of entry to the United States. For persons entering after 1980, we define a “refugee country” to be one where refugees and asylees account for more than 40 percent of total admissions of legal permanent residents, refugees and asylees during any two-year period. See Passel and Clark, *supra* note 5.

The analysis examines the use of welfare, food stamps and Medicaid. While complete results are set out in the figures and tables included in this report, selected outcomes are highlighted in the narrative below. Because trends in food stamp and Medicaid use generally parallel those for welfare we usually report results just for welfare.

DETAILED FINDINGS

A. Household-level Analyses

Relative benefit use rates for citizens and noncitizens differ greatly depending on whether we focus on “all” households, poor households, or households with children. The reasons for these differences are straightforward. Poor households are far more likely to be eligible for and use benefits, and noncitizens are more likely to be poor. Fifty-four percent of noncitizen households have incomes below 200 percent of poverty compared with 31 percent of citizen households (Table 4).

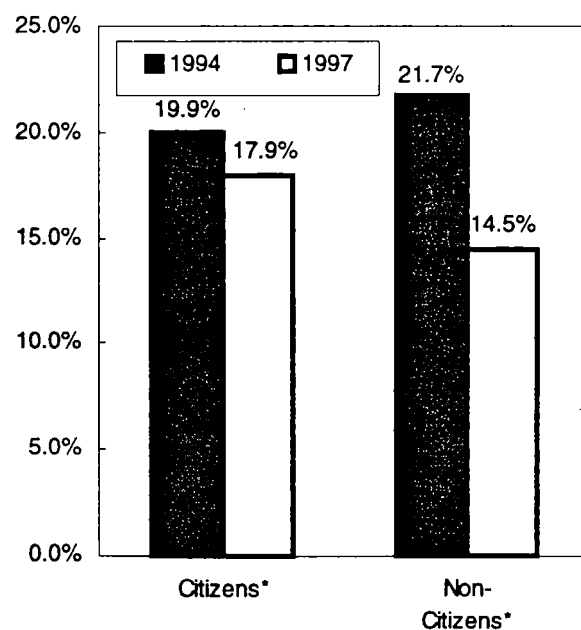
While controls for poverty have occasionally been taken into account in discussions of immigrant welfare use,¹¹ differences between households with and without children have been less frequently invoked. Yet, such differences are significant because households with children are considerably more likely to use benefits, and immigrant households are more likely to contain children. As we report below, when we *separately* control for poverty and the presence of children, differences in program use rates between citizens and noncitizens diminish and, in some instances, disappear altogether. When we control for *both* poverty and the presence of children, noncitizen use of benefits is consistently *lower* than citizens, both before and after welfare reform.

“All” Households. Welfare receipt by noncitizen households fell much faster (35 percent) than citizens’ (14 percent) between 1994 and 1997. However, despite these steeper declines, noncitizen use of welfare remained higher than citizens’ in 1997 — 9.0 versus 6.7 percent (Table 1 and Figure 1). By 1997, far more immigrants had lost food stamps than welfare. Yet, our data show that noncitizens’ participation in each declined at roughly the same rate, with the rate of decline in welfare being marginally faster than in food stamps. (35 percent versus 30 percent).

Households Below 200 Percent of Poverty.

The picture of higher welfare use by noncitizens shifts significantly when we control for poverty. By 1997, noncitizens with incomes below

**Chart A. Percent of Households Receiving Welfare:
Income Below 200 Percent of Poverty**



¹¹ See, for example, *From Generation to Generation, The Health and Well-Being of Children in Immigrant Families*, National Research Council, Institute of Medicine, National Academy Press, Washington D.C., 1998.

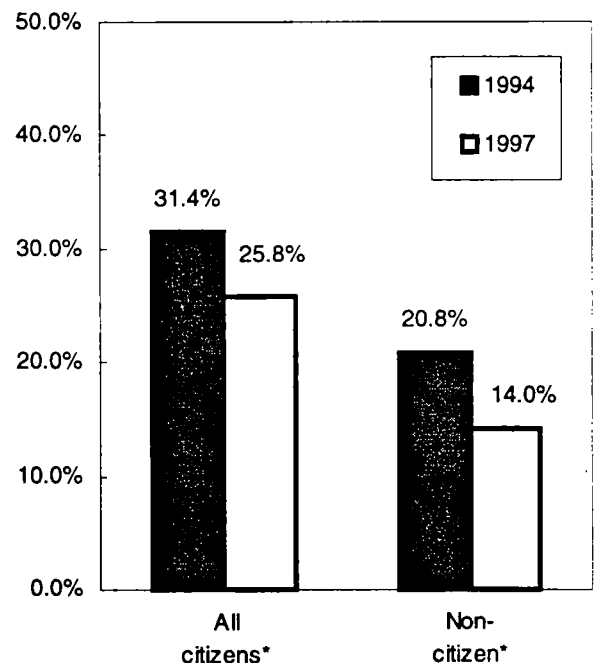
200 percent of poverty had use rates that were significantly *lower* than citizens — 14.5 versus 17.9 percent (Chart A). Here again, noncitizen participation rates dropped faster than citizens' between 1994 and 1997 (33 versus 10 percent). For both food stamps and Medicaid, noncitizens' use also fell faster than citizens' during the same period, so that by 1997 relative participation levels within each program were effectively the same for both groups (Table 1 and Figure 1).

Households With Children. When we control for the presence of children, we also see declines to the point where noncitizen welfare usage rates in households with children are not significantly different from citizens (8.9 versus 9.6 percent, in Table 3). Rates for both declined rapidly between 1994 and 1997 — 35 percent for noncitizens and 23 percent for citizens — but the difference in the rate of decline is not statistically significant (Table 3 and Figure 3).

In these households with noncitizen adults, many of the children are citizens, principally because they were born in the United States. In fact, there is at least one citizen child in 85 percent of noncitizen households with children. These mixed status households are of substantial demographic importance in the United States as about one in 10 American children live in a household where one or more of the parents is a noncitizen and one or more of the children is a citizen.¹²

Households with Children Below 200 Percent of Poverty. Given the large share of noncitizen households that are poor and that contain children, one approach to assessing relative benefits is to control for *both* poverty and the presence of children. When we do so, we see much *lower* usage among noncitizen households, both before and after welfare reform. With the rapid declines that occurred for both groups, noncitizen welfare use in 1997 is about half the rate for citizens — 14.0 versus 25.8 percent. See Chart B, Table 3, and Figure 3.

Chart B. Percent of Households With Children Receiving Welfare: Income Below 200 Percent of Poverty



B. Individual-level Analyses

Individual-level analyses of welfare use among citizens and noncitizens produce results that differ from aggregate household-level analyses because of patterns of welfare reporting in the CPS, differences in welfare use, and structural differences in the populations.¹³ "Welfare

¹² See, Fix and Zimmermann, *supra* note 2.

¹³ See Jennifer Van Hook, Jennifer E. Glick, and Frank D. Bean, "Public Assistance Receipt Among Immigrants and Natives: How the Unit of Analysis Affects Research Findings," *Demography* 36 (1, February 1999): 111–120.

use” for an individual in the CPS is defined as having income from TANF, General Assistance, or SSI; a household “uses welfare” if anyone in the household has welfare income. One issue in reconciling individual and household use rates, as well as comparing the Census with administrative data, is the fact that income data is collected only for persons aged 15 and over. Thus, if a child is receiving public assistance income, the income will either be ascribed to the parent or missed.

This income-based measure of welfare use means that most households report welfare participation as though there is only a single welfare recipient. For example, a single mother with two children receiving TANF income is only counted as one welfare unit or recipient, not three. The individual-level analysis differs from the household approach by ascribing use to only the welfare recipient, not other household members who may not be receiving welfare.

Because there are almost twice as many adults (197 million, see Detailed Table B) as households (103 million, see Detailed Table A), welfare use rates for individuals, then, should be lower than for households. In addition, noncitizen households are larger than citizen households and are more likely to contain children. Thus, we would expect larger differences in usage rates between households and individuals among noncitizens; the data also support this.

Our analysis below focuses on two important subpopulations: working-age adults, aged 18 to 64, and the elderly, aged 65 and over.

Working-Age Adults. Working-age noncitizens’ use of welfare fell roughly three times faster than citizens’ between 1994 and 1997 — 41 versus 15 percent (Table 2). A similar pattern is evident for Medicaid.¹⁴ By 1997, there is no statistical difference between citizen and noncitizen participation rates for welfare (4.0 versus 3.3 percent) or Medicaid (6.7 versus 7.2 percent). See Table 2 and Figure 2.

Elderly Immigrants. In sharp contrast to most of the other components of the analysis reported here, we find no statistically significant decline in either welfare or Medicaid use on the part of elderly noncitizens. In fact, we find no significant change in welfare receipt among the elderly, regardless of citizenship status (Table 2 and Figure 2).

Elderly noncitizen use of welfare and other benefits is much higher than is the case for citizens. In 1997, only 3.7 percent of elderly citizens used welfare compared to 19.0 percent of noncitizens (Table 2, Figure 2). Higher use of welfare (primarily SSI) and Medicaid among elderly noncitizens can be attributed to the fact that many have not worked in the United States long enough to qualify for Social Security or Medicare. Moreover, the absence of a decline in usage since 1994 may be explained, at least in part, by the restoration of SSI benefits to pre-enactment immigrants.

One suggestive result that emerges from the analysis is the apparent rise between 1994 and 1997 in the number and share of *naturalized* elderly who are receiving welfare benefits — from 99,000 or 5.9 percent to 167,000 or 9.0 percent (Detailed Table B). During the same time period, there is a commensurate decline of 50,000 in the number of *noncitizen* elderly receiving benefits. One hypothesis that can be advanced is that the decline in noncitizen participation for this subpopulation may be partially attributable to

¹⁴ In the CPS, food stamp usage is a household-level variable, so we do not report individual usage patterns.

Their usage was virtually identical to natives and did not change significantly between 1994 and 1997.

Noncitizens. The residual foreign-born subpopulation, noncitizens, had a large decline of 4.9 percentage points to 9.0 percent in 1997, but their use rate remained somewhat higher than citizens.

GENERAL OBSERVATIONS

Chilling Effects versus Eligibility Changes

- ▶ Because comparatively few legal immigrants were ineligible for public benefits as of December 1997, it appears that the steeper declines in noncitizens' than citizens' use of welfare, food stamps, and Medicaid owe more to the "chilling effect" of welfare reform and other policy changes than they do to actual eligibility changes. In addition, the fact that welfare use among noncitizens dropped as steeply as food stamp use (where new restrictions extended far more broadly) suggests that eligibility changes in one program may chill noncitizens' use of other programs. Over time, eligibility changes will grow in importance as most immigrants admitted after August 22, 1996 will be ineligible for most means-tested public benefits for at least five years after their entry to the country.

Noncitizens Do Not Appear to Be Naturalizing to Retain Benefits

- ▶ The consistently low share — and number — of naturalized immigrants who receive benefits indicate that the strategy of becoming a citizen in order to retain benefits is not widespread. If most immigrant benefit recipients were naturalizing to retain benefits then the number of naturalized citizens receiving benefits would have grown substantially more than it did.¹⁷

Rising Incomes Do Not Explain Lower Program Participation Rates Among Noncitizens

- ▶ One possible explanation for the faster declines in program participation among noncitizens than among citizens could be that incomes are rising faster for noncitizens. To address this issue, we use demographic standardization techniques (described below) to partition changes in program participation over 1994–1997 into the share attributable to changes in income and the share attributable to changes in income-specific participation rates. Our analysis finds that most of the change is *not* due to rising incomes. Only 6 percent of the decline in welfare use among noncitizens can be explained by rising incomes versus 30 percent of the decline among citizens; similar results hold for food stamps and Medicaid (Table 4).

