

TREATING LEGAL IMMIGRANTS FAIRLY

"We must join together to do something else, too, something both Republican and Democratic Governors have asked us to do: to restore basic health and disability benefits when misfortune strikes immigrants who came to this country legally, who work hard, pay taxes and obey the law. To do otherwise is simply unworthy of a great nation of immigrants."

-President Clinton, 1997 State of the Union.

Restoring fair treatment for legal immigrants is a key part of the President's agenda this year.

The President's budget proposal makes good on his promise to correct the welfare law's harsh provisions on legal immigrants -- provisions that burden State and local governments, and that punish children and legal immigrants with severe disabilities. The welfare law denies most legal immigrants access to fundamental safety net programs unless they become citizens -- even though they are in the U.S. legally, are responsible members of our communities, and in many cases have worked and paid taxes. These provisions have nothing to do with the real goal of welfare reform, which is to move people from welfare to work.

- The President's budget proposes to restore Medicaid and Supplemental Security Income (SSI) to legal immigrant children and to legal immigrants who become disabled after they entered the country. This country should protect legal immigrants and their families -- people admitted as permanent members of the American community -- when they suffer accidents or illnesses that prevent them from earning a living. Similarly, the country should provide Medicaid to legal immigrant children if their families are impoverished.
- The President proposes to extend the SSI and Medicaid eligibility period for refugees and asylees from 5 to 7 years, to give that vulnerable group additional time to naturalize.
- Finally, the budget proposes to delay the ban on Food Stamps for legal immigrants from April to September 1997 to provide time for immigrants who are in the process of naturalizing to complete the process.

The President's proposal would reinstate SSI eligibility for approximately 320,000 severely disabled legal immigrants. Of these 320,000 immigrants, the budget restores Medicaid coverage to 195,000 disabled legal immigrants. In addition, the proposal restores Medicaid coverage to about 30,000 non-disabled legal immigrant children. The cost of these immigrant proposals is \$14.6 billion over 5 years -- \$9.7 billion in SSI costs, and \$4.9 billion in Medicaid costs.

In January, the National Governors' Association agreed that the legal immigrant provisions of the welfare law will cause a substantial cost shift to states and expressed concerns about the fairness of cutting vulnerable legal immigrants' benefits. Providing state-funded benefits to this needy population will divert resources from job training and child care -- activities critical to moving people from welfare to work. The NGA passed a resolution asking Congress and the President to work together to find a fair solution for both states and vulnerable legal immigrants without reopening the welfare reform debate. The President's proposal would do just that.

TREATING LEGAL IMMIGRANTS FAIRLY: RESTORING BENEFITS FOR LEGAL IMMIGRANTS WITH SEVERE DISABILITIES

The President's budget would restore SSI benefits for 312,000 legal immigrant adults who become disabled after their entry into the U.S., in recognition of the fact that they cannot provide for their own support through work. Of those 312,000 legal immigrant adults, approximately 195,000 adults will have Medicaid coverage restored.

Denying SSI eligibility to aged and disabled legal immigrants has nothing to do with welfare reform. Barring legal immigrants who played by the rules and entered the country according to our laws from programs available to all other taxpayers is unfair and shortsighted.

- Approximately 900,000 SSI recipients are now receiving notices that they are at risk of losing their benefits, unless than can show that they are citizens or are in one of a narrow group of exceptions. Under current law, over 400,000 legal immigrants will lose their SSI benefits in August and September of this year.
- Disabled legal immigrants who have sponsors can turn to them for assistance, but many sponsors can't afford the extra costs associated with a disability. In addition, an estimated 44% of legal immigrants, such as refugees, never had sponsors in the first place. Others had sponsors who have died or ceased to support them.
- Many disabled legal immigrants are elderly and reside in nursing homes or assisted living facilities. Without SSI cash assistance, they may face eviction from assisted living arrangements. About 39,000 legal immigrants are in nursing homes and a large number have difficulties with the activities of daily living.
- An estimated 69% of legal immigrants on SSI are over age 65; 28% are over 75 years of age.
- Without SSI payments, state and local governments and private charities will become the prime source of assistance to legal immigrants with severe disabilities.
- In addition, under current state Medicaid plans, it appears that some states may have no provision to continue Medicaid coverage for legal immigrants who lose their SSI. In some states, disabled recipients who lose their SSI may also be without any help for medical expenses.

TREATING LEGAL IMMIGRANTS FAIRLY: EXTENDING ELIGIBILITY FOR REFUGEES

- As a nation of immigrants, this country has a long-standing policy of welcoming to this country refugees and asylees who are fleeing persecution in their home country, and helping them resettle in their new home.
- Under the welfare law, refugees and asylees are exempt from SSI and Medicaid eligibility restrictions for the first 5 years that they are in the U.S. However, after 5 years, needy refugees and asylees would be denied SSI benefits, and Medicaid coverage is a state option rather than guaranteed.
- The President's proposal would extend from 5 to 7 years the period of SSI and Medicaid eligibility for refugees and asylees. This extension would alleviate current hardships while providing elderly refugees an extra 2 years to learn English well enough to naturalize. This policy would cost about \$700 million over 5 years, and protect eligibility for about 17,000 refugees and asylees in FY 1998.
- Few refugees arrive with any financial assets that can be used for self-support. In addition, refugees do not have sponsors.
- Refugees and asylees need a longer eligibility period for assistance than other legal immigrants because of the circumstances that bring them to this country in the first place. Refugees and asylees come to the U.S. with a history of persecution in their country of origin. These individuals frequently experience greater difficulties putting their lives together and becoming self-supporting than other legal immigrants. About one-half of refugees speak little or no English when they arrive here; only about one-tenth speak English fluently.
- Elderly refugees are a particularly vulnerable group. SSA data indicate that of the estimated 58,000 elderly refugees who will lose their SSI eligibility in August/September 1997, 24,000 are aged 75 or older. An estimated two-thirds (38,000) of the 58,000 are severely disabled.
- Generally, refugees and asylees may apply for citizenship after residing in the United States for 5 years. However, the naturalization process can take up to a year, or more. Therefore, individuals who entered the U.S. as refugees or asylees will lose their SSI -- and potentially their Medicaid -- before completing the application process for citizenship, even if they apply for citizenship as soon as they meet the 5 year residency requirement. Also, many elderly refugees are not able to acquire sufficient English language skills in this period of time to pass the citizenship test.
- In refugee communities, the pending loss of SSI and Medicaid and the inability to become naturalized citizens is a major concern. Elderly refugees are understandably terrified that they will be left destitute and homeless.

TREATING LEGAL IMMIGRANTS FAIRLY: PROTECTION FOR LEGAL IMMIGRANT CHILDREN

The President proposes to restore SSI and Medicaid for legal immigrant children.

