Jack S.

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To Diana Fa...	From Jack Smalley
Dept./Agency	Phone #
Fax #	Fax #

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

June 19, 1997

TO: Larry Haas

FR: Judy Chesser

RE: Clay Shaw Press Release

Attached is Shaw press release just sent here by the Ways and Means Dems.

Retort: He says we are taking 100,000 - number actually is 50,000 but I assume you want to skip directly responding to that allegation...and emphasize the 75,000 more under agreement by 2002.

In response to the Rep. Shaw's accusation that the Bipartisan Budget Agreement would result in 300,000 people being taken off the rolls and therefore being destititute while disability determinations are made...

See fact sheet entitled "no gap.." which gives three reasons why this is not true. To further buttress the most compelling reason, the constitutional requirements for due process, see accompanying letter from our General Counsel Arthur Fried to Rep. Sandy Levin on the subject (in response to Levin inquiry).

If you need more: 358-6030.

NEWS

FROM THE COMMITTEE ON WAYS AND MEANS

Subcommittee on Human Resources

FOR IMMEDIATE RELEASE
June 19, 1997

CONTACT: Ari Fleischer or Scott Brenner
(202) 225-8933

Shaw Says Clinton Welfare Proposal Will Cut 100,000 Elderly From the Rolls

Washington — Rep. Clay Shaw, Chairman of the Committee of Ways and Means Human Resources Subcommittee, today asked Vice President Al Gore to reexamine the Administration's position on providing welfare benefits to noncitizens. Under the Administration proposal, more than 300,000 elderly noncitizens could lose benefits temporarily and 100,000 could lose benefits permanently.

In a letter to the Vice President, Shaw wrote:

"Your position seems to be that we must extend the promise of benefits to those who might someday need them even if that means terminating the benefits to those who might someday need them even if that means terminating the benefits of current elderly recipients. This is wrong. We know the names, faces and address of the poor elderly noncitizens who today depend on benefits. We can only guess at the number who might become disabled in the future, and what other sources of support they might have."

The House proposal would continue Supplemental Security Income (SSI) benefits to all noncitizens who were on the welfare rolls when the welfare law was signed on August 22, 1996. The Administration proposal mirrors the House proposal but would also guarantee SSI benefits to those who become disabled in the future. Finally, the Administration proposal would remove approximately 300,000 elderly noncitizens from the SSI rolls for redetermination of eligibility of which 200,000 would be placed back on the rolls.

(Letter attached)

-30-

SSI LEGAL IMMIGRANT FACTSHEET

HOUSE: The Ways and Means reported bill would grandfather all those on the rolls as of August 22, 1996. No new applications could be taken. The bill would also extend refugees and asylees from 5 years to 7 years. This would cost $9.0 billion

COST ALLOCATION (FY 1998 - 2002)

Ways and Means Grandfather: $9.0 billion

Bipartisan Budget Agreement: $9.7 billion

NUMBER OF INDIVIDUALS WHO LOSE SSI BENEFITS UNDER GRANDFATHER COMPARED TO THE BIPARTISAN BUDGET AGREEMENT

Increase in numbers on the rolls for any given year compared to unamended Welfare Reform (Thousands of individuals)

FY	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Budget Agreement	320	328	333	328	318	308	299	289	279	270
Grandfather	371	334	300	270	243	219	197	177	160	144
Difference	**+51**	**+6**	**-33**	**-58**	**-75**	**-89**	**-102**	**-112**	**-119**	**-126**

NOTE: These numbers are comparisons of year-by-year baselines. They are not additive across years.

Source: Social Security Administration. Office of the Actuary
06/10/97

SENATE: In the Senate Finance Committee, they adopted the grandfather plus they extended eligibility for legal immigrants for disability determination until September 30, 1997. The also extend eligibility for refugees and asylees from five years to seven years. The total cost is $10.4 billion for these provisions.

Senate Finance: $10.4 billion

(OACT developing chart; number of people each year.)