¹⁷ The data in Detailed Table B show that the number of naturalized citizens aged 18 and over reporting welfare income rose by only 75,000 between 1994 and 1997 while the number of naturalized citizens increased by 1,419,000. During that period, the number of noncitizens reporting welfare use fell by 316,000.

naturalization. However, these numerical changes are not statistically significant, so the results cannot be treated as definitive.¹⁵

C. Benefit Use By Immigrant Status

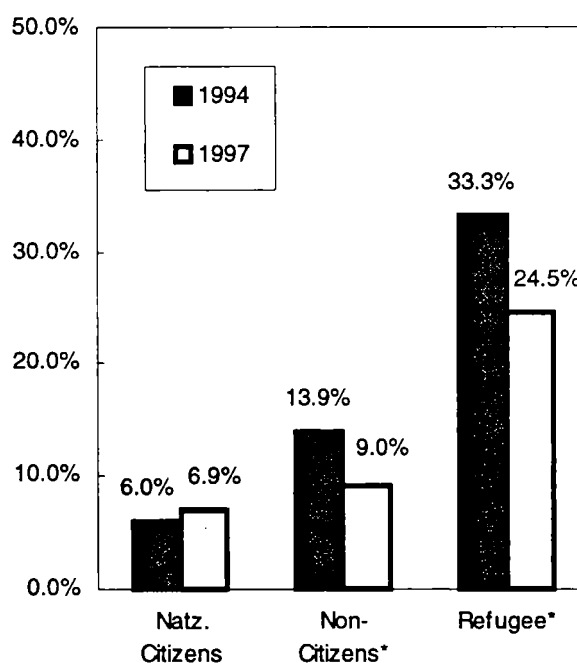
Historically, immigration status has been a strong predictor of immigrant use of public benefits. This is partly because the foreign-born population consists of groups with quite varied eligibility for benefits. While naturalized citizens and refugees have been eligible for benefits on the same terms as native-born citizens, legal permanent residents' use of benefits has been conditioned by deeming and public charge restrictions; temporary immigrants and the undocumented have been largely barred from services. Further, the socioeconomic characteristics of the groups differ substantially, resulting in quite different needs.¹⁶ The importance of disaggregating the foreign-born population by status can be clearly seen in the analysis of household use rates (Table 1).

Foreign-born population. Between 1994 and 1997, welfare use in households headed by all foreign-born persons fell by 21 percent or 2.5 percentage points from 11.7 percent to 9.2 percent. However, this general trend masks very different levels and trends among the various immigrant groups.

Refugees. Refugees, who have historically had the highest levels of public benefit use among the foreign-born, account for 8 percent of immigrant-headed households, but 21 percent of immigrants' welfare use (Detailed Table A). Their use rate remained high, at 24.5 percent in 1997, but even this level represented a decline of 8.8 percentage points from pre-reform levels of 33 percent (Chart C).

Naturalized citizens. Naturalized citizens, who have historically had the lowest levels of public benefit use among legally-present immigrant populations, represent the other extreme. While naturalized citizens make up 41 percent of immigrant households, they account for only 31 percent of immigrants' welfare use.

Chart C. Percent of Immigrant Households Receiving Welfare, by Status



¹⁵ They are, however, consistent with administrative data, specifically the Food Stamp Program Quality Control data for fiscal years 1994 and 1997.

¹⁶ See, for example, Passel and Clark, *supra* note 5.

Reduced Use of Health and Other Benefits Among Populations Not the Focus of Welfare Reform

- ▶ While the apparent decline in welfare use among noncitizens of working age may be an intended and positive policy outcome, these data also reveal sharp declines in the use of health, nutritional, and cash assistance within populations that are thought to be more vulnerable and were not a focus of welfare reform. These vulnerable populations include refugees and the citizen children of noncitizens. As the data presented above indicate, there have been sharp declines in benefits use for both populations. At the same time, health uninsurance rates for noncitizens (46 percent) remain much higher than among citizens (16 percent).¹⁸ High, persisting uninsurance rates, coupled with the decline in program participation documented here, have broad implications for the targeting of outreach efforts to expand enrollment in programs such as the California's Healthy Families initiative and other state efforts to expand enrollment in Medicaid and the Child Health Insurance Program.¹⁹

Noncitizens Do Not Demonstrate A Greater Propensity to Receive Benefits

- ▶ The data indicate that higher benefit use rates on the part of noncitizen versus citizen households owes to the fact that immigrant households are poorer and are more likely to contain children — not because they have a greater disposition towards receiving benefits. In fact, among poor households with children, immigrants have lower use rates for welfare, food stamps and Medicaid both before and after welfare reform.

NOTES ON THE ANALYSIS

Legal status distinction. This analysis employs imputation techniques developed by the Urban Institute that make it possible to assign some legal statuses (notably refugee and nonimmigrant status) to foreign-born persons included in the Current Population Survey. These techniques enable us to disaggregate changes in benefit use by immigrants in differing legal statuses despite the fact that the CPS only distinguishes citizens from noncitizens.

Disaggregating the immigrant population in this manner is important because usage patterns vary considerably by legal status and, following welfare reform, legal status has become an increasingly important determinant of immigrants' eligibility for public benefits. Specifically, following welfare reform:

- ▶ *naturalized citizens* remain eligible for public benefits on the same terms as natives (i.e. U.S.-born individuals);

¹⁸ P. Fronstin, "Sources of Health Insurance and Characteristics of the Uninsured: An Analysis of the March 1998 Current Population Survey," EBRI Issue Brief 204, December 1998.

¹⁹ We should note that declines in Medicaid caseloads are broader than just noncitizens and can also be viewed as an unintended effect of welfare reform. See Marilyn R. Ellwood and Leighton Ku, "Welfare and Immigration Reforms: Unintended Side Effects for Medicaid," *Health Affairs* 17(3): 137–51, May/June 1998.

- ▶ *noncitizen refugees* retain eligibility for means-tested federal benefits including Food Stamps, CHIP, Medicaid, TANF and SSI for 5 to 7 years following their entry into the United States;
- ▶ *legal immigrants entering before August 22, 1996* retain eligibility for several major means tested public benefit programs: Medicaid, TANF and the Child Health Insurance Program. Each is jointly funded by the states and the federal government. Welfare reform gave the states the option to extend TANF and Medicaid to pre-enactment legal immigrants and virtually all have chosen to do so.

Pre-enactment legal immigrants' eligibility for *federal* food stamps remains limited to the elderly, disabled and to children. California and other states have extended state-funded food stamps to working-age immigrants left out by the federal program.

While pre-enactment immigrants' eligibility for SSI was largely eliminated by the 1996 legislation, it has been restored to disabled or elderly immigrants who were receiving at the time welfare reform passed or who subsequently become disabled.

- ▶ *legal immigrants entering after August 22, 1996* have been barred from receiving federal means-tested benefit programs including TANF, Medicaid, CHIP, SSI and Food Stamps for at least five years after entry and effectively until they naturalize.
- ▶ *undocumented immigrants* remain generally ineligible for most major public benefits.

Partitioning the change in welfare use. The percentage of a group (e.g., citizens, non-citizens, natives) using welfare can be thought of as the product of two sets of percentages (or rates) — the income distribution of the group and the percentage of each specific income category who receive welfare. To cite a specific, but simplified, example using data from Tables 1 and 4, 6.7 percent of citizen households in 1997 received welfare. This percentage arises because 17.9 percent of citizen households with incomes below 200 percent of poverty received welfare and these households represent 30.7 percent of citizen households; on the other hand, of the 69.3 percent of citizen households with incomes above 200 percent of poverty, only 1.7 percent receive welfare. Thus, $6.7 = 17.9 \times 0.307 + 1.7 \times 0.693$. For noncitizen households, 9.0 percent received welfare in 1997. This figure arises as $9.0 = 14.5 \times 0.541 + 2.6 \times 0.459$. In other words, poor noncitizen households are less likely to use welfare than poor citizen households (14.5 percent versus 17.9 percent), but poor households are much more common among noncitizens than citizens (54.1 percent versus 30.7 percent) with the result that, overall, noncitizen households are more likely to use welfare than citizen households.

When we view the change in welfare use between 1994 and 1997, we can think of two extreme explanations for the change. At one extreme, the 35 percent reduction in use for noncitizens (from 13.9 to 9.0 percent) could occur because the rate of welfare use at every income level for noncitizens falls by 35 percent; were this to occur, the overall rate declines would be explained by changes in usage rates. On the other hand, the rate of welfare use could stay constant for each income group of noncitizens, but incomes could rise so that more of the noncitizen population falls into higher income groups which use less welfare. In this case, the

overall rate declines would be due to changes in income level. In practice, neither extreme occurs, but a combination of the two.

A demographic technique called standardization permits us to partition the overall change in welfare use into a portion attributable to changes in usage rates and a portion attributable to changes in income distribution. The standardization requires four sets of percentages, two for each year. These are: the percentage of the population falling in each income category in 1994 and 1997 (i.e., the income distributions); and the percentage of each income category receiving welfare (i.e., the use rates). For the partition results shown in Table 4, we use eight household income categories: incomes less than 50% of poverty, 50–74%, 75–99%, 100–124%, 125–149%, 150–174%, 175–199%, and 200% of poverty or more.

The 1997 income distribution times the 1994 detailed use rates gives the percentage that would have been receiving welfare in 1997 if use rates had not changed, but only incomes had shifted. Subtracting this hypothetical rate from the actual 1997 overall use rate gives a measure of change attributable to income changes. We can calculate another measure of the income effect by subtracting the actual 1994 overall use rate with the hypothetical rate computed with the 1994 income distribution and the 1997 detailed use rates. The average of these two estimates is the amount of change between 1994 and 1997 attributable to changes in income. Any remaining change is the share attributable to changes in welfare usage patterns.²⁰

Coverage of welfare use in the CPS. Finally, it should be noted that the CPS data on benefits use employed in this analysis are the data reported by the Census Bureau. Both welfare use and welfare income are known to be underreported in the CPS, by possibly large amounts. We do not correct for either type of underreporting in our analysis. Further, the data have not been adjusted to take into account program eligibility rules or the misreporting of public benefit use on the part of immigrants and natives. Our uncorrected comparisons assume, in effect, that reporting patterns did not change between the 1995 and 1998 CPS. Despite these limitations, CPS data are conventionally used to characterize trends in benefit use.²¹ There is no reason to believe that the trends documented in this report are biased or otherwise invalid.²²

²⁰ This second difference can be shown to be equivalent algebraically to the average of two separate estimates of change attributable to difference in usage rates. One measure compares the actual 1997 overall use rate with a hypothetical rate computed as the 1997 detailed use rates times the 1994 income distribution. The other subtracts actual 1994 overall use rate from the hypothetical rate based on the 1994 detailed use rates and the 1997 income distribution. For more information on standardization and partition, see Prithwis Das Gupta, *Standardization and Decomposition of Rates: A User's Manual*, U.S. Bureau of the Census, Current Population Reports, Series P23-186, Washington, D.C.: U.S. Government Printing Office, September 1993.

²¹ See, for example, Fronstin, *supra* note 18. Planned Urban Institute reports that take into account patterns of underreporting and program eligibility rules are expected to be released in the summer of 1999.

²² This analysis was funded by the Ford and Andrew W. Mellon Foundations. Support has also been provided by the Office of the Assistant Secretary for Planning and Evaluation, the Administration for Children and Families and The Health Care Financing Administration, U.S. Department of Health and Human Services, The Food, Nutrition and Consumer Services and the Economic Research Service, U.S. Department of Agriculture, and the Immigration and Naturalization Service.

Table 1. Percent of Households Receiving Welfare, Food Stamps, and Medicaid, by Citizenship of Head and Poverty Status: 1994 and 1997

Population	<i>All Households</i>				<i>Households Below 200% of Poverty</i>			
	Percent with Any Participation				Percent with Any Participation			
	1994	1997	'94-'97 Change		1994	1997	'94-'97 Change	
			Amt.	Pct.			Amt.	Pct.
Welfare (AFDC/TANF, SSI, GA)								
Total	8.3%	6.9%	-1.4% *	-16%	20.3%	17.9%	-2.5% *	-12%
Citizen	7.8%	6.7%	-1.1% *	-15%	19.9%	17.9%	-2.0% *	-10%
Native	7.9%	6.6%	-1.2% *	-16%	20.2%	18.1%	-2.1% *	-10%
Naturalized**	6.0%	6.9%	0.9%	--	13.5%	14.9%	1.4%	--
Non-Citizens**	13.9%	9.0%	-4.9% *	-35%	21.7%	14.5%	-7.2% *	-33%
Refugees	33.3%	24.5%	-8.8% *	-27%	49.1%	40.2%	-9.0%	--
Foreign-Born	11.7%	9.2%	-2.6% *	-22%	21.2%	16.6%	-4.6% *	-22%
Non-Citizen -- Citizen Difference	6.1% *	2.4% *	-3.7% *	(x)	1.8%	-3.5% *	-5.2% *	(x)
Food Stamps								
Total	9.0%	7.1%	-1.9% *	-22%	24.3%	20.6%	-3.7% *	-15%
Citizen	8.5%	6.8%	-1.8% *	-21%	23.8%	20.5%	-3.3% *	-14%
Native	8.7%	6.8%	-1.8% *	-21%	24.2%	20.8%	-3.4% *	-14%
Naturalized**	5.5%	5.4%	0.0%	--	15.0%	14.8%	-0.2%	--
Non-Citizens**	15.4%	10.8%	-4.6% *	-30%	26.3%	19.1%	-7.1% *	-27%
Refugees	35.3%	22.1%	-13.2% *	-37%	52.0%	41.9%	-10.1%	--
Foreign-Born	12.5%	9.3%	-3.2% *	-26%	24.7%	19.4%	-5.2% *	-21%
Non-Citizen -- Citizen Difference	6.8% *	4.0% *	-2.8% *	(x)	2.4% *	-1.4%	-3.8% *	(x)
Medicaid								
Total	14.3%	13.2%	-1.1% *	-8%	31.3%	30.5%	-0.8%	--
Citizen	13.5%	12.6%	-0.9% *	-7%	30.3%	30.0%	-0.3%	--
Native	13.5%	12.5%	-1.0% *	-7%	30.5%	30.1%	-0.4%	--
Naturalized**	11.9%	13.6%	1.7%	--	23.8%	28.3%	4.5%	--
Non-Citizens**	26.5%	20.8%	-5.7% *	-22%	39.8%	32.0%	-7.8% *	-19%
Refugees	42.5%	35.8%	-6.7%	--	58.8%	58.5%	-0.3%	--
Foreign-Born	21.3%	18.7%	-2.6% *	-12%	36.1%	32.7%	-3.4% *	-9%
Non-Citizen -- Citizen Difference	13.0% *	8.2% *	-4.8% *	(x)	9.5% *	2.0%	-7.5% *	(x)

* Significant at p < 0.10.