- The welfare reform law denies SSI and Medicaid to many legal immigrant children who become seriously ill, or have an accident and become disabled, and whose families fall on hard times. It also denies preventive services under Medicaid to legal immigrant children, likely leading to more costly health problems in the future. This policy threatens the health and well-being of a very vulnerable population -- legal immigrant children of low-income parents who need medical services or cash assistance (if disabled), and cannot work their way out of need. We all lose if we deny future citizens the care and support that all children need.
- Under the President's proposal, legal immigrant children would continue to be eligible for SSI and Medicaid. In FY 1998, this proposal would protect SSI and Medicaid eligibility for about 8,000 disabled legal immigrant children, and ensure medical care for about another 30,000 non-disabled children. Existing program income eligibility rules are not affected; only legal immigrant children who are members of low-income families would be eligible for the restored SSI and Medicaid.
- The President's proposal does not undermine or "reopen" welfare reform. The welfare reform provisions denying assistance to legal immigrant children have nothing to do with the central goal of welfare reform: moving people from welfare to work. Instead, the President's proposal protects access to health care for vulnerable low-income children who are permanent members of this nation's communities, cannot work, and do not have any other means of health care. It also protects cash assistance for low-income immigrant children with severe disabilities.
- It is important to note that legal immigrant children cannot become naturalized citizens unless both parents are citizens, or the surviving or custodial parent is a citizen. Therefore, unlike adult legal immigrants, children immigrants do not have an independent avenue to naturalization. For example, orphaned immigrant children must be adopted by a U.S. citizen in order to be classified as a citizen.
- The SSI and Medicaid costs associated with these immigrant children are about \$400 million over 5 years. This policy will ensure that low-income immigrant families with severely disabled immigrant children continue to have a safety net of SSI and Medicaid. It also guarantees that non-disabled legal immigrant children are protected by the Medicaid benefit package, which provides on-going assistance for children suffering from chronic asthma, screening for developmental disabilities, and well-child and preventive care to prevent the need for intensive and costly care in the future.

DRAFT STAMP
 Bills in Cong

Legal Immigrant Strategy Group
 February 19, 1997
 Agenda

Purpose of Meeting

- Need for coherent, shared document with description, talking points, Q&A,
 - discussion of hearing last week
 - development of list of Q&A's/items needing response (block grant, etc.)
 - agencies' role

Strategy -- Discussion

- Legislative strategy - coalition, team, left
 2 year disabled
- Communications: look at upcoming deadlines, events; opportunities for WH, secretaries to keep issue in public eye.

- Work with immigration groups, states; others? - NACO, USCOM

Bucket

Next Steps → leg discussion next time

Citizenship wait

Sponsorship ~~reg~~ study
 Disab reg

Handouts

- ✓ 3 pager
- ✓ Q+A sideways
- ✓ NBA
- ✓ SSA list
- Florida
- Articles: LA Times, wire

VP 3/3
 1st #5 - wait

NACO 2/28
 NCSL leadership 3/5
 Dem Gov stat.
 - Fla
 Briefing - bipartisan
 Govs

Health Care - gim up

R Govs - beh scenes
 end of month - VP doing
 NACO etc - Emily

- SSA can do by region
 - states, region
 - Urban helpful

Public Liaison Woolley
 6 255

- Conf calls w/ Mayors, etc
- Conf calls w/ apps via public liaison
- Approp holdup? Steve sez no

*Nicki problem:
 no sib #5
 on per cap
 on DSH, why
 only got thing

Block grant
 HC - Irene
 Kids - Irene
 Disab - Q&A bars vs. deeming
 1 - Kids
 2 - Refugee
 3 - Kids/Medicaid
 4 - Defense
 5 - Strives
 PCS → TANF surplus

Disab reg

* Deadline
 of cuts

FS: checking dates
 radio address; spokesman

Specs

COB to m.

→ Why not hold sponsors / exempt delinquent?

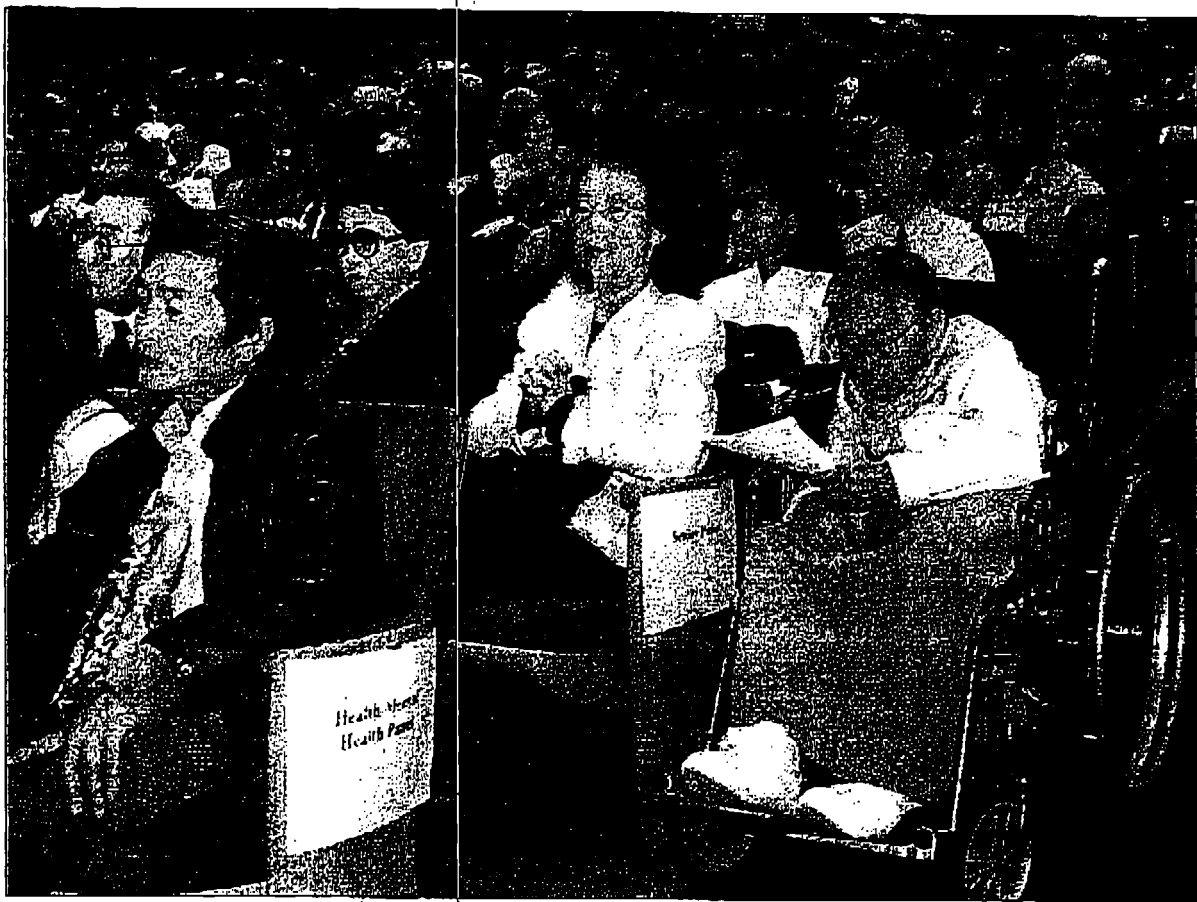
→ Why not elderly?

→ Not that poor (non-sponsors)

→ 580%

→ block grant

→ TANF surplus - all purpose bank



Photos by MARIO G. REYES for Shingo

Hundreds of Asian Pacific Islanders pack County Hall of Administration to share their stories on how welfare reform will shatter their lives.

Immigrants Tell of Hardship, Need to Save Federal Aid

Dozens deliver poignant testimonies on impact of welfare reform and difficulty with passing citizenship exam while urging state legislators to save SSI benefits.

By JULIE HA
RAFU STAFF WRITER

They came and told their stories. They were the 54-year-old veteran of the South Vietnam army who endured 10 years of psychological and physical abuse in prison camp. Since his arrival in the United States in 1991, he has had difficulty learning English, acculturating and finding steady work. He suffers from chronic depression and flashbacks.