SOCIAL SECURITY ADMINISTRATION FACT SHEET
PROCESSING LEGAL IMMIGRANT DISABILITY CLAIMS
NO GAP IN BENEFITS

The Bipartisan Budget Agreement restores SSI and Medicaid for all legal immigrants who are or become disabled and who entered the U. S. prior to August 23, 1996. For elderly immigrants currently on the rolls, their eligibility for disability benefits has to be redetermined. Some have argued that payment of elderly immigrants' benefits would be terminated during this transition. In addition to being inhumane, such a termination of benefits would be unlawful.

- Historically, SSA and the Congress have never taken beneficiaries off the rolls when a new determination was required.[1] The Administration has always assumed that the historical practice followed by Congress would be continued.

- The Administration and Congressional leadership agreed on a policy that disabled immigrants in the country prior to August 23, 1996, should continue to receive SSI and Medicaid. The Agreement included $9.7 billion for the estimated costs of this policy. CBO has estimated that a policy without transitional benefits for the elderly would cost $9.5 billion.[2] Thus the funding in the agreement includes a reserve for transition costs. The Administration has given Congress a legislative proposal consistent with the agreement that includes a six month transition provision.[3]

- The Administration's proposed language would retain current beneficiaries benefits for the first six months of FY 1998[4] in order to give SSA sufficient time to determine whether current elderly noncitizens receiving SSI are disabled. SSA has stated that this is enough time to complete the evaluation of the cases.

- The Supreme Court in Goldberg v. Kelly held that, under the due process clause of the Constitution, welfare benefits, such as SSI, may not be terminated without giving each beneficiary notice, the right to appeal and an opportunity to request payment of benefits during the appeal. Thus, under the Constitution, SSA would be required to keep the current SSI beneficiaries on the rolls while a determination is being made.

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1 Recently, SSA was required to do new determinations under newly enacted standards on those addicted to drugs or alcohol and on children with disabilities. In both instances, benefits were retained during the disability determination process.

2 This CBO scoring also includes the cost for the Agreement's refugee and asylee policy.

3 CBO has not yet scored the Administration's legislation.

4 This assumes a July 15 date of enactment. The legislation provides for an eight and one half month transition policy from date of enactment.

06/09/97

SOCIAL SECURITY

Office of the General Counsel

June 10, 1997

The Honorable Sander Levin
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Levin:

This letter responds to your inquiry regarding the impact of the Supreme Court's decision in Goldberg v. Kelly, 397 U.S. 254 (1970) on the Social Security Administration's (SSA) implementation of certain Supplemental Security Income (SSI) provisions arising from the bipartisan balanced budget agreement (budget agreement). Specifically you seek our views regarding whether elderly legal immigrants who are receiving SSI on the basis of age and who seek to qualify on the basis of disability or blindness under the provisions of the budget agreement would continue to receive their SSI until SSA issues its decision on their claim at the first level of appeal. Under the Supreme Court's decision in Goldberg v. Kelly, if the SSI recipient seeks to qualify on the basis of disability or blindness in a timely manner, his or her SSI must continue until the Agency issues its first level appeal decision (reconsideration) after the Agency has provided the recipient with notice of the Agency's planned termination of his or her SSI benefits and an opportunity for a face-to-face evidentiary hearing.

The Supreme Court has held that under the due process clause of the U. S. Constitution, a governmental Agency must afford a recipient of needs-based benefits, such as SSI, with advance notice and appeal rights with the opportunity for benefit continuation to the first level appeal decision before such benefits can be terminated. See Goldberg v. Kelly, 397 U.S. at 266. See generally Cardinale v. Mathews, 399 F. Supp. 1163 (D. D.C. 1975). Further, under Goldberg v. Kelly, the Agency is required to provide the recipient an opportunity for a face-to-face evidentiary hearing before benefits are stopped.[1] See also Atkins v. Parker, 472 U.S. 115 (1985). It is our view that nothing in legislation arising from the balanced budget agreement regarding continuing SSI eligibility for certain elderly legal immigrants who are blind or disabled could nullify the requirements dictated by the Supreme Court in Goldberg v. Kelly. This is because those requirements are based on the U.S. Constitution and Congress, through statute, may not relieve SSA of such constitutional obligations. Thus, if a claim is made by an elderly legal immigrant currently on the SSI rolls that he or she is disabled or blind under the new legislation, the

[1] See the attached Goldberg v. Kelly factsheet summarizing the holding of the case.