-- Change not significant.

** Excludes refugees and non-immigrants. See text for definition (x) Not applicable.

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants. See Detailed Table A for population data.

**Table 2. Percent of Individuals Participating in Welfare and Medicaid,
by Citizenship and Age: 1994 and 1997**

Population	Ages 18-64				Ages 65 and Over			
	Individuals with Program Participation				Individuals with Program Participation			
	1994	1997	'94-'97 Change		1994	1997	'94-'97 Change	
			Amt.	Pct.			Amt.	Pct.
Welfare (AFDC/TANF, SSI, GA)								
Total	4.9%	4.0%	-0.9% *	-18%	4.9%	4.4%	-0.5%	--
Citizen	4.7%	4.0%	-0.7% *	-15%	4.2%	3.7%	-0.5%	--
Native	4.8%	4.1%	-0.7% *	-15%	4.1%	3.4%	-0.7%	--
Naturalized**	2.5%	2.1%	-0.4%	--	5.9%	9.0%	3.1%	--
Non-Citizens**	5.6%	3.3%	-2.3% *	-41%	20.9%	19.0%	-1.8%	--
Refugees	19.2%	10.4%	-8.8% *	-46%	48.1%	51.0%	2.9%	--
Foreign-Born	5.5%	3.5%	-2.1% *	-37%	13.2%	14.7%	1.5%	--
Non-Citizen -- Citizen Difference	0.8%	-0.7%	-1.6%	(x)	16.6% *	15.3% *	-1.3%	(x)
Medicaid								
Total	7.9%	6.9%	-1.0% *	-13%	9.3%	9.0%	-0.3%	--
Citizen	7.5%	6.7%	-0.8% *	-10%	8.4%	8.1%	-0.3%	--
Native	7.6%	6.8%	-0.8% *	-10%	8.3%	7.7%	-0.6%	--
Naturalized**	4.4%	4.2%	-0.2%	--	11.1%	14.9%	3.8%	--
Non-Citizens**	10.3%	7.2%	-3.1% *	-30%	28.2%	28.2%	0.1%	--
Refugees	33.1%	17.8%	-15.3% *	-46%	64.8%	69.7%	4.9%	--
Foreign-Born	10.2%	7.1%	-3.0% *	-30%	19.7%	22.4%	2.8%	--
Non-Citizen -- Citizen Difference	2.8% *	0.5%	-2.3% *	(x)	19.7% *	20.1% *	0.4%	(x)

* Significant at p < 0.10.

-- Change not significant.

** Excludes refugees and non-immigrants. See text for definition (x) Not applicable.

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants. See Detailed Table B for population data.

Note: Welfare use is defined by individual reports of welfare income from persons aged 15 and over. The data do not represent cases or the full number of individuals on welfare rolls. For example, if a mother and two children are receiving TANF income, the income would be reported by the mother only and would appear in the table as one recipient, not three.

Table 3. Percent of Households with Children Participating in Welfare, Food Stamps, and Medicaid, by Citizenship of Adults and Children and by Poverty Status: 1994 and 1997

Program and Household Composition (Status of Adults and Children)	All Households Percent with Any Participation				Below 200% of Poverty Percent with Any Participation			
	1994	1997	'94-'97 Change		1994	1997	'94-'97 Change	
			Amt.	Pct.			Amt.	Pct.
Welfare (AFDC/TANF, SSI, GA)								
Households with children	12.8%	9.7%	-3.2% *	-25%	30.1%	24.0%	-6.1% *	-20%
All citizen adults	12.4%	9.6%	-2.8% *	-23%	31.4%	25.8%	-5.6% *	-18%
Some non-citizen** adults	13.8%	8.9%	-4.9% *	-35%	20.8%	14.0%	-6.7% *	-32%
All non-citizen** children	8.5%	4.2%	-4.2% *	-50%	11.6%	5.9%	-5.6%	--
Some citizen children	14.8%	9.6%	-5.1% *	-35%	22.5%	15.3%	-7.2% *	-32%
Difference from "All citizen" households								
Some non-citizen** adults	1.4%	-0.7%	-2.1%	(x)	-10.7% *	-11.8% *	-1.1%	(x)
All non-citizen** children	-3.9% *	-5.4% *	-1.4%	(x)	-19.9% *	-19.9% *	0.0%	(x)
Some citizen children	2.4% *	0.0%	-2.3%	(x)	-8.9% *	-10.5% *	-1.6%	(x)
Food Stamps								
Households with children	16.0%	12.3%	-3.6% *	-23%	39.6%	32.9%	-6.7% *	-17%
All citizen adults	15.3%	12.1%	-3.2% *	-21%	40.9%	34.7%	-6.2% *	-15%
Some non-citizen** adults	19.2%	13.6%	-5.6% *	-29%	30.7%	23.3%	-7.4% *	-24%
All non-citizen** children	9.8%	7.4%	-2.4%	--	14.0%	12.0%	-2.0%	--
Some citizen children	20.8%	14.5%	-6.4% *	-31%	33.9%	25.1%	-8.8% *	-26%
Difference from "All citizen" households								
Some non-citizen** adults	3.9% *	1.5%	-2.4%	(x)	-10.2% *	-11.4% *	-1.2%	(x)
All non-citizen** children	-5.5% *	-4.6% *	0.9%	(x)	-26.9% *	-22.7% *	4.2%	(x)
Some citizen children	5.5% *	2.4% *	-3.1% *	(x)	-7.0% *	-9.6% *	-2.6%	(x)
Medicaid								
Households with children	17.5%	14.4%	-3.1% *	-18%	38.4%	33.5%	-4.8% *	-13%
All citizen adults	16.8%	14.0%	-2.7% *	-16%	39.2%	35.1%	-4.1% *	-11%
Some non-citizen** adults	21.1%	16.2%	-4.8% *	-23%	31.1%	24.9%	-6.1% *	-20%
All non-citizen** children	15.7%	10.7%	-4.9%	--	21.8%	15.4%	-6.4%	--
Some citizen children	22.0%	17.0%	-5.0% *	-23%	32.8%	26.5%	-6.4% *	-19%
Difference from "All citizen" households								
Some non-citizen** adults	4.3% *	2.2% *	-2.1%	(x)	-8.2% *	-10.2% *	-2.0%	(x)
All non-citizen** children	-1.1%	-3.3%	-2.2%	(x)	-17.5% *	-19.7% *	-2.2%	(x)
Some citizen children	5.2% *	3.0% *	-2.2%	(x)	-6.4% *	-8.7% *	-2.2%	(x)

* Significant at $p < 0.10$.

-- Change not significant.

** Excludes refugees and non-immigrants. See text for definition

(x) Not applicable.

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants. Universe is households headed by persons 18-64 with children under age 18. See Detailed Table C for population data.

Table 4. Partition of 1994-1997 Change in Household Participation in Welfare, Food Stamps, and Medicaid Into Portions Due to Changes in Poverty Prevalence and Welfare Use Rates, by Citizenship

Population	Percent of Households				Partition of '94-'97 Change in Participation***			
	Below Specified Level of Poverty		Participating in Program		Total Change	Due to Use Rates	Due to Poverty Rates	Pct. of Change from Usage
	1994	1997	1994	1997				
Welfare (AFDC/TANF, SSI, GA)								
100 Percent of Poverty								
Total	13.9%	12.7%	8.3%	6.9%	-1.4% *	-0.9%	-0.5%	66%
Citizen	13.0%	11.8%	7.8%	6.7%	-1.1% *	-0.7%	-0.5%	60%
Native	13.0%	11.7%	7.9%	6.6%	-1.2% *	-0.7%	-0.5%	59%
Naturalized**	11.0%	12.5%	6.0%	6.9%	0.9%	--	--	--
Non-Citizens**	27.3%	25.9%	13.9%	9.0%	-4.9% *	-4.6%	-0.3%	94%
Refugees	31.9%	25.4%	33.3%	24.5%	-8.8% *	-5.3%	-3.5%	60%
Foreign-Born	21.4%	20.4%	11.7%	9.2%	-2.6% *	-2.2%	-0.3%	87%
Food Stamps								
125 Percent of Poverty								
Total	18.9%	17.5%	9.0%	7.1%	-1.9% *	-1.4%	-0.6%	70%
Citizen	17.7%	16.4%	8.5%	6.8%	-1.8% *	-1.2%	-0.6%	68%
Native	17.8%	16.3%	8.7%	6.8%	-1.8% *	-1.2%	-0.6%	66%
Naturalized**	16.2%	17.6%	5.5%	5.4%	0.0%	--	--	--
Non-Citizens**	35.7%	34.8%	15.4%	10.8%	-4.6% *	-4.1%	-0.5%	89%
Refugees	41.1%	32.7%	35.3%	22.1%	-13.2% *	-8.4%	-4.8%	64%
Foreign-Born	28.5%	27.5%	12.5%	9.3%	-3.2% *	-2.7%	-0.5%	85%
Medicaid								
200 Percent of Poverty								
Total	34.3%	32.1%	14.3%	13.2%	-1.1% *	-0.5%	-0.7%	42%
Citizen	32.8%	30.7%	13.5%	12.6%	-0.9% *	-0.3%	-0.6%	28%
Native	32.9%	30.5%	13.5%	12.5%	-1.0% *	-0.3%	-0.7%	31%
Naturalized**	32.2%	33.6%	11.9%	13.6%	1.7%	--	--	--
Non-Citizens**	55.9%	54.1%	26.5%	20.8%	-5.7% *	-5.1%	-0.6%	90%
Refugees	60.6%	49.9%	42.5%	35.8%	-6.7%	--	--	--
Foreign-Born	47.1%	45.0%	21.3%	18.7%	-2.6% *	-2.1%	-0.6%	78%

* Significant at p < 0.10.

-- total change not significant

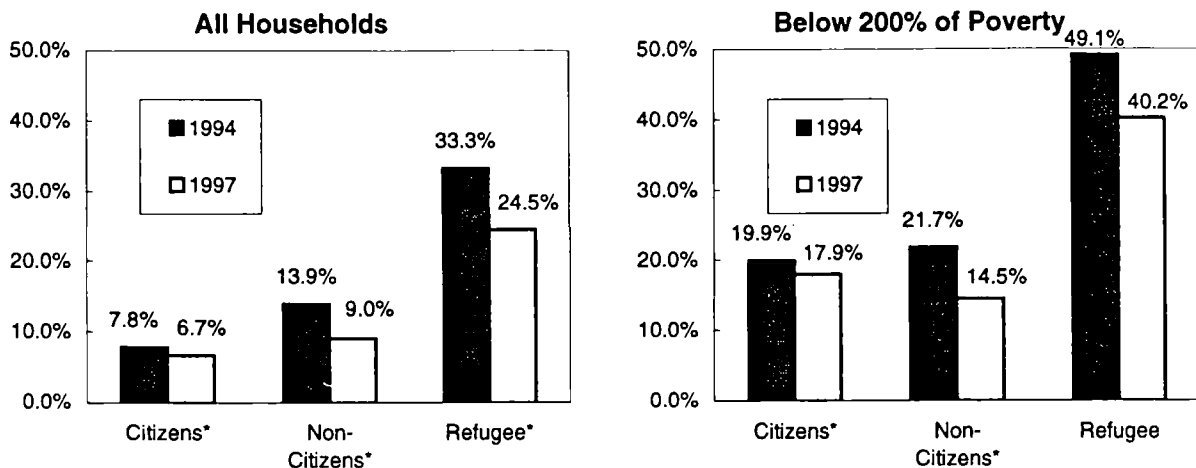
** Excludes refugees and non-immigrants. See text for definition

*** Partition uses poverty-specific welfare rates for intervals of 25% for 50-200% of poverty (i.e., <50%, 50-74%, 75-99%...175-199%, =>200%). See text for details.