He is trying hard to prepare for the citizenship test, but is afraid he will not pass and will lose his Supplemental Security Income, which he depends on.

They were the 16-year-old Cambodian American whose family receives Aid to Families With Dependent Children (AFDC) and SSI. The high school student, who lives with her 7-year-old sister and mother, testified that her mother, who lost siblings to the violence of the Khmer Rouge, suffers from diabetes and depression and once attempted suicide.

Her mother now receives mental health treatment and SSI, so the teenager said she has been able to focus on her studies and get straight A's in school. But if her mother gets cut off from SSI, she worries that her dream to attend college, become an advertising executive and get her mother off public assistance will never come true.

These were just a few of the emotional testimonies given by about two dozen Asian Pacific Islanders during a legislative hearing Friday on the impact of welfare reform on the API community. Hundreds of Asian Pacific Islanders packed the hearing room at the County Hall of Administration, many bused in from various ethnic enclaves in the Los Angeles region, to urge state legislators to save their benefits.

Some who came to testify became so overcome with emotion that they could not get through their testimonies and had interpreters read their statements.



Miya Iwataki, left, and Warren Furutani, listen to testimony along with Sen. Richard Polanco, background, who chaired forum.

the Asian Pacific Policy and Planning Council (APPPCON) and attended by state legislators Richard Polanco, Antonio Villaraigosa, Robert Hertzberg and Tom Hayden. Congressman Xavier Becerra also made an appearance. State legislators Diane Watson, Louis Caldera and Hilda Solis, who were not in attendance, also co-sponsored the hearing.

"We're putting a face on the issue of welfare reform from the Asian Pacific Islander community," explained Warren Furutani, president of the Asian Pacific Policy and Planning Council. "We want to let the community know and the legislators know that these people are being affected."

"And these are folks who have all played by the rules and now (the government) is changing the rules."

Most of those testifying were concerned about losing SSI, which is cash assistance to the elderly, blind and disabled. The federal program, previously available to legal immigrants, will be discontinued starting this year for those without citizenship and who do not meet certain exemptions, as a result of the welfare reform law passed by Congress and President Clinton last August.

Legal immigrants comprise about 5 percent of welfare recipients, but account for 44 percent of the savings brought about through welfare cuts under the new law. Some 243,700 legal immigrants in California will be eliminated from the SSI program, according to state estimates. But according to Gov. Pete Wilson's office, about 160,000 of these legal immigrants are expected to naturalize and become

However, many who appeared before Friday's hearing expressed their difficulties in attaining citizenship because of their old age, language difficulties, disabilities or mental illness.

Chul-in Paek, an immigrant from Korea, said he and his wife came to America to provide a better education and opportunities for his two children. He and his wife opened a restaurant in Koreatown which was doing well for three years until it was burned down during the 1992 Los Angeles riots. Since that time Paek has suffered from anxiety, depression and seizure disorder.

"Although I applied to become an American citizen in October, 1996, I worry constantly about the citizenship exam and English test because my memory and concentration are too impaired for me to study for the citizenship test," the 59-year-old explained through an interpreter.

"The thought of losing SSI and Section 8 Housing benefits due to not being able to get citizenship exacerbated my seizure disorder several times during the past few months to the point I had to be hospitalized in December."

Paek said that as a legal immigrant he worked hard and paid taxes while healthy.

"Before 4-29-92 I was working and owned a restaurant, but after that, the restaurant went down in flames," he said. "Now I am disabled and the government is stopping benefits. I'm worried about my daily survival."

Following the riots, Paek said he felt abandoned by the government and now "I feel I'm betrayed by the government again."

said of him and his wife who has been unable to maintain a steady job. "If we lost that, we don't know how we're going to live."

Jun Shin, a psychiatric mental health nurse at Asian Pacific Counseling & Treatment Centers, said there are many cases like Paek's. Her clients are alarmed by the pending cut-off of government aid.

"The clients who were improving in their conditions are now getting worse over concerns with this discontinuance (of public assistance)," she said. "Some patients have expressed suicidal wishes. This is a major concern for our community."

Shin said almost every one of these clients, because of their cognitive functions and memory impairment, have difficulty passing the citizenship exam to avoid loss of benefits.

After listening to over three hours of testimony, state legislators thanked members of the API community for coming forward with their stories and urged them to continue voicing their concerns to public officials.

"It's very important we convene like this and begin the process of building coalitions to get our voices heard," said State Assembly majority leader Villaraigosa.

"The API communities, along with many other communities, immigrant and non-immigrant, are extremely disappointed and outraged over the passage of the federal welfare reform law," commented Sen. Polanco. "Ultimately, the state of California will develop and implement the welfare reform plan. For the record, let it be known Wilson's reform plan is not acceptable and it will be rejected."

Polanco's remarks were met with applause from the audience.

While Wilson's proposed welfare reform plan aims to keep Medicaid and Temporary Aid to Needy Families, formerly called AFDC, for legal immigrants who were in this country before the new welfare law was passed, it does not reinstate the state equivalent of SSI aid nor address the loss of Food Stamp benefits previously funded by the federal government.

Or as 71-year-old Sagaia Sue of Long Beach testified, "This translates into, 'You may now live on the streets, but you can still go see the doctor.'"

"Without SSI, we will surely end up on the streets," she said.

RAFU SHIMPO FEB 1, 1997

Hearings

From Page 1

Under his budget plan, Wilson also seeks to do away with the provision in the state Constitution which mandates the county to serve as the last resort safety net for the poor through a program known as General Assistance. It is a move many Democratic lawmakers are opposing.

"We need to fight the policies of Gov. Wilson and others that promote a backlash against immigrants," remarked Sen. Hayden, who will be running in Los Angeles' mayoral race this spring. "We need to say that their position is hypocritical because they promote economic conditions in which immigrants are all too often their cheap labor."

"We need to point out to taxpayers the public safety and the public health implications of eliminating the safety net for hundreds of thousands of people."

While Friday's hearing was non-partisan, only Democratic lawmakers showed up.

"We did contact Republican legislators and asked them to come," said Miya Iwataki of APPPCON who co-chaired the hearing. But

apparently some staff members of Republican legislators had trouble getting past stereotypes of the API community.

When Iwataki told one staff member that there were many Asian Americans in that Republican legislator's district, the person replied, "Yes, there are a lot of Asians in the district, but I can guarantee you none of them are on welfare."

"The Asian Pacific American community needs to have a voice on welfare reform and to show that we're not all rich folks," said Iwataki. "When we talk about empowering the community, ... putting a face on public assistance, I think we really accomplished that today."

Organizers of yesterday's hearing said they plan to take these testimonials, as well as recommendations to address the new welfare reform law to Sacramento next month.

On the federal level, President Clinton plans to reinstate \$13 billion of the \$24 billion cut in benefits to legal immigrants. But Congressman Becerra at the hearing noted that it will be up to people in the API and other communities to make their voices heard because as of now "the votes are not there in Congress" to support this move.

Welf Strategy

2/18/92

50 states visit

7 states rec'd

Matrix - how go beyond - meeting on this
(early Mar - MI for ednc)

1 million new jobs by state, he wants
Don did #5

Bus, churches, non Q-Lyn
CEA did algo; P quoted
Alignen to do legis / Nexus see

Q+A

→ An Gene + Melissa
Q+A - was
let USDA know
what to say
Elena

Sample state next wk - HHS see

Min wg - POL see org labor
may... Post
send to private

8:30 am - min wg / welf - phony
Geoph has a bill
WPost - wait till Jan +
combine w/ TX

→ C's study 3/1 - ~~st~~ collections up?
Rept to Congress - \$, rat ext

Legal Imm Strategy

- sell; hvnt sold to our left
- Who?
- Regis + Comm
- Our side don't think we care
- Coalition did algo - 2 yr delay
→ vs Govs - BR JKA

Date: 02/15/97 Time: 08:27

IGovernment notifying legal immigrants of benefit cuts

WASHINGTON (AP) The federal government is notifying hundreds of thousands of low-income elderly and disabled legal immigrants that they are losing Social Security benefits.