SSI benefits of that individual could not be terminated without SSA first offering the individual an opportunity for a face-to-face evidentiary hearing and continuing benefits through the first level of appeal. Finally, the notices provided in February and March of 1997 to noncitizens under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, would not be sufficient to meet the notice requirements discussed above for purposes of legislation arising out of the budget agreement since the SSI eligibility standards described in the February and March notices would have changed.

Should you have any questions with respect to the above, please do not hesitate to contact me at (410) 965-0600.

Very truly yours,

Arthur J. Fried

Arthur J. Fried
General Counsel

Enclosure

Goldberg v. Kelly Fact Sheet

In *Goldberg v. Kelly*, 397 U.S. 254 (1970), the United States Supreme Court opined that the U.S. Constitution requires that, when a welfare benefit is being terminated, only a pretermination evidentiary hearing provides the recipient with procedural due process.

In *Goldberg v. Kelly*, the plaintiffs were recipients of financial aid under the Federally assisted program of Aid to Families with Dependent Children (AFDC) or under New York State's general Home Relief program. Their complaint alleged that State and city officials administering these programs terminated or were about to terminate such aid without prior notice and hearing, thereby denying the recipients due process of law. The New York City Department of Social Services' procedure for termination provided for an oral hearing only after termination of aid.

In its decision, the Supreme Court adamantly emphasized that when a welfare benefit is terminated, only a pretermination evidentiary hearing provides the recipient with procedural due process.

> For qualified recipients, welfare provides the means to obtain essential food, clothing, housing, and medical care. (Citation omitted.) Thus, the crucial factor in this context . . . is that termination of aid pending resolution of a controversy over eligibility may deprive an eligible recipient of the very means by which to live while he waits. Since he lacks independent resources, his situation becomes immediately desperate. His need to concentrate upon finding the means for daily subsistence, in turn, adversely affects his ability to seek redress from the welfare bureaucracy.

397 U.S. 264.

In *Cardinale v. Mathews*, 399 F. Supp. 1163 (D.D.C. 1975), the District Court for the District of Columbia applied the *Goldberg v. Kelly* requirement for a pretermination hearing to the Supplemental Security Income (SSI) program. In order to comply with *Goldberg v. Kelly* and its progeny, the Social Security Administration's (SSA) regulations at 20 C.F.R. 416.1336 provide an SSI recipient with an opportunity to request continuing benefits at the previously established payment level when the recipient is notified of SSA's intent to suspend, reduce, or terminate SSI payments.

SANDER M. LEVIN

Congress of the United States
House of Representatives
Washington, DC 20515

June 10, 1997

Mr. Arthur Fried
General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Mr. Fried:

As I am sure you are aware, the bipartisan agreement to balance the federal budget included an agreement that non-citizens would be eligible for Supplemental Security (SSI) if they are qualified aliens who were in the United States on August 22, 1996, and if they are now, or in the future, become disabled. The question has arisen of how the Social Security Administration would administer such a provision. Specifically, how would the Supreme Court's decision in Goldberg v. Kelly affect SSA's administration of the budget agreement?

I would appreciate it if you could provide me with your views on that question.

Sincerely,

Sandy Levin

Sander M. Levin
Member of Congress

SML:cid

SENATE FINANCE COMMITTEE RECONCILIATION LEGISLATION: IMMIGRANTS PROVISIONS

As Approved by Committee, June 18, 1997

- SSI eligibility will be maintained for all legal noncitizens who were in the US and receiving SSI benefits as of August 22, 1996

- Legal noncitizens who were in the US on August 22, 1996, will be eligible to qualify for SSI benefits if they apply for benefits on or before September 30, 1997.

- SSI eligibility of refugees, asylees, and Cuban and Haitian entrants will be extended from 5 to 7 years.

- Certain permanent resident aliens who are members of an Indian tribe will be exempt from SSI restrictions

- SSI restrictions shall not apply for certain SSI recipients if an application was filed before January 1, 1979.