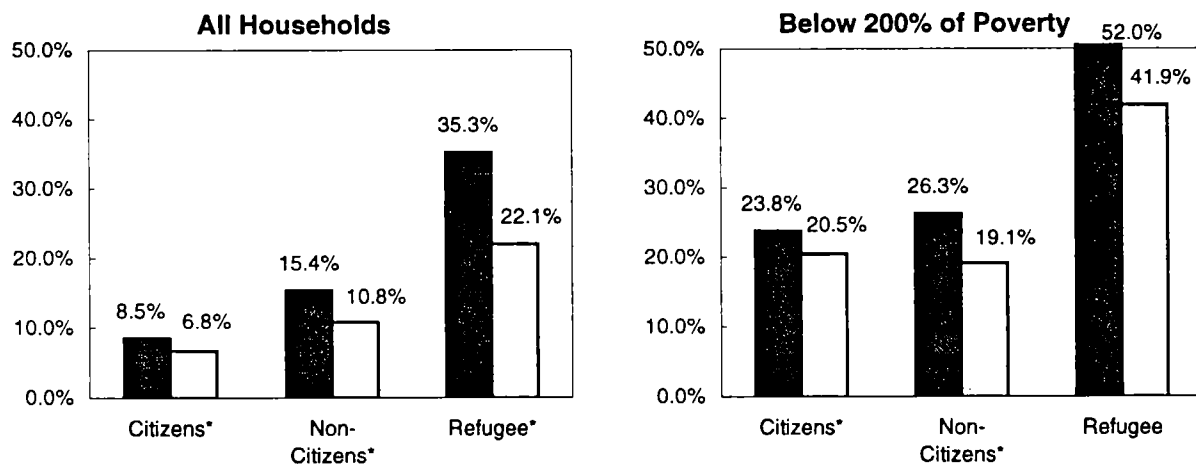
Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants.

**Figure 1. Percent of Households Receiving
Welfare, Food Stamps, and Medicaid,
by Nativity of Head and Poverty Status: 1994 and 1997**

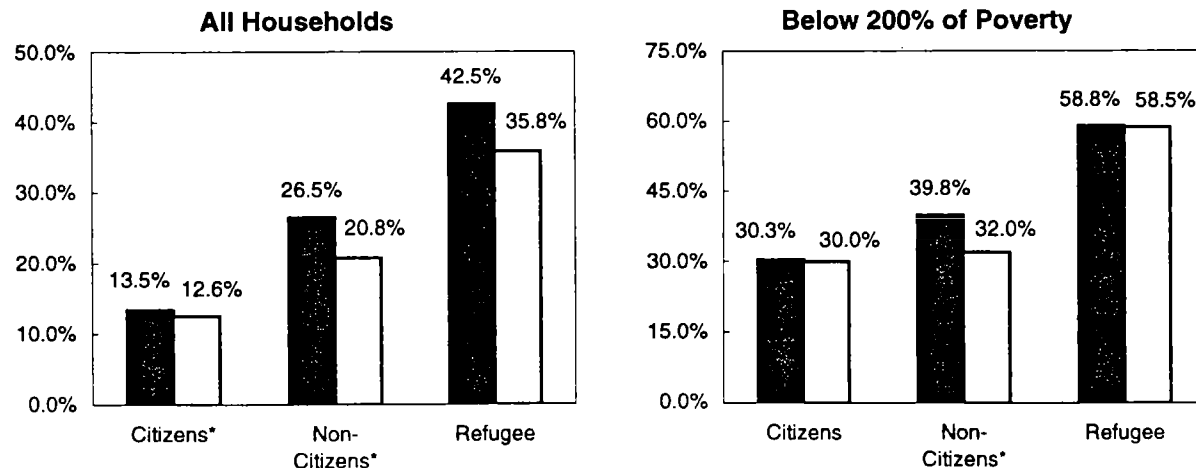
A. Percent of Households Receiving Welfare



B. Percent of Households Getting Food Stamps



C. Percent of Households on Medicaid



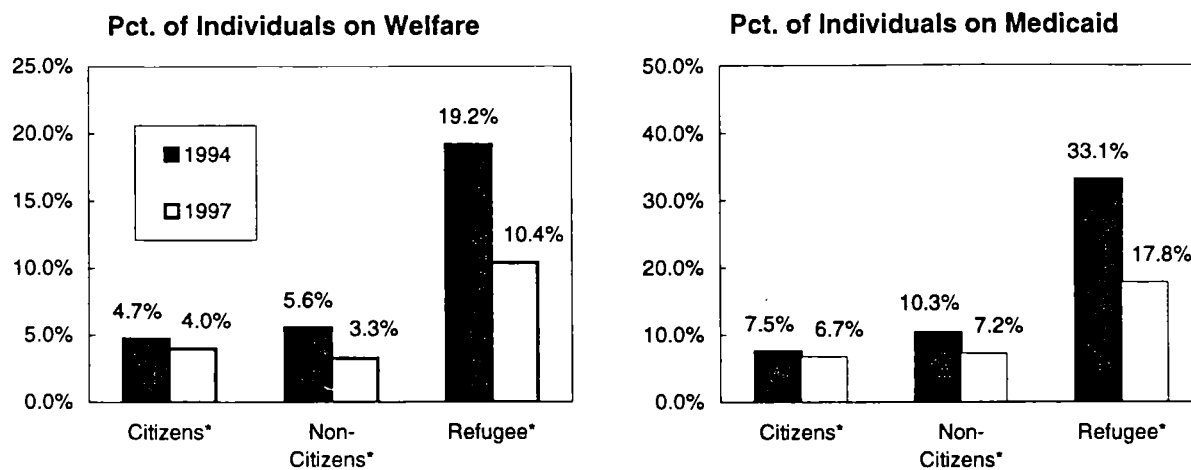
Source: Table 1.

Non-citizen group excludes refugees and non-immigrants. See text.

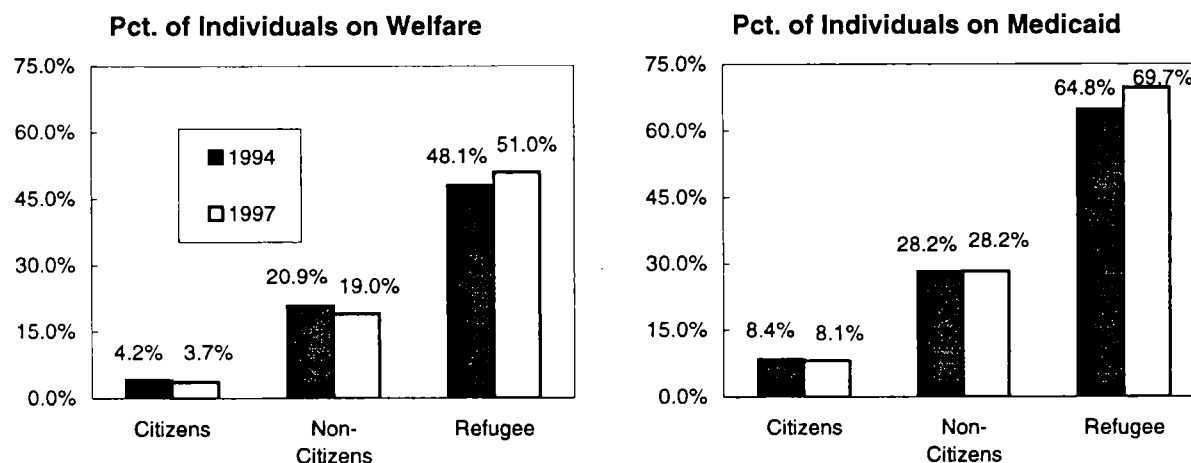
* 1994-1997 change is significant at $p < 0.10$.

**Figure 2. Percent of Individuals Participating in Welfare and Medicaid,
by Age and Citizenship:
1994 and 1997**

A. Ages 18-64



B. Ages 65 and Over



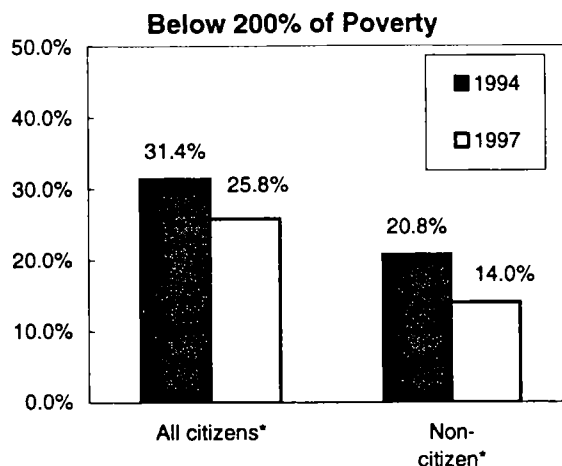
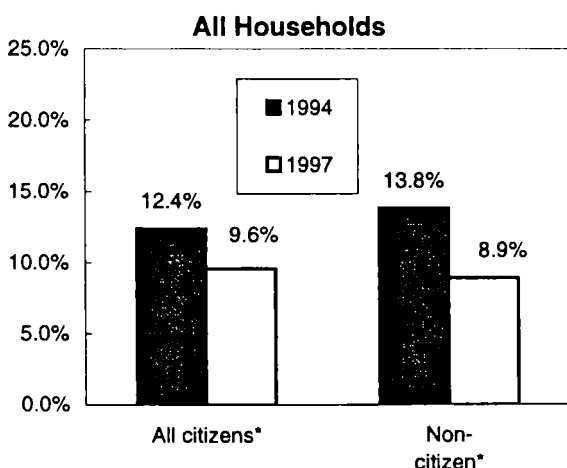
Source: Table 2.

Non-citizen group excludes refugees and non-immigrants. See text.

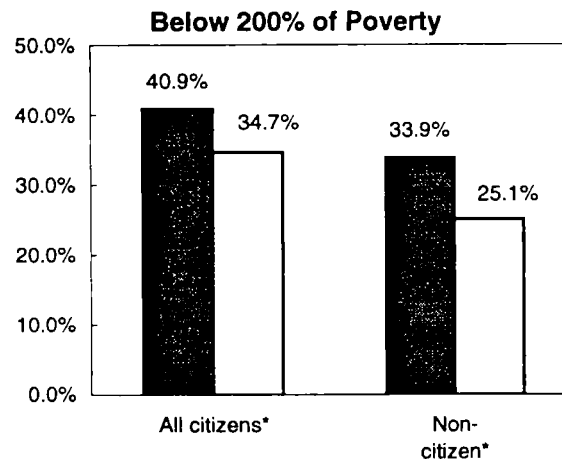
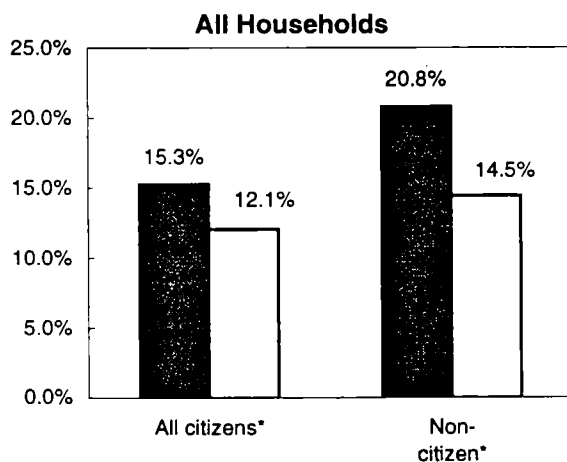
* 1994-1997 change is significant at $p < 0.10$.

Figure 3. Percent of Households with Children Receiving Welfare, Food Stamp, and Medicaid, by Citizenship of Adults and Children and by Poverty Status: 1994 and 1997

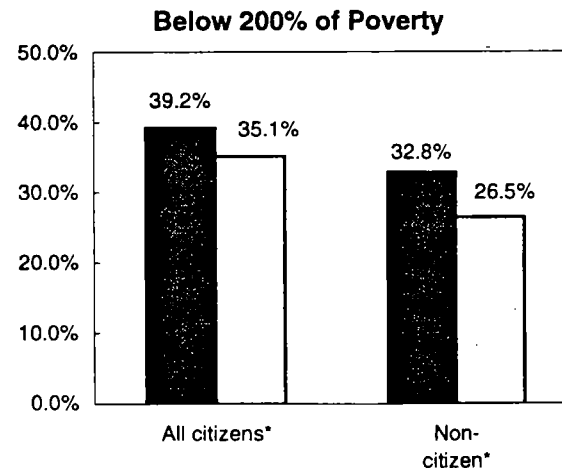
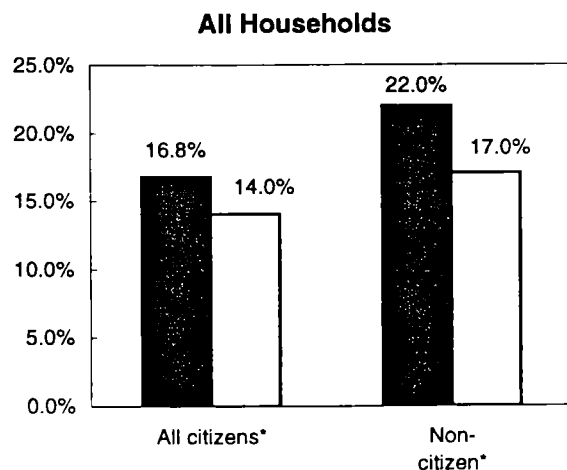
A. Percent of Households Receiving Welfare



B. Percent of Households Getting Food Stamps



C. Percent of Households on Medicaid



Source: Table 3. Includes only households with children headed by persons 18-64 years old.