Letters going out to the immigrants result from last year's welfare overhaul requiring cuts in assistance that take effect in August and September.

Immigrant-advocacy groups are worried.

"One of our greatest fears is that the United States will have a rash of suicides among the very old and disabled immigrants who are left without any source of income or medical care," Catholic Charities official Sharon Daly told a House subcommittee this week.

Between now and the end of March, the Social Security Administration is mailing out 900,000 letters informing legal immigrants of their status under the Supplemental Security Income program.

The Republican-crafted welfare law President Clinton signed last year will cut off disability benefits to as many as 500,000 of the 803,000 noncitizens now drawing assistance.

SSI provides an average of \$425 a month in aid for poor people who are elderly, blind or disabled. Until now, this help has gone to citizens and legal immigrants alike.

"For many individuals, this is the sole means of support," said SSA spokesman Phil Gambino.

Seeking to put a face on the cuts, immigrant advocates point to individual hardship cases:

A 71-year-old Cuban woman whose U.S. citizen husband died in 1995, leaving her in poverty. Her lack of English and deteriorating physical and mental condition make taking the citizenship exam a virtual impossibility, and her ailing daughter is unable to care for her.

A 53-year-old woman who fled Vietnam's communist regime in 1975, relocating to California with her husband and three children. After hospitalization for mental illness, she lost touch with her family. "If I lose my SSI benefits, I will not be able to pay my rent and will be out in the street," she told an advocacy group.

Authors of the welfare law acknowledge the human impact of the policy changes. But they say it was imperative to rein in SSI's costs, which have swelled in part because of the growing numbers of noncitizens on the program's rolls. The number of immigrants on SSI grew fivefold between 1982 and 1994.

Nearly one in four elderly noncitizens received SSI in 1994, compared with one in 25 of the elderly born in this country.

"It shows how the immigrants are really coming here and using the U.S. as a retirement program," said Rep. Clay Shaw, R-Fla., chairman of the House Ways and Means human resources subcommittee.

Most immigrants must have a sponsor to gain legal residence here. Sponsors must sign an affidavit of support pledging that the newcomers will not become a public charge.

The SSI cuts will hit hardest in California, New York, Florida, Texas, Illinois and Massachusetts, where nearly three-quarters of those affected are clustered.

Exempted from the cuts are legal immigrants with military service, as well as their spouses and dependents; those who can prove they worked at least 10 years here; and refugees and those granted asylum for their first five years in the United States.

But in the confusion over who's in and who's out, both the government and immigrant-service providers are bracing for an onslaught of calls.

``We're already beginning to hear from the community groups ... about the sense of disbelief and panic that people are feeling,''' said Muriel Heiberger, head of the Massachusetts Immigration and Refugee Advocacy Coalition in Boston.

``People are going to be in absolutely desperate straits,''' she added. ``This is the money they have to pay rent, to buy prescription medication, to buy the basics for survival.'''

In his 1998 budget submission to Congress, Clinton proposed restoring welfare benefits for legal immigrants disabled or blinded after they entered the United States, and for disabled immigrant children.

Congressional Republicans are unwilling to reopen the welfare law which also denies food stamps to noncitizens but may consider cushioning the impact by giving block grants to high-immigrant states.

APNP-02-15-97 0834EST

36.2.16 PROVIDE PUBLIC ASSISTANCE TO SOME LEGAL IMMIGRANTS AND REFUGEES. THE GOVERNORS RECOGNIZE CONGRESS' WELL-INTENTIONED EFFORTS IN REGARD TO LEGAL IMMIGRANTS AND AGREE THAT SPONSORSHIP REQUIREMENTS CAN HELP PREVENT IMMIGRANTS FROM BECOMING PUBLIC CHARGES. HOWEVER, THE PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 THAT DENY CERTAIN BENEFITS TO THIS POPULATION, ~~BOTH RETROACTIVELY AND PROSPECTIVELY~~, REPRESENT A considerable COST TRANSFER TO some STATE AND LOCAL GOVERNMENTS. THE GOVERNORS ARE PARTICULARLY CONCERNED ABOUT THE EFFECT OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 ON IMMIGRANTS WHO WERE IN THE UNITED STATES ON THE DATE OF ENACTMENT, BUT WHO CANNOT MEET THE CITIZENSHIP REQUIREMENT BECAUSE OF AGE OR DISABILITY. *The nation's Governors urge Congress and the administration to work in partnership with the National Governors' Association to ensure that the immigration system and its requirements are fair to both citizens and noncitizens and meet the needs of aged and disabled legal immigrants who cannot naturalize and whose benefits may be affected. The Governors further believe that an equitable solution to this issue could be achieved without reopening the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. We look forward to working cooperatively with Congress and the administration to decide the appropriate vehicle.* ~~THESE INDIVIDUALS SHOULD NOT BE BARRED FROM FEDERAL SSI BENEFITS AND FOOD STAMPS.~~

EVEN THOUGH MANDATES HAVE BEEN TERMINATED AND STATES HAVE BEEN GIVEN THE OPTION TO ESTABLISH ELIGIBILITY FOR TANF, MEDICAID, AND SOCIAL SERVICES, IT IS NOT CLEAR THAT THE JUDICIAL SYSTEM WILL PERMIT STATES TO BAR REFUGEES AND OTHER LEGAL IMMIGRANTS WHO ARE IN NEED FROM CRITICAL SERVICES PROVIDED TO OTHER RESIDENTS OF THE STATE. STATES COULD BE REQUIRED TO SUSTAIN BENEFITS, AT LEAST DURING AN INITIAL PERIOD OF JUDICIAL DELIBERATION.

FURTHER, we call upon Congress and the administration to consider whether THOSE INDIVIDUALS WHO ARE RECEIVING FEDERAL BENEFITS AND HAVE SUBMITTED AN APPLICATION TO NATURALIZE SHOULD CONTINUE TO BE ELIGIBLE TO RECEIVE THOSE BENEFITS WHILE THEY ARE PARTICIPATING IN THE APPROXIMATE SIX- TO NINE-MONTH NATURALIZATION PROCESS.

Governors, Congress, and the administration should work together to identify the appropriate mechanism to address those aged and disabled refugees who are unable to become citizens. ~~AGED AND DISABLED REFUGEES SHOULD NOT BE BARRED FROM FEDERAL SSI BENEFITS AND FOOD STAMPS AFTER FIVE YEARS OF RESIDENCE.~~ THE NEW WELFARE LAW NO LONGER

PROVIDES FEDERAL BENEFITS TO THIS POPULATION AFTER FIVE YEARS AND SHIFTS THE RESPONSIBILITY TO STATES TO DECIDE WHETHER TO PROVIDE STATE BENEFITS TO THESE REFUGEES ADMITTED TO THE COUNTRY BY FEDERAL POLICY. THE AGED REFUGEES, IN PARTICULAR, CONFRONT EXTRAORDINARY DIFFICULTIES IN BECOMING CITIZENS, E.G., INABILITY TO PASS THE TESTS OR LOSS OF DOCUMENTS. UNLIKE LEGAL IMMIGRANTS, REFUGEES DO NOT HAVE SPONSORS. EVEN THOSE REFUGEES ABLE TO NATURALIZE WOULD BE IN JEOPARDY FOR A SIX- TO NINE-MONTH PERIOD DURING THE PROCESS OF APPLYING FOR NATURALIZATION.