  [Preliminary CBO score: $10.4 billion]

+ *GRAHAM/CHAFEE AMENDMENT (ADOPTED BY COMMITTEE 12-8): Reduces Medical Savings Account (MSA) demonstration to 100,000 Medicare beneficiaries and reallocates funds for 6 programs, including $200 million to exempt legal immigrant children from the five year ban on Medicaid*

"(A) In fiscal year 1998—

"(i) all agencies combined shall transfer to a restricted account an amount equal to one-fifth of the total amount recalled under paragraph (1);

"(ii) each agency with a reserve ratio (as computed under paragraph (3)(A)) that exceeds 2 percent shall transfer to a restricted account so much of the amounts held in such agency's reserve fund as exceed a reserve ratio of 2 percent; and

"(iii) each agency shall transfer any additional amount required under clause (i) (after deducting the amount transferred under clause (ii)) by transferring an amount that represents an equal percentage of each agency's equitable share to a restricted account.

"(B) In fiscal years 1999 through 2002, each agency shall transfer an amount equal to one-fourth of the total amount remaining of the agency's equitable share (after deduction of the amount transferred under subparagraph (A)).

"(5) SHORTAGE.—If, on September 1, 2002, the total amount in the restricted accounts described in paragraph (4) is less than the amount the Secretary is required to recall under paragraph (1), the Secretary shall require the return of the amount of the shortage from other reserve funds held by guaranty agencies under procedures established by the Secretary.

"(6) PROHIBITION.—The Secretary shall not have any authority to direct a guaranty agency to return reserve funds under subsection (g)(1)(A) during the period from the date of enactment of this subsection through September 30, 2002, and any reserve funds otherwise returned under subsection (g)(1) during such period shall be treated as amounts recalled under this subsection and shall not be available under subsection (g)(4).

"(7) DEFINITION.—For purposes of this subsection the term 'reserve funds' when used with respect to a guaranty agency—

"(A) includes any reserve funds held by, or under the control of, any other entity; and

"(B) does not include buildings, equipment, or other nonliquid assets.".

(b) CONFORMING AMENDMENT.—Section 428(c)(9)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078(c)(9)(A)) is amended—

(1) in the first sentence, by striking "for the fiscal year of the agency that begins in 1993"; and

(2) by striking the third sentence.

SEC. 7002. REPEAL OF DIRECT LOAN ORIGINATION FEES TO INSTITUTIONS OF HIGHER EDUCATION.

Section 452 of the Higher Education Act of 1965 (20 U.S.C. 1087b) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 7003. LENDER AND HOLDER RISK SHARING.

Section 428(b)(1)(G) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(G)) is amended by striking "not less than 98 percent" and inserting "95 percent".

SEC. 7004. FEES AND INSURANCE PREMIUMS.

(a) IN GENERAL.—Section 428(b)(1)(H) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(H)) is amended—

(1) by inserting "(i)" before "provides";

(2) by striking "the loan," and inserting "any loan made under section 428 before July 1, 1998,";

(3) by inserting "and" after the semicolon; and

(4) by adding at the end the following:

"(ii) provides that no insurance premiums shall be charged to the borrower of any loan made under section 428 on or after July 1, 1998;".

(b) SPECIAL ALLOWANCES.—Section 438(c) of the Higher Education Act of 1965 (20 U.S.C. 1087-1(c)) is amended—

(1) in paragraph (2), by striking "paragraph (6)" and inserting "paragraphs (6) and (8)"; and

(2) by adding at the end the following:

"(8) ORIGINATION FEE ON SUBSIDIZED LOANS ON OR AFTER JULY 1, 1998.—In the case of any loan made or insured under section 428 on or after July 1, 1998, paragraph (2) shall be applied by substituting '2.0 percent' for '3.0 percent'.".

(c) DIRECT LOANS.—Section 455(c) of the Higher Education Act of 1965 (20 U.S.C. 1087e(c)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—For loans made under this part before July 1, 1998, the Secretary";

(2) by striking "of a loan made under this part"; and

(3) by adding at the end the following:

"(2) ORIGINATION FEE.—For loans made under this part on or after July 1, 1998, the Secretary shall charge the borrower an origination fee of 2.0 percent of the principal amount of the loan, in the case of Federal Direct Stafford/Ford Loans.".

SEC. 7005. SECRETARY'S EQUITABLE SHARE.