See text for definition of groups.

* 1994-1997 change is significant at $p < 0.10$.

**Detailed Table A. Household Receipt of Welfare, Food Stamps, and Medicaid,
by Citizenship of Head and Poverty Status: 1994 and 1997**

(Populations in thousands)

Population	<i>All Households</i>						<i>Households Below 200% of Poverty</i>					
	Program Participation in Household?						Program Participation in Household?					
	1994			1997			1994			1997		
	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes
Welfare (AFDC/TANF, SSI, GA)												
Total	8,188	99,106	8.3%	7,091	102,584	6.9%	6,903	33,960	20.3%	5,877	32,888	17.9%
Citizen	7,257	92,989	7.8%	6,400	96,169	6.7%	6,084	30,525	19.9%	5,287	29,493	17.9%
Native	7,031	89,248	7.9%	6,096	91,748	6.6%	5,920	29,320	20.2%	5,065	28,007	18.1%
Naturalized**	225	3,741	6.0%	304	4,421	6.9%	163	1,205	13.5%	222	1,486	14.9%
Non-Citizens**	723	5,209	13.9%	474	5,246	9.0%	632	2,910	21.7%	411	2,841	14.5%
Refugees	202	606	33.3%	213	872	24.5%	180	367	49.1%	175	435	40.2%
Foreign-Born	1,157	9,858	11.7%	995	10,837	9.2%	983	4,640	21.2%	811	4,881	16.6%
Food Stamps												
Total	8,949	99,106	9.0%	7,263	102,584	7.1%	8,240	33,960	24.3%	6,773	32,888	20.6%
Citizen	7,924	92,989	8.5%	6,500	96,169	6.8%	7,275	30,525	23.8%	6,044	29,493	20.5%
Native	7,720	89,248	8.7%	6,261	91,748	6.8%	7,095	29,320	24.2%	5,824	28,007	20.8%
Naturalized**	204	3,741	5.5%	239	4,421	5.4%	180	1,205	15.0%	220	1,486	14.8%
Non-Citizens**	801	5,209	15.4%	567	5,246	10.8%	764	2,910	26.3%	543	2,841	19.1%
Refugees	214	606	35.3%	193	872	22.1%	191	367	52.0%	182	435	41.9%
Foreign-Born	1,228	9,858	12.5%	1,003	10,837	9.3%	1,145	4,640	24.7%	949	4,881	19.4%
Medicaid												
Total	14,189	99,106	14.3%	13,523	102,584	13.2%	10,630	33,960	31.3%	10,027	32,888	30.5%
Citizen	12,533	92,989	13.5%	12,102	96,169	12.6%	9,243	30,525	30.3%	8,852	29,493	30.0%
Native	12,088	89,248	13.5%	11,499	91,748	12.5%	8,956	29,320	30.5%	8,432	28,007	30.1%
Naturalized**	445	3,741	11.9%	603	4,421	13.6%	287	1,205	23.8%	420	1,486	28.3%
Non-Citizens**	1,379	5,209	26.5%	1,090	5,246	20.8%	1,158	2,910	39.8%	910	2,841	32.0%
Refugees	258	606	42.5%	312	872	35.8%	216	367	58.8%	254	435	58.5%
Foreign-Born	2,101	9,858	21.3%	2,024	10,837	18.7%	1,674	4,640	36.1%	1,595	4,881	32.7%

** Excludes refugees and non-immigrants. See text for definition

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants.

**Detailed Table B. Individual Welfare and Medicaid Participation,
by Citizenship and Age: 1994 and 1997**

(Populations in thousands)

Population	Individual Participation in Program, Ages 18-64						Individual Participation in Program, Ages 65 and Over					
	1994			1997			1994			1997		
	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes
Welfare (AFDC/TANF, SSI, GA)												
Total	7,856	160,217	4.9%	6,632	165,329	4.0%	1,549	31,350	4.9%	1,419	32,082	4.4%
Citizen	6,939	146,620	4.7%	6,047	151,104	4.0%	1,277	30,207	4.2%	1,160	31,037	3.7%
Native	6,808	141,270	4.8%	5,908	144,513	4.1%	1,178	28,536	4.1%	993	29,188	3.4%
Naturalized**	132	5,350	2.5%	139	6,591	2.1%	99	1,671	5.9%	167	1,849	9.0%
Non-Citizens**	651	11,713	5.6%	385	11,772	3.3%	213	1,019	20.9%	163	857	19.0%
Refugees	257	1,340	19.2%	197	1,890	10.4%	60	124	48.1%	96	188	51.0%
Foreign-Born	1,048	18,947	5.5%	725	20,817	3.5%	372	2,814	13.2%	426	2,894	14.7%
Medicaid												
Total	12,698	160,217	7.9%	11,372	165,329	6.9%	2,919	31,350	9.3%	2,901	32,082	9.0%
Citizen	11,011	146,620	7.5%	10,165	151,104	6.7%	2,551	30,207	8.4%	2,528	31,037	8.1%
Native	10,773	141,270	7.6%	9,886	144,513	6.8%	2,364	28,536	8.3%	2,251	29,188	7.7%
Naturalized**	238	5,350	4.4%	279	6,591	4.2%	186	1,671	11.1%	276	1,849	14.9%
Non-Citizens**	1,211	11,713	10.3%	853	11,772	7.2%	287	1,019	28.2%	242	857	28.2%
Refugees	443	1,340	33.1%	336	1,890	17.8%	81	124	64.8%	131	188	69.7%
Foreign-Born	1,925	18,947	10.2%	1,486	20,817	7.1%	554	2,814	19.7%	650	2,894	22.4%

** Excludes refugees and non-immigrants. See text for definition

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants.

**Detailed Table C. Welfare, Food Stamp, and Medicaid Participation of Households with Children,
by Citizenship of Adults and Children and by Poverty Status: 1994 and 1997**

(Populations in thousands)

Program and Household Composition (Adults-Children)	<i>All Households</i>						<i>Households Below 200% of Poverty</i>					
	1994			1997			1994			1997		
	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes	Yes	Total	% Yes
Welfare (AFDC/TANF, SSI, GA)												
Households with children	4,713	36,784	12.8%	3,600	37,286	9.7%	4,160	13,818	30.1%	3,156	13,138	24.0%
All citizen adults	4,031	32,498	12.4%	3,142	32,747	9.6%	3,550	11,294	31.4%	2,755	10,670	25.8%
One or more non-citizen** adults	524	3,785	13.8%	346	3,880	8.9%	466	2,243	20.8%	304	2,165	14.0%
All non-citizen** children	47	560	8.5%	21	497	4.2%	42	359	11.6%	18	297	5.9%
One or more citizen children	476	3,225	14.8%	325	3,383	9.6%	424	1,885	22.5%	287	1,868	15.3%
Food Stamps												
Households with children	5,872	36,784	16.0%	4,601	37,286	12.3%	5,477	13,818	39.6%	4,323	13,138	32.9%
All citizen adults	4,969	32,498	15.3%	3,949	32,747	12.1%	4,622	11,294	40.9%	3,702	10,670	34.7%
One or more non-citizen** adults	726	3,785	19.2%	526	3,880	13.6%	689	2,243	30.7%	504	2,165	23.3%
All non-citizen** children	55	560	9.8%	37	497	7.4%	50	359	14.0%	36	297	12.0%
One or more citizen children	671	3,225	20.8%	489	3,383	14.5%	639	1,885	33.9%	469	1,868	25.1%
Medicaid												
Households with children	6,447	36,784	17.5%	5,368	37,286	14.4%	5,302	13,818	38.4%	4,405	13,138	33.5%
All citizen adults	5,453	32,498	16.8%	4,596	32,747	14.0%	4,433	11,294	39.2%	3,748	10,670	35.1%
One or more non-citizen** adults	797	3,785	21.1%	630	3,880	16.2%	697	2,243	31.1%	540	2,165	24.9%
All non-citizen** children	88	560	15.7%	53	497	10.7%	78	359	21.8%	46	297	15.4%
One or more citizen children	709	3,225	22.0%	576	3,383	17.0%	619	1,885	32.8%	495	1,868	26.5%

** Excludes refugees and non-immigrants. See text for definition

Source: Urban Institute tabulations from March Current Population Surveys of 1995 and 1998, with imputations for refugees and non-immigrants.
Universe is households headed by persons 18-64 with children under age 18.



FEB 19 1999

TO: The Secretary

Through: DS _____
COS _____
ES _____FROM: Margaret A. Hamburg, M.D. *Ann Segal for*
Assistant Secretary for Planning and EvaluationSUBJECT: CPS Analysis Comparing Participation Rates of Citizens and
Non-citizens--**INFORMATION**

The attached is an Urban Institute analysis of Census' Current Population Survey (CPS) data regarding the participation rates of eligible citizens and non-citizens under welfare, Medicaid, and Food Stamp programs. The analysis finds evidence of "chilling effects" in that fewer immigrant families, compared to citizen families, have been accessing a wide array of public benefits, including important health and nutrition benefits. This greater rate of decline was evident prior to the implementation of eligibility changes as part of welfare reform. For example, welfare use by noncitizens declined by 35 percent from 1994 to 1997, while use by citizens declined 15 percent. While Medicaid use by citizen households under 200% of poverty did not change significantly, non-citizen family participation dropped 19 percent.

These findings replicate at a national level the findings that were released last summer by the Urban Institute for Los Angeles based on county administrative data. Both analyses were funded primarily under a cooperative agreement grant supported by ASPE, ACF, HCFA, the Department of Agriculture and the Immigration and Naturalization Service. We anticipate briefing interested Members of Congress and their staff prior to public release of the analysis. The Urban Institute has targeted release for March 1, 1999.

These findings are important for several reasons.

- **They provide evidence of a chilling effect on immigrant families' access to benefits, consistent with many reports we have received. These effects, which include benefits use by citizen children, may be the result of public charge policies, as well as confusion over changing eligibility requirements.** We have been engaged for some time in extensive inter-agency discussions about how immigration officials should treat benefit use within the context of public charge provisions in immigration law and eligibility provisions in benefit laws. We have made significant progress and are hopeful that we can resolve expeditiously the few remaining issues.

- **The findings also provide support for the Administration's current budget proposals to restore health, nutrition, and cash benefits to particularly vulnerable legal immigrants (e.g., children, pregnant women, and disabled immigrants entering the country after 8/22/96).** The pre-implementation declines in immigrant use of benefits may in part be due to the well-publicized debate and passage of welfare reform and immigration reform. The trends bear careful monitoring as current law immigrant eligibility restrictions are implemented, which will likely further reduce access to vital benefits. The Administration's current and past (i.e., BBA) benefit restoration proposals, in conjunction with clear guidance on public charge policies, will allow us to begin sending clearer messages to immigrant families regarding their eligibility for benefits.
- **The analysis provides an important and timely contribution to the literature regarding both welfare reform and the fiscal impacts of immigration and immigrants.** The analysis confirms that, contrary to assertions made during the welfare and immigration reform debates, low-income immigrant families in 1994 were no more likely than low-income citizen families to receive welfare (AFDC/TANF, SSI, GA), and by 1997 were *less* likely than citizen families to receive welfare. In 1994 immigrant families were more likely to receive Medicaid and Food Stamps, but immigrant enrollment dropped significantly so that by 1997 they were only as likely as citizen families to be enrolled. This information will be important as we develop policies and outreach strategies for our TANF, Medicaid and CHIP programs.

Attachment

cc: The Assistant Secretary for Legislation
The Assistant Secretary for Management and Budget
The Assistant Secretary for Public Affairs
Director, Office of Intergovernmental Affairs
Administrator, Administration for Children and Families
Administrator, Health Care Financing Administration
Assistant Secretary for Health and U.S. Surgeon General

STATE IMPACTS OF MEDICAID/CHIP IMMIGRANT ELIGIBILITY PROPOSALS

- The Administration's proposals would allow states to cover all qualified alien pregnant women and children under Medicaid and CHIP, regardless of when they have entered the country as legal immigrants.
- By 2004, the proposals would restore Medicaid/CHIP eligibility to about 55,000 legal immigrant children (at a 5-year cost of \$218 million, including CHIP), and about 25,000 legal immigrant women (at a 5-year cost of \$105 million).
- These are national estimates; we cannot provide precise state-level impact estimates based on our current actuarial model.
- However, the attached table shows the state-by-state population estimates of immigrant children and women of child-bearing age, based on the most recent Current Population Survey compiled by the Census Bureau.