BECAUSE IMMIGRATION AND REFUGEE POLICY IS UNDER THE SOLE JURISDICTION OF THE FEDERAL GOVERNMENT, THE GOVERNORS BELIEVE THAT THE FEDERAL GOVERNMENT MUST BE PREPARED TO BEAR THE COSTS OF SUCH POLICY.

36.3 PROGRAMS TO SUPPORT WELFARE REFORM

36.3.1 EARNED INCOME CREDIT (EIC). THE GOVERNORS HAVE SUPPORTED EFFORTS TO MORE NARROWLY TARGET EIC. THE EARNED INCOME CREDIT SHOULD BE ADJUSTED OVER TIME SO THAT WITH FOOD STAMPS, A FAMILY OF FOUR WITH A FULL-TIME, YEAR-ROUND WORKER WILL BE BROUGHT UP TO THE POVERTY LINE. ADMINISTRATION OF EIC SHOULD BE SIMPLIFIED, OUTREACH AND EDUCATION TO ENSURE FULL PARTICIPATION SHOULD BE EXPANDED, AND WORKER CHOICE REGARDING THE FREQUENCY OF PAYMENT SHOULD BE PRESERVED. EMPLOYERS SHOULD BE ENCOURAGED TO ADVANCE EIC TO QUALIFIED EMPLOYEES. STATES SHOULD BE ALLOWED TO ADVANCE EIC TO THOSE ELIGIBLE INDIVIDUALS, INCLUDING THOSE ON PUBLIC ASSISTANCE.

36.3.2 JOB DEVELOPMENT/JOB CREATION. AS JOBS ARE CREATED IN THE ECONOMY THROUGH VARIOUS MEANS, EVERY EFFORT SHOULD BE MADE TO ENSURE THAT EMPLOYMENT IS AVAILABLE TO THOSE MAKING THE TRANSITION FROM WELFARE TO WORK. THE PRIVATE SECTOR, THE MAJOR SOURCE OF NEW JOB OPPORTUNITIES, SHOULD BE ENCOURAGED TO TRAIN WORKERS AND TO HIRE THOSE RECIPIENTS WHO ARE READY TO WORK. GOVERNORS ARE INTERESTED IN WORKING WITH THE PRIVATE SECTOR TO IDENTIFY THE STRATEGIES THAT ARE MOST SUCCESSFUL IN CREATING JOBS FOR WELFARE RECIPIENTS. GOVERNORS ALSO ARE INTERESTED IN WORKING WITH THE PRIVATE SECTOR TO DEVELOP PROGRAMS THAT WILL ENHANCE JOB RETENTION AND PROMOTION, PROVIDE ON-THE-JOB TRAINING, AND PROVIDE ON-SITE CHILD CARE. GOVERNORS SUPPORT REMOVING OBSTACLES THAT MIGHT IMPEDE PUBLIC-PRIVATE PARTNERSHIPS THAT PROVIDE OPPORTUNITIES FOR PEOPLE TRANSITIONING FROM WELFARE TO WORK.



LAWTON CHILES
GOVERNOR

STATE OF FLORIDA
Washington Office

444 NORTH CAPITOL STREET
WASHINGTON, D.C. 20001
(202) 624-5885

DEBORAH K. KILMER
DIRECTOR

MEMORANDUM

TO: Florida Congressional Delegation

FROM: Debby Kilmer *DKK*

SUBJECT: Federal Benefits for Legal Immigrants

DATE: February 13, 1997

Attached is an information packet released today by the Governor's Office in Tallahassee in response to many inquiries about the Florida impact of the legal immigrant restrictions contained in the new welfare reform law (Public Law 104-193). The Governor's Office in conjunction with many of the State's relevant agencies has compiled the unduplicated numbers contained in the packet from Florida participation rates in federal programs of Food Stamps, Medicaid and welfare assistance which the State administers. The SSI numbers are from the Social Security Administration as the State does not administer this program for low-income elderly and disabled nor does it have any access to participant numbers.

These are unduplicated numbers as most legal immigrants receive more than one federal benefit. However, the numbers are "fluid" as Florida's welfare rolls and naturalization rates are changing monthly. According to the INS, at last count there were approximately 130,000 persons naturalized in Florida last year at an average rate of 20,000 per month. These numbers have been factored into the attached Florida impact numbers, including the SSI numbers according to the Social Security Administration.

I hope this information is helpful to you. Please don't hesitate to contact us if we can provide further assistance. We are hoping to conduct a briefing on this issue in the near future for your staff with appropriate state officials.

attachment

FEDERAL WELFARE REFORM

Effects on Legal Immigrants

IMPACT ON INDIVIDUAL LEGAL IMMIGRANTS IN FLORIDA

The 1996 federal welfare reform law denies public assistance benefits to many legal residents who have not attained U.S. citizenship status. This federal policy change will have a profound impact on Florida. There are an estimated one million legal immigrants in Florida and approximately 175,000 receive one or more federal benefits. More than 100,000 legal immigrants in Florida are expected to lose benefits. Many of these residents are elderly. Under the federal welfare reform law, these residents will lose more than \$300 million in federal benefits that help to pay for food and living expenses.

- **Supplemental Security Income (SSI):** An estimated 54,000 of Florida's legal immigrant residents will lose SSI -- a primary source of income for many elderly, infirm or disabled legal immigrant residents.

Value of Lost Monthly Federal Benefit Per Person: \$342

Annual Federal Benefit Loss to Florida: \$220 Million

- **Food Stamp Benefits:** Nearly 98,000 Florida residents will lose food stamp benefits.

Value of Lost Monthly Federal Benefit Per Person: \$76

Annual Federal Benefit Loss to Florida: \$89 Million

- **Medicaid:** More than 3,000 legal immigrants will lose coverage which pays for medical care.

Value of Lost Monthly Federal Benefit Per Person: \$85

Annual Federal Benefit Loss to Florida: \$3 Million

- **Temporary Assistance to Needy Families:** An estimated 500 residents not covered by the state option to extend cash assistance to needy legal immigrants will lose temporary assistance to needy families.

Value of Lost Monthly Federal Benefit Per Person: \$93

Annual Federal Benefit Loss to Florida: \$561,000



Revised: 2/13/97

FEDERAL WELFARE REFORM

Effects on Legal Immigrants

FISCAL IMPACT ON FLORIDA

- **Cost Shift to Florida:** Florida's state and local governments may have to fill the vacuum left by the elimination of federal assistance and restore benefits to current legal immigrants.

Estimated Cost of Lost Federal Benefits: more than \$300 million per year

Total Estimated Lost Economic Output: More than \$530 million

Total Estimated Lost Earnings: More than \$130 million

Total Estimated Job Loss: More than 4,700 jobs

- **Cost of Exercising State Option:** Florida has exercised a state option to continue providing Temporary Aid to Needy Families (TANF) and Medicaid to eligible legal immigrants.