Section 428(c)(6)(A)(ii) of the Higher Education Act of 1965 (20 U.S.C. 1078(c)(6)(A)(ii)) is amended by striking "27 percent" and inserting "18.5 percent".

SEC. 7006. FUNDS FOR ADMINISTRATIVE EXPENSES.

The first sentence of section 458(a) of the Higher Education Act of 1965 (20 U.S.C. 1087h(a)) is amended by striking "$260,000,000" and all that follows through the end of the sentence and inserting "$532,000,000 in fiscal year 1998, $610,000,000 in fiscal year 1999, $705,000,000 in fiscal year 2000, $750,000,000 in fiscal year 2001, and $750,000,000 in fiscal year 2002.".

SEC. 7007. EXTENSION OF STUDENT AID PROGRAMS.

Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is amended—

(1) in section 424(a), by striking "1996," and "2002." and inserting "2002," and "2006.", respectively;

(2) in section 428(a)(5), by striking "1998," and "2002." and inserting "2002," and "2006.", respectively; and

(3) in section 428C(e), by striking "1998." and inserting "2002.".

SEC. 7008. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle take effect on October 1, 1997.

BAUCUS AMENDMENT NO. 491

Mr. LAUTENBERG (for Mr. BAUCUS) proposed an amendment to the bill, S. 947, supra; as follows:

Section 1916(g)(1) of the Social Security Act, as amended by section 5754, is amended by inserting before the period the following: ", except that no cost-sharing may be imposed with respect to medical assistance provided to an individual who has not attained age 18 if such individual's family income does not exceed 150 percent of the poverty line applicable to a family of the size involved, and if, as of the date of enactment of the Balanced Budget Act of 1997, cost-sharing could not be imposed with respect to medical assistance provided to such individual.".

KENNEDY AMENDMENTS NOS. 492–493

Mr. LAUTENBERG (for Mr. KENNEDY) proposed two amendments to the bill, S. 947, supra; as follows:

AMENDMENT NO. 492

At the appropriate place in section 2102(5) of the Social Security Act as added by section 5801, insert the following: "The benefits shall include additional benefits to meet the needs of children with special needs, including—

"(A) rehabilitation and habilitation services, including occupational therapy, physical therapy, speech and language therapy, and respiratory therapy services;

"(B) mental health services;

"(C) personal care services;

"(D) customized durable medical equipment, orthotics, and prosthetics, as medically necessary; and

"(E) case management services.

"With respect to FEHBP-equivalent children's health insurance coverage, services otherwise covered under the coverage involved that are medically necessary to maintain, improve, or prevent the deterioration of the physical, developmental, or mental health of the child may not be limited with respect to scope and duration, except to the degree that such services are not medically necessary. Nothing in the preceding sentence shall be construed to prevent FEHBP-equivalent children's health insurance coverage from utilizing appropriate utilization review techniques to determine medical necessity or to prevent the delivery of such services through a managed care plan.".

AMENDMENT NO. 493

On page 874, between lines 7 and 8, insert the following:

SEC. 5817A. SSI ELIGIBILITY FOR SEVERELY DISABLED ALIENS.

Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by section 5815, is amended by adding at the end the following:

"(I) SSI EXCEPTION FOR SEVERELY DISABLED ALIENS.—With respect to eligibility for benefits for the program defined in paragraph (3)(A) (relating to the supplemental security income program), paragraph (1), and the September 30, 1997 application deadline under subparagraph (G), shall not apply to any alien who is lawfully present in the United States and who has been denied approval of an application for naturalization by the Attorney General solely on the ground that the alien is so severely disabled that the alien is otherwise unable to satisfy the requirements for naturalization.".

CONRAD AMENDMENT NO. 494

Mr. LAUTENBERG (for Mr. CONRAD) proposed an amendment to the bill, S. 947, supra; as follows:

On page 874, between lines 7 and 8, insert the following:

SEC. 5817A. CONTINUATION OF MEDICAID ELIGIBILITY FOR DISABLED CHILDREN WHO LOSE SSI BENEFITS.

(a) IN GENERAL.—Section 1902(a)(10)(A)(i)(II) (42 U.S.C. 1396a(a)(10)(A)(i)(II)) is amended by inserting "(or were being paid as of the date of enactment of section 211(a) of the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193; 110 Stat. 2188) and would continue to be paid but for the enactment of that section)" after "title XVI".