The State-by-State Proportion of Immigrant Children and Women of Child-Bearing Years

	Non-Citizen Children	Percent
TOTAL	2,461,553	100.0%
AK	2,342	0.1%
AL	11,584	0.5%
AR	4,531	0.2%
AZ	83,421	3.4%
CA	780,595	31.7%
CO	38,086	1.5%
CT	5,012	0.2%
DC	2,473	0.1%
DE	1,989	0.1%
FL	194,440	7.9%
GA	16,855	0.7%
HI	9,847	0.4%
IA	12,944	0.5%
ID	15,832	0.6%
IL	129,407	5.3%
IN	3,927	0.2%
KS	14,432	0.6%
KY	13,924	0.6%
LA	9,304	0.4%
MA	62,667	2.5%
MD	45,730	1.9%
ME	1,807	0.1%
MI	37,383	1.5%
MN	25,040	1.0%
MO	0	0.0%
MS	0	0.0%
MT	0	0.0%
NC	33,362	1.4%
ND	410	0.0%
NE	6,110	0.2%
NH	2,618	0.1%
NJ	101,934	4.1%
NM	12,704	0.5%
NV	19,590	0.8%
NY	314,639	12.8%
OH	6,312	0.3%
OK	6,228	0.3%
OR	42,796	1.7%
PA	34,634	1.4%
RI	5,014	0.2%
SC	0	0.0%
SD	781	0.0%
TN	0	0.0%
TX	242,716	9.9%
UT	19,069	0.8%
VA	33,289	1.4%
VT	1,109	0.0%
WA	44,245	1.8%
WI	10,267	0.4%
WV	0	0.0%
WY	148	0.0%

	Non-Citizen Women Age 15-44	Percent
TOTAL	5,115,846	100.0%
AK	4,704	0.1%
AL	28,240	0.6%
AR	9,880	0.2%
AZ	159,133	3.1%
CA	1,720,921	33.6%
CO	54,937	1.1%
CT	26,305	0.5%
DC	10,059	0.2%
DE	4,454	0.1%
FL	385,599	7.5%
GA	60,594	1.2%
HI	28,746	0.6%
IA	15,522	0.3%
ID	21,827	0.4%
IL	203,408	4.0%
IN	16,726	0.3%
KS	20,369	0.4%
KY	19,626	0.4%
LA	19,947	0.4%
MA	112,606	2.2%
MD	78,486	1.5%
ME	4,852	0.1%
MI	92,127	1.8%
MN	52,336	1.0%
MO	5,740	0.1%
MS	4,987	0.1%
MT	2,027	0.0%
NC	56,618	1.1%
ND	1,998	0.0%
NE	14,554	0.3%
NH	5,822	0.1%
NJ	182,323	3.6%
NM	19,832	0.4%
NV	39,934	0.8%
NY	644,499	12.6%
OH	29,476	0.6%
OK	15,254	0.3%
OR	67,352	1.3%
PA	80,559	1.6%
RI	18,318	0.4%
SC	7,678	0.2%
SD	1,360	0.0%
TN	19,190	0.4%
TX	516,339	10.1%
UT	25,620	0.5%
VA	96,862	1.9%
VT	2,333	0.0%
WA	80,652	1.6%
WI	22,122	0.4%
WV	2,117	0.0%
WY	876	0.0%

Source: Data from the 1998 March Supplement to the Current Population Survey (March 1998 CPS).

URGENT

To: MaryB@ASL, RichT@ASL, Jane Horvath@ASL, Stephanie Wilson@ASL
From: Irene Buenc@ASL

Cc: HelenM@ASL, INTERNET[dnielsen@OSASPE.DHHS.GOV], LaurenG@ASL,
LorenaA@ASL, SharonC@ASL

Bcc:

Subject: Urban Institute Report on Immigrants Use of TANF & Medicaid

Attachment:

Date: 2/12/99 2:22 PM

HHS (& USDA and INS) has a cooperative agreement with the Urban Institute to gather info on health and economic status of immigrants and their families in NY and Los Angeles. As you may recall, preliminary data earlier this year showed that immigrant use of TANF and Medicaid in LA County has substantially declined. David Nielsen of ASPE informed me that the Urban Institute plans to release its final report on 2/22.

I believe we should offer briefings to the authorizing and other interested members on the results of this study. Urban Institute would do the briefings. I have drafted a tentative list and would like your input:

Senate Finance

House Ways and Means Sub on Human Resources

House Commerce Subcommittee on Health

Congressional Hispanic Caucus

Please let me know if there is anyone else we should offer to brief on this study. I assume that USDA and INS will also want to brief their committees (ie Ag and Judiciary).

Please advise. Thanks.

Irene



Washington, D.C. 20201

AUG 6 1998

TO: Margaret A. Hamburg, MD
Rich Tarplin

THRU: Pat Ruggles *PR*

FROM: David Nielsen *DN*

SUBJECT: LA Times Article Regarding Declines In Immigrant Applications For TANF, Medicaid, And General Assistance In LA County

There have been questions raised about the genesis and review of a recent Urban Institute analysis (see attached) funded under a cooperative agreement with HHS (ASPE, ACF, and HCFA), Agriculture (FNS, ERS), and the INS. This analysis was the subject of a Los Angeles Times story on Wednesday, August 5th (also attached). The analysis was distributed July 31st 29th throughout ASPE, and throughout the Department's key components (OS, ASL, ACF, HCFA, ASPA, GC).

The study is intended to gather information on the health and economic status of immigrants, their families, and their communities in New York City and Los Angeles. It is also designed to gather--to the extent possible--information on the effects of welfare reform on immigrants and their communities. The study consists of several parts: (1) 1650 household interviews in each city, with in-depth follow-ups of 150 households in each city; (2) interviews with community organizations (both governmental and non-governmental); and (3) analyses of several existing data sets (e.g., CPS, NHIS, etc.), including administrative data sets. These data and analyses are intended to provide an accurate profile of immigrants and their communities in order to make valid comparisons with citizens, and to identify relevant trends and indicators with respect to immigrants and their communities.

A critical effort of the past several months has been finalizing the overall design and implementation for the study. As part of the agreement, an Advisory Board was established to provide recommendations and suggestions to the Urban institute. A significant issue was developing the sample design for households to be interviewed, and ensuring that immigrants affected by recent eligibility changes would be sufficiently represented in the sample. The strategy was to determine whether administrative data sets could facilitate identifying such households (e.g., immigrant households experiencing a reduction or elimination of Food Stamps). As such, particular effort was made to ensure that individuals familiar with those administrative data sets were members of the Advisory Board, including Phil Ansell from LA County, and Joe Salvo from New York City. In reviewing the administrative data from LA County in May/June of 1998, it became apparent that there were data readily available for analyses that fulfilled the study's goals of identifying relevant trends and indicators. Given this

unique and unplanned circumstance, the Urban Institute performed the relevant analyses.

On July 24th, the Urban Institute provided ASPE with a draft copy of their subsequent analysis for technical comments. On July 28th, both ASPE and LA County received the “public” version of the Urban analysis. There was no press conference announcing the analysis, but it was made available to the County Board of Supervisors as a background briefing paper and as part of a public meeting. This was the source for the LA Times story.

cc: Irene Bueno
Mary Bourdette

Declining Immigrant Applications for Medi-Cal and Welfare Benefits in Los Angeles County¹

**Wendy Zimmermann and Michael Fix
The Urban Institute
July 1998**

The 1996 federal welfare reform law (the Personal Responsibility and Work Opportunity Reconciliation Act, PRWORA) barred many legal immigrants from receiving food stamps and gave states a number of options to restrict immigrant eligibility for other benefit programs. In California, however, immigrant eligibility has not changed for AFDC/TANF (now CalWORKs), Medicaid (Medi-Cal in California) or the county-funded cash assistance program, General Relief.² Nonetheless, the complex reforms introduced by the welfare law as well as related policy changes and practices may be having a chilling effect on immigrants' use of benefits for which they remain eligible. Legal immigrants may mistakenly believe they and their families are no longer eligible for AFDC/TANF and Medi-Cal.³ Immigrants may be concerned about new requirements that state agencies verify citizenship and immigration status and report undocumented immigrants to the Immigration and Naturalization Service. Immigrants may also fear that their own or their children's use of benefits will render them a "public charge" under immigration laws which, they may believe, would affect their ability to gain legal permanent residence, to naturalize or even lead to deportation. Recently immigrants have mistakenly been made to repay Medi-Cal benefits in order to gain legal permanent resident status or re-enter the country after a trip abroad. News of these events also may limit immigrants' willingness to apply for benefits.

¹ This analysis was funded by the Office of the Assistant Secretary for Planning and Evaluation, the Administration for Children and Families and The Health Care Financing Administration, U.S. Department of Health and Human Services, The Food, Nutrition and Consumer Services and the Economic Research Service, U.S. Department of Agriculture, and the Immigration and Naturalization Service. The views expressed are those of the authors and do not necessarily reflect those of the funders or the Urban Institute and its trustees.

² PRWORA gave states the option of providing TANF and Medicaid to immigrants who had entered the United States by August 22, 1996. It barred immigrants who enter the country after that date from receiving any federally-funded TANF and Medicaid for their first five years in the country. California has opted to provide TANF and Medi-Cal to immigrants in the United States regardless of date of entry and is using state funds to pay for benefits to newly entering immigrants during the five year bar. California has not implemented new Medi-Cal eligibility restrictions on certain immigrants who were formerly considered permanently residing under color of law, or PRUCOL. Undocumented immigrants were, and continue to be, ineligible for TANF and General Relief and are eligible for only emergency services under Medicaid. California continues to provide state-funded pre-natal care under Medicaid to undocumented women. Governor Wilson's efforts to end this pre-natal care have been blocked by litigation.

³ Although most of its provisions have been held up by litigation, California's Proposition 187, which attempted to restrict undocumented immigrants' access to a wide array of public services, may also have contributed to confusion and misunderstanding of eligibility rules.

The following analysis is based on administrative data from the Los Angeles County Department of Public Social Services. The data provide information on monthly approvals of applications for AFDC/TANF, Medi-Cal and General Relief for January 1996 to January 1998. *The data show that the number of non-citizen monthly approvals for these benefits has dropped significantly since January 1996 while the number of citizen approvals has either remained the same or declined more moderately. Since immigrant eligibility for these benefits has not changed in California since January 1996, this decline appears to reflect fewer immigrants applying for assistance for which they remain eligible.*⁴

1. *Non-citizen approved applications fell dramatically following welfare reform.* Approved applications by non-citizen families for AFDC/TANF and Medi-Cal declined sharply in the months following August 1996 when federal welfare reform became law. Since then, the number of monthly approvals of non-citizen-headed cases has remained lower than it had been through most of 1996. In the initial months of 1996, about 3,000 non-citizen headed cases were approved for AFDC/TANF and Medi-Cal each month, compared to about 1,500 for most of 1997.⁵ At the same time, the number of monthly approvals of citizen-headed cases remained the same at about 4,000 per month. Monthly approvals of non-citizen-headed cases therefore dropped by 52 percent between January 1996 and January 1998 while the number of citizen cases approved each month did not change (Table 1). The decline in total monthly approvals during those two years (-23 percent) is, therefore, entirely attributable to the decline in approvals of non-citizen-headed cases.

2. *The number of legal immigrant-headed cases has dropped faster than undocumented cases.* The drop in approved applications was greater for cases headed by a legal immigrant than for cases headed by an undocumented immigrant (-71 vs. -34 percent) — where an ineligible undocumented parent typically applies only for her citizen child (Table 1). One possible explanation for the sharper decline among legal than undocumented immigrants is that during

⁴ During the time period examined (January 1996 to January 1998) the overall number of applications for AFDC/TANF and Medi-Cal declined while the overall denial rate did not change. These trends are consistent with the observation that falling numbers of *approved* applications for immigrants and their families are a product of declining numbers of applications. Data are not available, however, on application denial rates by immigration status. In addition, no general eligibility or program changes to AFDC/TANF were implemented during the period examined. Los Angeles County began implementing its new welfare-to-work program, CalWORKs, in April 1998.