Number of Legal Immigrants Covered Under TANF: 19,000

Total Cost Absorbed by Florida to Extend TANF: \$21 million

Number of Immigrants Extended Medicaid Coverage: More than 63,000

Total Cost Absorbed by Florida to Extend Medicaid: \$51 million

- **Federal Policy -- Florida's Burden:** Legal immigrants who arrive after August 22, 1996 are ineligible for most means-tested federal public benefits, including SSI and food stamps. Yet, federal law continues to guarantee admission to immigrants. Under the U.S.-Cuba Accords alone, some 20,000 immigrants will come to this country each year. It is estimated that 85 percent of these new arrivals will settle in Florida and the yearly cost to address their needs is estimated to be more than \$14.5 million.
- **Nursing Home Impact:** Since 54,000 residents will lose cash benefits, but retain Medicaid, it's estimated some may end up in nursing homes. Based on current health status surveys, more than 800 immigrants are likely to qualify immediately for nursing home admission.

Estimated Cost to Florida: \$29 million

- **Threat to Health:** Costs due to deteriorating health of immigrants who lose benefits are also expected to rise due to this cut in benefits.

Estimated Cost to Florida: \$36 million

- **Strain on State Services:** The Florida Department of Children & Families will have to determine Medicaid eligibility for non-citizens who lose Supplemental Security Income benefits. Before the change in federal law, SSI eligibility was determined by the Social Security Administration and Medicaid eligibility was automatic for SSI recipients.

Increased State Workload: 54,000 cases

Estimated First Year Cost to Florida: \$16 million



Revised: 2/13/97

STATE OF FLORIDA • EXECUTIVE OFFICE OF THE GOVERNOR

NUMBERS

FEDERAL WELFARE REFORM

Effects on Legal Immigrants

IMPACT ON FLORIDA'S COMMUNITIES

- **Shock to Elder Care Services:** With many elder immigrants losing Supplemental Security Income, charitable and community homes for the elderly may suffer a loss of revenue. Currently, such homes receive these payments to defray the cost of care.
- **Strain on Public Hospitals:** Immigrants arriving after August 22, 1996, are ineligible for Medicaid and are likely to seek medical care from local non-profit hospitals like Miami's Jackson Memorial.
- **Increased Health Care Costs:** Deteriorating health status of immigrants due to loss of benefits to pay for housing, health care and food, are likely to increase the cost of managed care.
- **Threatened "Safety Net" Services:** New provisions regulating federal community development block grants restrict some community providers from serving immigrants.
- **Jump In Homelessness:** Nearly 70 percent of the state's legal immigrant population lives in Dade and Monroe counties. Currently, an estimated 8,500 homeless people live in Dade County. If 54,000 non-citizens lose basic financial support, Dade's homeless population could increase significantly.

Revised: 2/13/97

NUMBERS



FEDERAL WELFARE REFORM

Effects on Legal Immigrants

How many legal immigrants in Florida are impacted by changes in the federal welfare law?

More than 100,000 of the estimated one million legal immigrants living in Florida stand to lose benefits under changes in federal welfare law. Many of these legal residents are elderly or disabled.

How much do legal immigrants stand to lose under changes in the welfare law?

Florida's legal immigrants adversely impacted by federal changes in the welfare law will lose more than \$300 million in federal benefits. In many cases, these benefits help to meet food and living expenses.

What kind of benefits will Florida's legal immigrants lose?

Federal benefits that Florida's legal immigrants face losing include: Supplemental Security Income (SSI), 54,000 impacted; food stamps, 98,000 impacted; Medicaid, 3,000 impacted; and Temporary Aid to Needy Families (TANF), 500 impacted.

How could these legal immigrants escape losing their federal benefits?

Legal immigrants, except for those in certain exempted categories, will have to become U.S. citizens to continue receiving their benefits. To become a citizen, a person must be over the age of 18, lawfully admitted to the U.S., reside in the country continuously for five years, and have a basic knowledge of English, American government and U.S. history. Many of Florida's elder legal immigrants may have trouble meeting many of these requirements.

Who will fill the need for Florida's legal immigrants when they lose federal benefits under the new law?

Demand will be placed on Florida's state and local taxpayers to pick the yearly tab, in excess of \$300 million annually, to serve needy legal immigrants who lose federal benefits. Florida has already exercised the state option to continue providing Temporary Aid to Needy Families and Medicaid to many legal immigrants -- at a cost of \$72 million.

This change in federal law could place a significant burden on the delivery of social services in Florida. These changes could impact services for elders, place a strain on public hospitals, increase health care costs and put more people on the streets.

When do these changes in the welfare law take effect?

August 22, 1997 -- one year after President Clinton signed the welfare legislation into law. Until then, the Social Security Administration and the Florida Department of Children & Families will notify legal immigrants of the changes in the law and determine eligibility to continue receiving benefits.

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STATE OF FLORIDA - EXECUTIVE OFFICE OF THE GOVERNOR



FEDERAL WELFARE REFORM

Effects on Legal Immigrants

KEY TERMS

Asylee: A person who seeks asylum and is already present in the United States when he or she requests permission to stay.

Florida Department of Children & Families: Florida state agency charged with determining eligibility and delivering of public assistance benefits including Temporary Aid to Needy Families and Food Stamps. Also determines Medicaid eligibility.

Food Stamps: Federal program to provide nutritional assistance to needy individuals and families administered by the Florida Department of Children & Families.

Lawful Permanent Resident: An immigrant living in the U.S. who has met legal requirements to establish permanent residency.

Medicaid: Federal program to provide health care to needy individuals and families.

Naturalization: Process by which a foreign born individual becomes a U.S. citizen. Naturalization requires that the person be over 18, lawfully admitted to the U.S., reside in the country continuously for five years, and have a basic knowledge of English, American government and U.S. history.

Qualified Alien: Immigrants eligible for public benefits identified in the 1996 welfare reform legislation as: legal permanent residents; refugees; asylees; aliens paroled into the U.S. for at least one year; and certain abused spouses and children.

Refugee: A person who flees his or her country due to persecution or well-founded fear of persecution because of race, religion, nationality, political opinion, or membership in a social group.

State Option: Federal welfare reform law allows states to extend Medicaid, Title XX social services and Temporary Aid to Needy Families benefits to qualified aliens who were in the United States prior to August 22, 1996.

Supplemental Security Income (SSI): Federal program to provide cash assistance to certain elderly and disabled individuals who meet certain eligibility requirements.

Temporary Aid to Needy Families (TANF): A federal program that replaces Aid to Families with Dependent Children, providing temporary cash assistance to needy families subject to work requirements.

Revised: 2/13/97



FEDERAL WELFARE REFORM

Effects on Legal Immigrants

FLORIDA LEGAL IMMIGRANT DEMOGRAPHICS

Florida Legal Immigrants Likely to Lose SSI Benefits By Age

Age	Percentage Losing Benefits
49 and younger	14 percent
50 through 54	4 percent
55 through 64	10 percent
65 and older	72 percent

Source: Social Security Administration

SSI and Food Stamp Recipients Ineligible for Benefits

Age	SSI	Food Stamps
Under 65	15,047	62,087
65-74	17,838	17,277
75-84	14,171	12,525
85+	6,944	5,769
Total	54,000	97,658

Source: Florida Department of Children & Families

Revised: 2/13/97

PROFILES



FEDERAL WELFARE REFORM

Effects on Legal Immigrants

KEY DATES IMPACTING FLORIDA'S LEGAL IMMIGRANTS

August 22, 1996: President Clinton signs welfare reform legislation into law. Legal immigrants, except for certain exempted categories, who enter the United States after this date are ineligible for most federal public benefits programs.