(b) OFFSET.—Section 2103(b) of the Social Security Act (as added by section 5801) is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) in paragraph (3), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(4) the amendment made by section 5817A(a) of the Balanced Budget Act of 1997 (relating to continued eligibility for certain disabled children).".

The National Immigration Forum's

Benefits Bulletin

A Look At How the Welfare Law Will Affect Legal Immigrants

June 20, 1997

Contents

3 pages total

WHITE HOUSE THREATENS VETO UNLESS CONGRESS RESTORES BENEFITS TO LEGAL IMMIGRANTS

In a letter dated June 20, President Clinton informed key leaders in Congress that **he will be unable to sign a bill that does not include the provision to restore SSI and Medicaid eligibility for all disabled legal immigrants who are or become disabled and who entered the U.S. prior to August 23, 1996.** He points out that the "proposed legislation has departed from the bipartisan budget agreement," and stresses that he regards "[restoration of SSI benefits to legal immigrants] to be of paramount importance." He also states that while he "must insist on the provisions that are part of the budget agreement," he hopes that the administration and Congress "**can reach a bipartisan consensus to address the issue of benefits for the elderly.**" The Senate budget bill is $1 billion short of covering legal immigrants on the SSI rolls now **and** those who would be covered by the budget agreement. Attached is a copy of the White House letter, to Representative John Spratt, Ranking Member of the House Budget Committee.

The President's letter comes on the heels of Vice President Gore's June 19th press conference where he noted that the House Ways and Means Committee proposal "fails to restore a safety net for disabled legal immigrants" as promised by Congressional leaders in the agreement reached with the administration, "by abandoning the people who were in the United States when the welfare bill was signed, but who unexpectedly fell ill or became disabled after that date." He highlighted the estimate that 75,000 fewer immigrants would be covered by the Committee's proposal verses the bipartisan budget agreement. He appeared with Dorota Kiedos, a 27 year old Polish immigrant diagnosed with multiple sclerosis who would be covered by the bipartisan budget agreement but not by the Ways and Means proposal.

Prepared by the National Immigration Forum
220 I Street, NE #220 Washington, DC 20002-4362
Phone: 202-544-0004 • Fax: 202-544-1905

THE WHITE HOUSE
WASHINGTON

Denver

June 20, 1997

Dear John:

I want to thank you for your ongoing efforts to enact legislation to balance the budget. I greatly appreciate the spirit of bipartisanship that has characterized the efforts of Members of both Parties. It is only through our joint efforts that we can complete this great task which is critical to the well-being of our country.

The bipartisan budget agreement includes a number of key policy agreements. As the reconciliation bills have moved through the committees of jurisdiction, there have been cases in which the proposed legislation has departed from the bipartisan budget agreement. We are working together to insure that the reconciliation bills are consistent with the bipartisan budget agreement and have made significant progress in the last several days. I am told that good progress is being made on many issues, and I am confident that by the time the reconciliation bills reach my desk, we will enact historic legislation that lives up to the agreement.

One of the issues where it has proven difficult to reach consensus is the eligibility of legal immigrants for government assistance. As part of our bipartisan budget agreement, we agreed that we would "restore SSI and Medicaid eligibility for all disabled legal immigrants who are or become disabled and who entered the US prior to August 23, 1996." I want to stress that I regard this issue to be of paramount importance. To achieve our common goal of a signable bill that balances the budget, it is essential that the legislation that is presented to me include these provisions. I will be unable to sign legislation that does not.

At the same time, I recognize that the committees of jurisdiction faced difficult trade-offs in many areas. Perhaps none were as difficult as encountered here. If budgetary resources permit, my clear preference would be to assist both disabled and elderly legal immigrants. While I must insist on the provisions that are part of the budget agreement, I hope we can

The Honorable John M. Spratt, Jr.
Page Two

reach a bipartisan consensus to address the issue of benefits for the elderly. I have instructed members of my administration to work with you to see if, perhaps in a conference setting, the budgetary resources can be found to address this issue.