⁵ In Los Angeles County, a family can apply for AFDC/TANF, Medi-Cal and food stamps using only one application. Everyone who is eligible for AFDC/TANF is also eligible for Medi-Cal and most also receive food stamps, excluding non-citizens who were made ineligible for them under the federal welfare reform law. Data on case approvals for AFDC/TANF and Medi-Cal combine all members of a household (usually the parent (s) and children). A non-citizen-headed case is one where the "first adult" in the household is a non-citizen; a citizen-headed case is one where the first adult is a citizen. Data on children approved for AFDC/TANF and Medi-Cal (Table 2), on General Relief (Table 5) and on "Medi-Cal-only" (Table 4) are for individuals and reflect each person's immigration status.

1996 and 1997 large numbers of legal immigrants naturalized — those people would, of course, apply as citizens rather than non-citizens.⁶ It is also possible that many legal immigrants did not understand that although their eligibility for food stamps had changed, their eligibility for TANF/AFDC and Medi-Cal had not. Additionally, there may have been widespread (mistaken) concern among legal immigrants that using public benefits would hurt their chances for naturalization.

3. *The number of citizen children applying for AFDC/TANF and Medi-Cal declined.* Because so many non-citizen adults have U.S.-born citizen children, the drop in approvals of non-citizen-headed cases has led to fewer citizen children receiving assistance.⁷ The number of newly approved citizen children of non-citizen parents for AFDC/TANF and Medi-Cal dropped by 48 percent between January of 1996 and 1998, compared to almost no change (6 percent increase) for citizen children of citizen parents (Table 2). Since the vast majority of those receiving AFDC/TANF and Medi-Cal in Los Angeles receive food stamps as well, these drops also reflect a decrease in applications for food stamps by citizen children who remain eligible for them. *The cumulative impact of this decline in approved applications may be significant: nearly 25,000 more children would have applied and been approved for AFDC/TANF and Medi-Cal between December 1996 and January 1998 if the number of citizen children of immigrant parents had remained at about the same level as it had been in January to November 1996.*

4. *Fewer non-English speakers have applied and been approved for benefits.* Data on monthly approvals by primary language of the applicant tell a similar story. Between January 1996 and January 1998, the number of cases approved in which the applicant's primary language is Spanish fell by 46 percent while it fell by only 9 percent for English speakers. For the much smaller group who speak an Asian language the number fell by 59 percent (Table 3).

5. *The number of non-citizens applying for "Medi-Cal-only" benefits decreased.* The number of persons applying for only Medi-Cal — because they are ineligible for cash or food assistance — has also dropped faster for non-citizens than citizens. Between 1996 and 1998 non-citizens approved each month for "Medi-Cal-only" dropped by 24 percent while citizen approvals stayed virtually flat, falling by only 7 percent (Table 4). The drop in applications among immigrant families is even higher, however, when the citizen children of immigrant adults (who are included

⁶ It cannot be determined, however, how much of the decline in approved applications is accounted for by rising naturalization, though it is unlikely to account for the steep drop in the number of legal-immigrant headed cases.

⁷ In the Los Angeles metropolitan area, sixty-three percent of children in families with incomes below 200 percent of the federal poverty level had at least one non-citizen parent and one citizen child. March 1997 Current Population Survey, Urban Institute tabulations.

in the citizen column) are considered.⁸ The full decline in non-citizen enrollment in Medi-Cal encompasses both the drop in Medi-Cal-only applications — the decline in non-citizens plus their citizen children (Table 4) — *and* the drop in applications for AFDC/TANF and Medi-Cal (Tables 1 and 2). Further, the decline in enrollment of undocumented immigrants in Medi-Cal-only (who make up about twenty percent of all approvals) means that welfare reform and related policies appear to be having an impact not only on legal immigrants' use of regular Medi-Cal but also on undocumented immigrants' use of emergency medical services and prenatal care.

6. *Non-citizen applications for General Relief also decline.* Similarly, the number of non-citizens approved on a monthly basis for General Relief, Los Angeles's safety net assistance program, declined more than twice as fast as the number of citizens. While the number of citizens newly approved for General Relief fell 22 percent between January 1996 and January 1998, the number of non-citizens dropped 47 percent during the same time period (Table 5).

These findings raise questions about a number of broader policy issues, including rising uninsurance rates and federal, state and local efforts to increase health insurance coverage among children. The federal government recently created the Child Health Insurance Program (CHIP), called Healthy Families in California, which provides funding to states to expand health insurance for low-income children. L.A. County recently adopted a plan to enroll 100,000 more children in Medi-Cal by September 1999 (the Los Angeles County Child Medi-Cal Enrollment Project) — a goal that may be difficult to reach if Medi-Cal enrollment of children in immigrant families remains low. A recent GAO report found that most uninsured children in California are children of immigrants: in 1996, 73 percent of uninsured Medicaid-eligible children in California were either foreign-born or had a foreign-born parent.⁹ To include the children of immigrants in efforts such as these, policy reforms and outreach efforts will need to take issues specific to immigrant families — such as a misunderstanding of immigrant eligibility rules and concerns over public charge laws — into account.

These data also may have implications for the current debate over declining welfare caseloads. Although an initial examination of Los Angeles's AFDC/TANF caseload data for January 1995 to April 1997 does not suggest that the number of non-citizens receiving welfare has fallen faster than the number of citizens, it may be too soon to tell if the drop in immigrant

⁸ We cannot tell how many of the citizens in column 1 of Table 4 are the children of immigrants since the Medi-Cal-only data are not available by alien status of household head. The change in applications for Medi-Cal-only, therefore, cannot be compared to that for AFDC/TANF with Medi-Cal (in Table 1) since the Medi-Cal-only data are presented for individuals while the AFDC/TANF with Medi-Cal data are presented for families (cases), by immigration status of the household head.

⁹ The proportion of uninsured children who had a non-citizen parent (as opposed to foreign-born), which was not included in the report, would be somewhat lower. The report used data from the Current Population Survey (CPS) for its analysis. U.S. General Accounting Office, "Medicaid: Demographics of Nonenrolled Children Suggest State Outreach Strategies," GAO/HEHS-98-93, March 1998.

applications is contributing to declines in overall caseloads.

Table 1. Cases Newly Approved for AFDC/TANF with Medi-Cal in Los Angeles County by Immigration Status of Household Head*:
January 1996 - January 1998

Month/Year	Total Monthly Approvals**	Citizens	Percent of Total	Non-Citizens	Percent of Total	Legal Immigrants	Percent of Total	Undocumented Immigrants*** (Unaided)	Percent of Total
January 1996	7,332	4,085	56%	3,177	43%	1,545	21%	1,632	22%
February 1996	7,681	4,468		3,168		1,650		1,518	
March 1996	7,970	4,623		3,283		1,588		1,695	
April 1996	7,754	4,626		3,068		1,542		1,526	
May 1996	7,450	4,520		2,873		1,403		1,470	
June 1996	6,680	4,119		2,490		1,218		1,272	
July 1996	7,900	4,726		3,089		1,548		1,541	
August 1996	5,693	3,570		2,066		1,036		1,030	
September 1996	7,953	5,078		2,808		1,420		1,388	
October 1996	7,767	5,072		2,621		1,307		1,314	
November 1996	5,833	3,833		1,951		963		988	
December 1996	5,781	4,037		1,702		529		1,173	
1/96 - 1/97 Percent change	-17%	-1%		-38%		-59%		-19%	
January 1997	6,060	4,042	67%	1,967	32%	641	11%	1,326	22%
February 1997	5,691	3,923		1,731		564		1,167	
March 1997	5,938	4,173		1,705		532		1,173	
April 1997	5,846	4,272		1,491		457		1,034	
May 1997	5,089	3,765		1,255		444		811	
June 1997	5,262	3,819		1,387		441		946	
July 1997	5,667	4,148		1,433		476		957	
August 1997	5,689	4,170		1,457		472		985	
September 1997	6,109	4,413		1,619		505		1,114	
October 1997	6,543	4,774		1,696		489		1,207	
November 1997	4,899	3,554		1,270		368		902	
December 1997	6,257	4,466		1,702		454		1,248	
January 1998	5,669	4,072	72%	1,519	27%	450	8%	1,069	19%
1/97 - 1/98 Percent Change	-6%	+1%		-23%		-30%		-19%	
1/96 - 1/98 Percent Change	-23%	0%		-52%		-71%		-34%	

*Data are provided by "first adult" in household. This person is typically the parent. Each case usually includes one or two parents and their child(ren).

** Citizens and noncitizens do not necessarily add to the total because this total includes "other" cases, including those in which the immigration status of the household head is unknown.

***Undocumented immigrants are not eligible for AFDC/TANF or regular Medi-Cal. These cases typically include citizen children who are eligible for assistance.

Note: All AFDC recipients are automatically eligible for Medi-Cal. Most also receive federal food stamps (excluding ineligible immigrants). Data include both single- and two-parent families.

**Table 2. Children Newly Approved for AFDC/TANF with Medi-Cal in Los Angeles County
by Immigration Status of Household Head*: January 1996 - January 1998**

Month/Year	Total Monthly Approvals**	Citizen Children of Citizen Adults	Percent of Total	Citizen Children of Non-Citizen Adults	Percent of Total	Citizen Children of Legal Immigrant Adults	Percent of Total	Citizen Children of Undocumented Adults	Percent of Total
January 1996	11,669	6,148	53%	5,144	44%	2,741	23%	2,403	21%
February 1996	11,954	6,586		4,984		2,803		2,181	
March 1996	12,489	6,917		5,178		2,689		2,489	
April 1996	12,330	6,926		5,075		2,761		2,314	
May 1996	11,467	6,644		4,418		2,288		2,130	
June 1996	10,343	6,100		3,882		2,086		1,796	
July 1996	12,476	7,161		4,815		2,531		2,284	
August 1996	8,952	5,496		3,147		1,630		1,517	
September 1996	12,572	7,761		4,415		2,348		2,067	
October 1996	12,606	7,846		4,359		2,294		2,065	
November 1996	9,197	5,834		3,111		1,613		1,498	
December 1996	9,269	6,161		2,868		1,025		1,843	
1/96 - 1/97 Percent change	-17%	+2%		-39%		-56%		-19%	
January 1997	9,725	6,245	64%	3,160	32%	1,203	12%	1,957	20%
February 1997	8,872	5,799		2,831		1,068		1,763	
March 1997	9,285	6,208		2,819		1,000		1,819	
April 1997	9,085	6,356		2,446		860		1,586	
May 1997	8,088	5,643		2,193		914		1,279	
June 1997	8,437	5,880		2,325		871		1,454	
July 1997	9,111	6,360		2,442		886		1,556	
August 1997	9,142	6,454		2,395		900		1,495	
September 1997	9,936	6,858		2,788		998		1,790	
October 1997	10,714	7,454		2,924		932		1,992	
November 1997	8,052	5,615		2,136		684		1,452	
December 1997	10,476	7,176		2,982		916		2,066	
January 1998	9,460	6,501	69%	2,693	28%	921	10%	1,772	19%
1/97 - 1/98 Percent change	-3%	+4%		-15%		-23%		-9%	
1/96 - 1/98 Percent change	-19%	+6%		-48%		-66%		-26%	

* Data are provided for children by "first adult" in household. In most cases, this adult is the child's parent.

** Columns do not add to the total because this total includes "others," including non-citizen children and those for whom immigration status is unknown.

Note: All AFDC recipients are automatically eligible for Medi-Cal. Most also receive food stamps (excluding ineligible immigrants). Data include both single- and two-parent families.

**Table 3. Cases Newly Approved for AFDC/TANF with Medi-Cal in Los Angeles County by Primary Language*:
January 1996 - January 1998**

Month/Year	Total Monthly Approvals	English	Percent of Total	Spanish	Percent of Total	Asian Languages**	Percent of Total	All Others	Percent of Total
January 1996	7,445	4,483	60%	2,686	36%	135	2%	141	2%
April 1996	7,833	5,068		2,524		110		131	
July 1996	7,990	5,178		2,436		118		258	
October 1996	7,864	5,389		2,182		113		180	
January 1996 - January 1997 Percent Change	-17%	-10%		-32%		-33%		+32%	
January 1997	6,157	4,056	66%	1,825	30%	90	1%	186	3%
April 1997	5,946	4,277		1,412		68		189	
July 1997	5,716	4,258		1,274		62		122	
October 1997	6,586	4,766		1,620		65		135	
January 1998	5,727	4,096	72%	1,449	25%	56	1%	126	2%
January 1997 - January 1998 Percent Change	-7%	+1%		-21%		-38%		-32%	
January 1996 - January 1998 Percent Change	-23%	-9%		-46%		-59%		-11%	

*Primary language is the language in which the applicant requests an application.

**Asian languages include Vietnamese, Cambodian, Cantonese, Mandarin, Other Chinese, Laotian, and Korean.

Note: All AFDC recipients are automatically eligible for Medi-Cal. Most also receive food stamps (excluding ineligible immigrants). Data include both single- and two-parent families.