February 3, 1997: The first 5,000 to 7,000 letters go out to legal immigrants in Florida notifying them to contact the Social Security Administration to determine whether they are eligible for federal Supplemental Security Income (SSI). Another mailing, of similar size, will take place about once a week for eight weeks. These mailings will include information about appeal rights and instructions on how immigrants can become U.S. citizens and remain eligible for benefits.

Mid-February, 1997: Redetermination meetings for SSI recipients begin. Once eligibility has been determined, recipients may appeal and if their appeal is properly filed, they will continue receiving benefits while the appeal is considered.

Early March, 1997: The Florida Department of Children & Families notify food stamp recipients that they need to meet with a caseworker to determine eligibility. Those found ineligible to participate in the program will receive notices later that they will lose their food stamp benefits.

March 28, 1997: The Social Security Administration mails out final group of letters to SSI recipients notifying them to come in to redetermine their eligibility to continue receiving benefits.

April, 1997: The Florida Department of Children & Families begins applying new restricted policies to legal immigrants who receive food stamps. These legal immigrants are required to have the Department of Children & Families redetermine their food stamp eligibility.

July - August, 1997: Those SSI recipients who have not responded to the Social Security Administration's first notice of possible loss of benefits will receive a second letter called "A Notice of Planned Action". This will serve as a final notice to SSI recipients to offer proof that they meet the requirements to continue receiving benefits.

July 31, 1997: The Florida Department of Children & Families is scheduled to have completed the food stamp eligibility redetermination process. It is estimated that nearly 98,000 legal immigrants in Florida will lose food stamp benefits.

August 22, 1997: Legal immigrants, except for those in certain exempted categories, will no longer be qualified to receive federal benefits. An estimated 54,000, 40 percent of whom are 75-years-old or older, will lose their primary source of cash income for rent and other purposes.

Revised: February 13, 1997

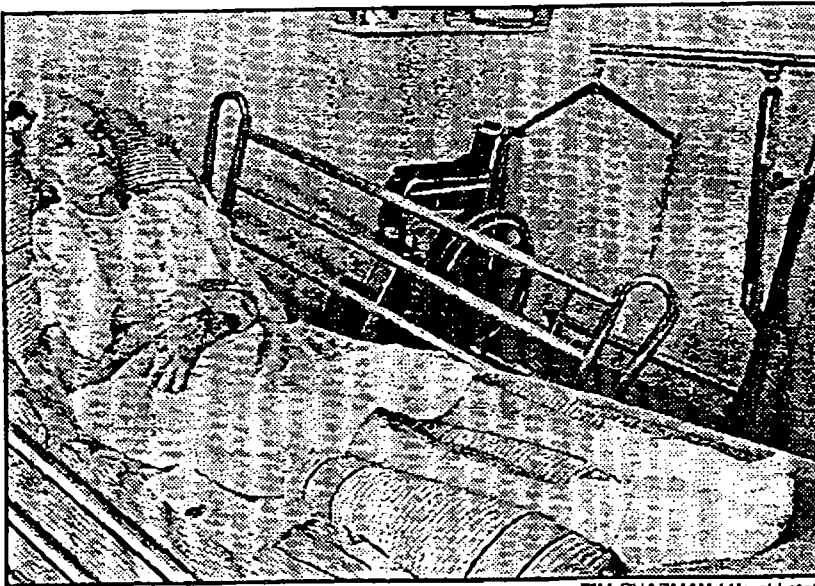


Undermine legal immigrants' safety net

nd care is unchanged. The 104th Congress and President Clinton welfare-reform law that most federal benefits to only. About 100,000 immigrants in Florida will lose more of the benefits they are now receiving. In total, legal immigrants in Florida will lose more than \$300 million in federal benefits.

In human terms, these numbers become more meaningful. Elderly refugees who came to this country seeking freedom from persecution may lose basic shelter. Immigrants who worked hard and paid taxes for years become disabled and may lose food stamps that help families.

I support welfare reform, but I strongly oppose this treatment. Welfare reform about forcing able-bodied people to work; it should



TIM CHAPMAN / Herald Staff

Benigna Garcia is seriously affected by the new federal welfare policy.

not force our old and disabled out into the streets.

I'm concerned about the devastating impact of cutting off assistance to legal immigrants. It is not just a Florida problem; it is

a national one. If Congress doesn't address this flaw, local communities, hospitals, and charities across the country will face a terrible struggle to assist these individuals.

The taxpayers in states with large immigrant populations — Florida, California, New York, Texas, Illinois, and others — will shoulder a disproportionate share of what should be a national responsibility. Florida taxpayers should not have to absorb this clear and unjustified shifting of costs to the states. Immigration is a federal responsibility. Under this law, the federal government appears to be saying that it will decide who comes to the United States, but after they arrive, the states will be solely responsible to pick up the tab to care for those in need.

For example, under the U.S.-Cuba accords, the U.S. government has agreed to allow the entry of at least 20,000 Cubans annually. They will be legal immigrants. While the majority will become self-sufficient taxpayers, some may become disabled or lose their jobs and need help some time in the future. Yet most immigrants arriving after August 1996 will not be eligible for such federal benefits as Med-

icaid, food stamps, or Supplemental Security Income. As the needs of these newcomers arise, Floridians will face demands to pay for uninsured hospital care, housing, food, and other needs.

In his State of the Union Message, Clinton urged Congress to restore benefits to legal immigrants who are elderly or become disabled. I applauded the president for hearing us on this issue. Now the Congress needs to listen. It must not shift a federal burden to state and local taxpayers. It must fix the situation.

I've fought for nearly two years to bring attention to this issue. I'm pleased that other governors are raising their voices, too. But we can't move Congress alone. We need your support. Contact your representative in Congress and let him or her know how devastating these cuts are to your community. It shouldn't take dramatic and tragic headlines to make Congress act. For Benigna Garcia, and thousands like her in our country, Congress must act soon.

Don't u

Lawton Chiles is governor of Florida. shelter, a Last year passed a signed a v restricts n citizens legal imm lose one c that they

BENIGNA GARCIA is 84, a Miami resident, and suffering from Alzheimer's disease. She can't walk or speak. For 30 years she has been a legal U.S. resident, but this year the federal government will take away her only income, the money that it has provided for her food and shelter.

Changes in federal welfare policy have placed many legal immigrants who are elderly or disabled at a crossroads. Suddenly Congress has told Mrs. Garcia and thousands of others that, because

they are not U.S. citizens, they are no longer eligible for most federal benefits. Ironically, she did apply for citizenship, but her application was denied because of her poor health.

Although federal law has changed, the great need for food,



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Non-citizens on SSI

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- What is definition of family for all these studies.

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Looking at number of aged non-citizens (over 65) on SSI rolls, what can we guess re:

- number in nursing homes - private and not.
- number in need of health care assistance at less than nursing home level.

contact: Jim O'Donnell (w/HCFR)

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- what costs of the frail elderly are not covered by Medicaid?
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Numbers given are: 135,000 refugees, asylees, deportation withheld on SSI rolls; increases 15,000 to 17,000 per year.

- Are these good numbers; ie. is OACT in agreement?
- How many years have those on our rolls been in the US?
- Compare our answers with INS knowledge.

contact: Bill Daly

6. What kind of breakouts can we do for noncitizens on SSI by state?

For example, do we know how many of the SSI non-citizens on our rolls in NY are from the former Soviet Union? How many in Florida from Cuba? How many Hmong?

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7. I was given a figure of 44% of immigrants enter this country without sponsors. Please check this figure with INS.

What is time period we are talking about? Who enters without a sponsor?