In the meantime, I urge Members of both Parties to continue to work with me to enact legislation that is consistent with the bipartisan budget agreement. I ask Members on both sides of the aisle to help us move the process forward, to advance the legislation to the floor of the House, and keep us on track to a balanced budget by the year 2002.

Sincerely,

Bill Clinton

The Honorable John M. Spratt, Jr.
Ranking Member
Committee on the Budget
House of Representatives
Washington, D.C. 20515

National Immigration Forum

PRESS ADVISORY

FOR IMMEDIATE RELEASE
June 11, 1997

Contact: Judy Mark
(202) 544-0004, ext. 14

Aging and Disabled Groups Refuse to be Pitted Against Each Other on Budget

Leaders Stand United in Call for Generous Restoration of Benefits for Legal Immigrants

WHAT? America's leading aging and disability organizations will call on Congress to keep its commitment to restore Supplemental Security Income (SSI) benefits to both elderly and disabled legal immigrants.

WHEN? **Monday, June 16**
10:00 am

WHERE? **628 Dirksen Senate Office Building**

WHO? Among the participants at the press conference will be:
Representative Sander Levin, (D-MI)
Howard Bedlin, Vice-President, National Council on the Aging (also representing the Leadership Council of Aging Organizations)
Paul Marchand, Chairperson, Consortium for Citizens with Disabilities
Janice Jackson Figner, Executive Director, National Association of Area Agencies on Aging

WHY? Within the next week, the Senate Finance Committee, as well as the full House of Representatives, will likely consider whether to restore Supplemental Security Income (SSI) benefits to hundreds of thousands of disabled and elderly legal immigrants. On June 10, by a slim 20-19 margin, the House Ways and Means Committee chose to violate the bi-partisan budget agreement and adopt a significantly scaled-down proposal by Rep. Clay Shaw (R-FL). This nail-biting vote occurred even after it was discovered that the funds exist to cover all current SSI recipients **AS WELL AS** legal immigrants who lived here before August, 1996 and become disabled in the future.

Rep. Shaw has attempted to pit the elderly against the disabled in his budget proposal. These two groups, however, have not fallen into his trap. They join with leaders of the Republican and Democratic parties in calling for the generous restoration of SSI benefits to legal immigrants.

220 I Street, NE #220 • Washington, DC 20002-4362
202-544-0004 • Fax: 202-544-1905

F: Legal Immigrants

DF, EK, CR -
We should frame this
-BR
(cm - keep a copy)

July 25, 1997

Mr. Bruce N. Reed
Assistant to the President for
Domestic Policy
White House
West Wing, 2nd Floor
Washington, DC 20502

Dear Mr. Reed,

The undersigned organizations are writing to commend you on your ongoing effort to restore some fairness in the way this country treats its most vulnerable legal immigrants.

Less than a year ago, the sweeping welfare law cut the social safety net from under legal immigrants who have fallen on hard times. Most dramatically effected were immigrants who, having developed a disability or having become too aged to work and earn a living, have relied on government assistance in the form of Supplemental Security Income (SSI) to pay for basic human necessities, including shelter. Many of these immigrants have no other means of support, and their very survival was placed into doubt. With the rules having been changed arbitrarily and in midstream on these immigrants, there was really no way for them--or the communities in which they live--to prepare for the impact of the new law.

Today, thanks in large part to your hard work, the congressional conference committee that is reconciling the House and Senate budget bills has before it a proposal, advanced by the Senate, that would restore SSI to those who currently depend on it for survival. In addition, immigrants who came to this country prior to the passage of the welfare law, and who develop a disability, will have the safety net available to them, should they need it. The Senate's budget bill also extends eligibility to certain legal immigrants who are here or who come in the future should they develop a disability so severe that they are unable to meet all of the requirements of U.S. citizenship. Another important provision contained in the Senate bill will exempt children from the five-year ban on Medicaid eligibility, and give governors the option of serving legal immigrant children with the new child health block grant money.

All of these measures are critical if we are to restore a measure of fairness for the most vulnerable of legal immigrants. We look forward to working with you in the coming weeks, in order to ensure that the budget bill contains the Senate's proposals for restoring benefits to immigrants. Beyond the budget bill, we hope to work with you further in order to ensure that legal immigrants, who are susceptible to the same sort of misfortunes as citizens, are treated fairly in a manner befitting our nation's traditions.