**Table 4. Persons Newly Approved for Medi-Cal-Only* in Los Angeles County by Immigration Status:
January 1996 - January 1998**

Month/Year	Total Monthly Approvals	Citizens**	Percent of Total	Non-Citizens	Percent of Total	Legal Immigrants	Percent of Total	Undocumented Immigrants***	Percent of Total
January 1996	31,660	19,702	62%	11,958	38%	3,857	12%	8,031	25%
February 1996	32,262	20,152		12,110		4,011		8,038	
March 1996	40,043	24,522		15,521		4,973		10,485	
April 1996	37,493	23,349		14,144		4,789		9,278	
May 1996	37,182	22,768		14,414		4,950		9,403	
June 1996	32,639	20,382		12,257		4,079		8,111	
July 1996	33,660	21,271		12,389		4,041		8,269	
August 1996	32,406	20,266		12,138		3,836		8,238	
September 1996	29,522	18,588		10,934		3,631		7,221	
October 1996	32,819	20,922		11,897		4,060		7,765	
November 1996	28,831	18,634		10,197		3,494		6,626	
December 1996	25,833	16,942		8,891		3,267		5,550	
January 1996 - January 1997 Percent Change	-12%	-8%		-19%		-18%		-20%	
January 1997	27,725	18,053	65%	9,672	35%	3,174	11%	6,426	23%
February 1997	29,222	19,083		10,139		3,485		6,617	
March 1997	35,558	23,314		12,244		4,217		7,977	
April 1997	35,424	23,378		12,046		4,109		7,891	
May 1997	33,859	22,549		11,310		3,859		7,370	
June 1997	30,605	20,263		10,342		3,524		6,776	
July 1997	34,088	22,522		11,565		3,521		8,006	
August 1997	31,950	21,201		10,741		3,723		6,969	
September 1997	29,348	19,324		10,011		3,558		6,393	
October 1997	33,314	22,320		10,980		3,937		6,927	
November 1997	26,763	17,822		8,927		3,258		5,516	
December 1997	31,537	20,984		10,545		3,592		6,835	
January 1998	27,335	18,267	67%	9,054	33%	3,058	11%	5,862	21%
January 1997 - January 1998 Percent Change	-1%	+1%		-6%		-4%		-9%	
January 1996 - January 1998 Percent Change	-6%	-7%		-24%		-21%		-27%	

* This table includes only persons receiving Medi-Cal who do not receive any other public assistance such as AFDC/TANF.

** This table understates the drop in approved applications for immigrant families to the extent that citizen children of legal and undocumented immigrant parents are included in the citizen column.

*** Undocumented immigrants are only eligible for emergency services and pre-natal care.

Source: Administrative data from the Los Angeles County Department of Public Social Services

**Table 5. Persons* Newly Approved for General Relief in Los Angeles County by Citizenship Status:
January 1996 - January 1998**

Month/Year	Total Monthly Approvals	Citizens	Percent of Total	Non-Citizens	Percent of Total
January 1996	8,533	7,666	90%	867	10%
February 1996	9,763	8,587		1,176	
March 1996	9,701	8,555		1,146	
April 1996	9,190	8,210		980	
May 1996	8,703	7,750		953	
June 1996	7,970	7,139		831	
July 1996	8,968	8,056		912	
August 1996	8,919	7,886		1,033	
September 1996	7,366	6,709		657	
October 1996	8,965	8,206		759	
November 1996	7,404	6,827		577	
December 1996	7,913	7,230		683	
January 1996 - January 1997 Percent Change	-11%	-10%		-26%	
January 1997	7,557	6,912	91%	645	9%
February 1997	8,321	7,629		692	
March 1997	8,234	7,602		632	
April 1997	7,997	7,379		618	
May 1997	8,182	7,542		640	
June 1997	7,046	6,561		485	
July 1997	7,825	7,213		612	
August 1997	7,718	7,040		678	
September 1997	7,052	6,523		529	
October 1997	8,526	7,848		678	
November 1997	5,931	5,464		467	
December 1997	7,375	6,800		575	
January 1998	6,450	5,994	93%	456	7%
January 1997 - January 1998 Percent Change	-15%	-13%		-29%	
January 1996 - January 1998 Percent Change	-24%	-22%		-47%	
*Most persons approved for General Relief are single adults.					

L.A. Times; 8-5-98 p. 1

Applications for Welfare Dip 23% in L.A. County

By VIRGINIA ELLIS
TIMES STAFF WRITER

SACRAMENTO—A new federal study shows that a steep drop in the number of immigrants seeking government assistance has led to an overall 23% decline in welfare applications in Los Angeles County.

Underscoring the fear and misinformation affecting immigrant communities, the study shows a 52% decline in legal noncitizens who have applied for public aid in the county since the advent of welfare reform.

The study, commissioned by the U.S. Department of Health and Human Services and obtained by The Times, found that since 1996, thousands of poor legal immigrants have eschewed public assistance, although in California the vast majority remain eligible for a variety of welfare programs.

Two researchers at the Washington-based Urban Institute, which conducted the study for the federal government, said that during the two-year period they examined, welfare applications from U.S. citizens remained constant.

Completed at the end of July, the study provides the first documentation of the effect of welfare reform on immigrant families. And it suggests that a main reason they shy away is fear of a negative effect on their immigration status.

In January 1996, 21% of all families applying for welfare in the county were legal immigrants, the study said, but by January of this year that number had dwindled to 8%. When the study began, poor legal immigrant families were applying for assistance in the county at a rate of about 1,500 a month. By the end of the survey, the number was 450 a month.

"We were surprised by this outcome," said Judy Weddle, director of strategic planning for the Los Angeles County Department of Public Social Services. "We had an indication that there has been some confusion in the immigrant community, but obviously this is a very significant number."

Also surprising, the researchers said, was the comparison with undocumented immigrants who applied for welfare for their children. There was a drop in their number, but not nearly as large as that for legal immigrants.

While illegal immigrants are not eligible for aid, any of their children born in the United States are citizens and therefore entitled to benefits.

"One of the most far-reaching effects of welfare reform to date in Los Angeles County has got to be this decline in applications among [legal] noncitizens," said Michael Fix, one of the report's authors. "It appears that one of the legacies of

N.Y. Times; 8-5-98

Talks Stall in Effort to Reach Tobacco Accord

By BARRY MEIER

Negotiators involved in talks aimed at reaching a new national tobacco settlement said yesterday that the discussions had reached an impasse, adding that talks planned for this week between state attorneys general and cigarette industry lawyers had been called off.

"There are difficult, noneconomic issues that have to be worked through," said Christine Gregoire, the Washington Attorney General and one of the principal negotiators, "and it will take time to do that."

Ms. Gregoire, whose comments were made in a statement, did not elaborate. But lawyers familiar with the talks said tobacco producers were concerned that small cigarette companies that did not participate in a settlement accord would gain a competitive advantage.

A deal would probably involve tobacco producers' paying billions of

dollars to the states for tobacco-related illnesses and other smoking costs and would include restrictions on advertising. Producers not participating in the deal would not be bound by advertising restrictions and would also be able to undercut larger cigarette makers on price because they would not have to bear the cost of a settlement, the lawyers familiar with the talks said.

Under last year's \$368.5 billion tobacco proposal reached between the industry and state attorneys general, companies that were not part of that deal would have had to post large financial bonds to cover potential court judgments against them.

Congress declined to adopt legislation to enact that accord. And lawyers involved in the latest talks said that without Congressional authority they faced both constitutional and legal problems in fashioning a method that would require nonparticipating producers to abide by an accord.

In an interview, Mike Easley, the Attorney General of North Carolina, said that while the major tobacco companies controlled 98 percent of sales that picture could change.

"We need to design a settlement agreement that will cover them as well," Mr. Easley said.

Other state officials familiar with the talks said they were less concerned about the issue of smaller tobacco manufacturers because the major cigarette makers were the subject of their lawsuits.

Scott Williams, a spokesman for the tobacco industry, declined to comment on the status of the negotiations. The companies involved are the Philip Morris Companies, R.J. Reynolds Tobacco, Brown & Williamson Tobacco, Lorillard Tobacco and U.S.T.

The latest round of settlement talks started last month and continued last week in New York.

Wash. Times; 8-5-98

Scientists find a reason for cocaine heart attacks

Vessels contract from excess chemical

REUTERS NEWS AGENCY

German scientists said yesterday they had found one reason why cocaine can cause a heart attack — it causes production of excess amounts of a chemical that can choke off blood supply to the heart.

Doctors know all too well that cocaine can overstimulate the heart and cause a heart attack. But they have not understood why — or how to fight it.

Writing in the journal *Circulation*, Rainer Arendt of the University of Munich and colleagues said they had pinpointed one mechanism.

They said cocaine attacks the endothelium, which is the layer of cells that lines the blood vessels. When attacked, these cells release a chemical known as endothelin, which causes blood vessels to contract.

They tested the blood and urine of 12 persons high on cocaine and 13 nonusers. Levels of endothelin were three times higher in the cocaine users.

Tests on pig cells showed that cocaine causes so much endothelin to be produced that blood vessels can eventually close off blood flow to the heart.

"This finding opens the opportunity to develop powerful drugs to fight cocaine's effects," Mr. Arendt said in a statement.

"Not only will this provide a needed help in the occasionally difficult medical therapy of treating cocaine-induced heart attack

The team tested two drugs that might counteract the deadly effects of cocaine.

or stroke, but it may prove to be important in understanding stress-related heart attacks cardiac arrests," he added.

"Cocaine seems to use the pathways that are activated in the body's response to stress."

The team tested two drugs might counteract the deadly effects of cocaine. They said the psychotic haloperidol, sold as Haldol, eliminated the effects another drug, diltiazem, helped.

Balt. Sun; 8-5-98

140 treated in Ala. outbreak of food poisoning; 1 is dead

COLUMBIANA, Ala. — Nearly 140 people have been treated at hospitals in a salmonella poisoning outbreak that began over the weekend.

Health officials said the source of the contamination appeared to be Beverly's Barbecue, a restaurant voluntarily closed Monday.

One woman who had eaten food from the restaurant died yesterday of multiple organ failure caused by Addison's disease.

ly aggravated by vomiting, diarrhea and cramps from salmonella, said Dr. Darrel Weaver, medical director at Shelby Baptist Medical Center. Addison's sufferers risk acute adrenal failure from even a mild infection.

naturalization, that they're not willing to risk coming forward."

See WELFARE, p. 24



BY SUSAN BIDDLE—THE WASHINGTON POST
Jennifer Talley has been charged with felony child abuse in the scalding of Sade Hatfield.

Wash. Post: 8-5-98 p. 1



BY SUSAN BIDDLE—THE WASHINGTON POST
Talley used to have a lot in common with Sonya Johnson, above, mother of Sade, 2.

From Welfare, to Hope, to Tragedy

When a Child Dies a Terrible Death, a Woman's Success Story Ends

By KATHERINE BOO
and LEE SMITH
Washington Post Staff Writers

The undertaker's white lace, liberally arrayed, veiled the truth: brick-red burns stretching from the dead child's toes to the tops of her thighs. Two-year-old Sade Hatfield had been immersed in scalding water until she cooked. Now, a week after her July 7 death, two women who had once been

friends mourned at a side-street Alexandria funeral home.

Inside the mortuary chapel, Sade's 19-year-old mother sobbed before the cloth-covered casket. Outside, 21-year-old Jennifer Talley grieved while hidden in the back of her grandma's Dodge van. Talley wasn't welcome in the chapel. She had just been charged with felony child abuse for allowing Sade—the girl she had called a god-child—to slowly die of injuries

allegedly inflicted by Talley's boyfriend. Just weeks before, Talley had nurtured visions of lifting Sade from poverty, as she had so recently lifted herself and her own young son. But now Sade was dead, and Talley's arduous climb toward white-collar stability had turned to free fall.

In the last 12 months, Talley had become a standout in a Clinton administration model program to transform welfare

mothers into middle-class working moms: one of 21 women chosen from hundreds of applicants for a shot at permanent employment, and a future, at the U.S. Department of Labor. She had allowed a Washington Post reporter into her office and her home as she wrestled with the exigencies of life as a GS-1.

A genial fixture behind a gray

Curt'd on next page

WELFARE, from p. 1

She criticized the county for being too slow to train welfare workers in the complexities of the new welfare reform laws, especially as they relate to immigrants.

She said many noncitizen families were turned away at welfare offices by workers who mistakenly believed that their immigration status made them ineligible for assistance.

But county officials insisted that they have taken steps to correct misconceptions, including establishing a help line that immigrants can call for information about welfare and putting special liaison staff in welfare offices to help with immigrant issues.

"Certainly I would not agree that we have been slow," said Jacob Aguilar, who is in charge of community relations for the department. "On the other hand, this study shows we need to continue to work in this area."

Julia Takeda, director of the Child Medi-Cal enrollment project for the department, said immigrant children will be a major focus of a county campaign to enroll 100,000 poor children in Medi-Cal by September 1999.