Sincerely,

NATIONAL ORGANIZATIONS

American Psychological Association

American Jewish Committee
American Immigration Law Foundation
American Association of Jews from the Former USSR
Association of Jewish Family and Children Agencies
Catholic Charities USA
Church World Service Immigrant and Refugee Program
Council of Jewish Federations
Immigrant and Refugee Services of America
Immigration Project of the United Methodist General Board of Church and Society
International Rescue Committee
Jesuit Conference USA, Office of Social Ministries
Jewish Council for Public Affairs
Mexican American Legal Defense and Educational Fund (MALDEF)
Migrant Legal Action Program
National Health Law Program
National Association for Bilingual Education
National Korean American Service and Education Consortium
National Association of Public Hospitals and Health Systems
National Immigration Forum
National Asian Pacific American Legal Consortium
National Association of Korean Americans
National Ministries, American Baptist Churches USA
Presbyterian Church USA, Washington Office
Union of Needletrade, Industrial and Textile Employees (UNITE)
United Methodist Committee on Relief
United States Catholic Conference Office of Migration and Refugee Services
Women's Commission for Refugee Women and Children
World Relief

LOCAL ORGANZATIONS

American Association of Jews from the Former USSR, California Chapter
American Association of Jews from the Former USSR, Florida Chapter
American Association of Jews from the Former USSR, Georgia Chapter
American Association of Jews from the Former USSR, Massachusetts Chapter
American Association of Jews from the Former USSR, New York Chapter
American Association of Jews from the Former USSR, Ohio Chapter
American Association of Jews from the Former USSR, Texas Chapter
American Association of Jews from the Former USSR, Wisconsin Chapter
Albuquerque Border City Project, Albuquerque, NM
American Network of Community Options and Resources, Annandale, VA
American Friends Service Committee, Miami, FL
Archdiocese of Detroit, MI
Asian Law Alliance, San Jose, CA
AYUDA, Inc., Washington, DC

Catholic Charities Immigrant Services, Honolulu, HI
Catholic Charities Archdiocese of New Orleans, LA
Catholic Charities Immigration Legal Service, San Jose, CA
Catholic Charities Immigrant Counseling Services, Dallas, TX
Catholic Charities Los Angeles, CA
Coalition on Human Needs, Washington, DC
Coalition for Humane Immigrant Rights of Los Angeles, CA
Councilman Lloyd Henry, New York City Council, NY
El Centro Hispano Americano, Plainfield, NJ
Gay and Lesbian Latino AIDS Education Initiative, Philadelphia, PA
Heartland Alliance for Human Needs and Human Rights, Chicago, IL
Hebrew Immigrant Aid Society, New York, NY
Hebrew Immigrant Aid Society of Chicago, IL
Illinois Coalition for Immigrant and Refugee Protection, Chicago, IL
Immigrant Legal Resource Center, San Francisco, CA
International Institute of Boston, MA
International Institute of Los Angeles, CA
International Center of the Capital Region, Albany, NY
Jewish Vocational Service, Boston, MA
Las Americas Refugee Asylum Project, El Paso, TX
Liberty Immigration and Citizenship Service, Inc., Brooklyn, NY
Lutheran Social Services of Michigan, Southfield, MI
Lutheran Social Services of New England, West Springfield, MA
Massachusetts Office for Refugees and Immigrants, Boston, MA
New Jersey Immigrant Policy Network, Inc., Newark, NJ
New York Association for New Americans, Inc., New York, NY
New York Immigration Coalition, New York, NY
Northwest Immigrant Rights Project, Seattle, WA
Office of Immigrant and Refugee Service, Diocese of Providence, RI
Proyecto San Pablo, Yuma, AZ
Riverside Language Program, New York, NY
Somerville Human Rights Commission, Somerville, MA
Texas Immigrant and Refugee Coalition, Dallas, TX
The Immigrant Assistant Center, Newbedford, MA
Travelers Aid Services, New York, NY
United Jewish Appeal/Federation of Jewish Philanthropy of New York, Inc., NY
VIVE, Buffalo, NY
Washington Association of Churches, Seattle, WA
World Relief Midwest Area, Chicago, IL