I am told certain "employment categories"... what categories, how might they end up on SSI?

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8. Immigration trends: Given that the number of noncitizens on SSI has increased from 3% in 1982 to 12% in 1996, how does this correlate to number of noncitizens in the US during that timeframe? How does IRCA amnesty relate to SSI numbers if at all?

Given that many of the SSI recipients came on the rolls as they turned 65 or older how does that relate to immigration trends during 1982 - 1996 timeframe?

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Can we break out by groups: Hmong, Soviet Jews, Cubans...

11. For those with sponsors, how soon after entry did they start receiving SSI? Break out by aged and disabled.

contact for 10 & 11: Bill Daly

12. Noncitizen child adopted by citizen parent, cannot naturalize until 18. Check that remains non-citizen after adoption.

contact: Susan Burnett

13. How many SSI noncitizens are married to citiizenz?

contact: Bill Daly - SSA
Ken Manella - Census
Golden - INS

14. Counties/Cities info - human services that these noncitizens will turn to are delivered at what level?

contact: Jim Golden

15. SLIAG - approps history, other difficulties in administering.

contact: Dave Whalin

16. Deeming agruments: everyone has assignment.

unforeseen accidents.
not all aged are disabled
everyone optimistic about their own parents
members of congress over 65.

ADMINISTRATION'S WELFARE REFORM LEGISLATIVE PROPOSALS AND THE NGA STATEMENT

Question: How much disagreement is there between the NGA and the Administration on revisions to the Welfare Reform law?

Answer: The Governors are now on record as recognizing that the cuts in benefits to legal immigrants are too harsh and need to be addressed. Their final position is in agreement with the Administration's proposal to exempt disabled immigrants, including the disabled elderly, from the SSI and Medicaid bans.

As the new welfare law is being implemented, the Governors are gaining a new appreciation of some parts of the bill that the President has had a problem with from the beginning -- those parts that are not related to putting people to work. This is particularly true of those Governors in states with large numbers of legal immigrants. They are now looking more carefully at their state budgets and the fact that many legal immigrants who are disabled, many in nursing homes, will lose their SSI and Medicaid over the summer. In addition to noting that these provisions are unfair, they can see the potential costs to their own state budgets if they make the decision to ameliorate those cuts.

Additional: In its final policy statement the NGA states on benefits to immigrants:

"The nation's Governors urge Congress and the Administration to work in partnership with the NGA to ensure that the immigration system and its requirements are fair to both citizens and noncitizens and meet the needs of aged and disabled legal immigrants who cannot naturalize and whose benefits may be affected. The Governors further believe that an equitable solution to this issue could be achieved without reopening the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

Question: Does the NGA support the Administration's Food Stamp proposals?

Answer: The NGA did not address the Food Stamp provisions in Welfare Reform. We believe that when the governors consider the President's proposals in this area they will be receptive. The Welfare law has provisions that are difficult to administer and punitive. It would cut off food assistance for childless adults even if the individual is looking for work. The budget would make work requirements real by giving the States new funding to support nearly 400,000 more work slots from 1998 to 2002, and by adding tough new sanctions for those who are offered jobs by the state but refuse to accept them.

G:\IMB\BUDBRIEF\FINALQ&A\NGA.

WELFARE REFORM: BENEFITS TO IMMIGRANTS

Question: Immigrants shouldn't be coming to the U.S. to get on welfare. Why does the Administration want to recreate the welfare magnet by giving benefits to immigrants?

Answer: Legal immigrants should have the same opportunity, and bear the same responsibility, as other members of society. The welfare law denies most legal immigrants access to fundamental safety net programs unless they become citizens – even though they are in the U.S. legally, are working and paying taxes and are responsible members of our communities. The Administration has always supported making individuals who encourage their relatives to emigrate to the United States more responsible for the immigrant's well being. However, as a nation, we should not turn our backs on anyone who has lost their ability to earn a living due to injury, disease or illness. Consequently, the budget proposes to make legal immigrants who become disabled after entering the United States eligible for SSI and Medicaid.

The budget would also provide poor immigrant children the same Medicaid health care coverage low income citizen children receive. Finally, the United States admits refugees and asylees into this country on a humanitarian basis. The Administration considers assistance for this population while they adjust to their new circumstances as decency rather than a "welfare magnet". The budget would lengthen the five year exemption for refugees from the ban to seven years in order to give them a more appropriate amount of time to naturalize.

Background:

- The Welfare Reform Act denied SSI to most legal immigrants currently receiving benefits and future applicants, affecting approximately 430,000 immigrants. The Administration's budget would continue SSI for legal immigrants who become disabled after they enter the country. This would maintain eligibility for 320,000 immigrants.
- The Act denied Medicaid to immigrants for their first five years in the country and after the ban would deem sponsor's income to the immigrant. The Administration's budget would continue Medicaid for legal immigrants who become disabled after they enter the country and legal immigrant children if their family is impoverished.

- The Act exempted refugees and asylees from the benefit restrictions for their first five year in the country. The budget would lengthen the exemption for refugees and asylees from 5 to 7 years. The 5 year exemption in the bill does not provide enough time for refugees and asylees to become citizens.
- The Act denied Food Stamps to most legal immigrants currently receiving benefits and future applicants, affecting approximately a million immigrants. Last year's Omnibus Consolidated Recissions and Appropriations Act delayed the ban from January 1 to April 1 to give immigrants in the process of naturalizing time to complete that process prior to having their benefits eliminated. Recognizing the effort that many are making to become citizens, the budget would extend the delay to the end of FY 1997.

Non-Citizen Notice Protest: The New York Immigration Coalition, formed last month to lobby Congress to repeal portions of the 1996 Welfare Reform legislation, has expressed concern about the notices SSA is sending to noncitizens. These notices are being mailed this month to approximately 900,000 noncitizens nationwide, more than 70,000 of whom are New York City residents. The notices explain the new SSI eligibility provisions. The coalition believes the notices will cause an unnecessary fear that all people losing SSI will also lose Medicaid coverage. (SSA)

Dredging Issues in New York/New Jersey Harbor: In July 1996, the Clinton Administration announced a plan to safely dispose of dredge materials from the New York/New Jersey Harbor, which includes closing the Mud Dump Site by September 1, 1997. EPA is working with the U.S. Army Corps of Engineers and the states of New York and New Jersey to implement short- and long-term solutions that address the problem of where to dispose dredge material from NY/NJ Harbor. (EPA)

New York Disaster Declaration Request: The Governor of New York requested a major disaster declaration on December 23, 1996, as a result of the TWA Flight 800 crash on July 17, 1996. The Governor's request is under review. Senators Moynihan and D'Amato have requested a meeting with Director Witt to discuss this issue. (FEMA)

U.S. Courthouse, Brooklyn: This project involves the demolition of an existing federal building, construction of a new court facility on that site, the renovation and restoration of a nearby historic Post Office building and an adjacent existing court structure. There is intense community opposition from a neighboring middle-income housing project, which perceives it as too tall/large. They have hired legal and environmental consultants and have heavily lobbied their congressional representatives. GSA is under extreme pressure to respond to the Judicial space emergency for this district. The Judicial conference has declared this project their top priority for FY97-98. (GSA)

Date: 02/18/97 Time: 16:01

CClinton urges churches to help find jobs for needy

NEW YORK (AP) President Clinton received unvarnished opinions about welfare reform today as he appealed to the nation's churches to provide the jobs needed to make the welfare law he signed a success.

Clinton visited historic Riverside Church in Harlem, which started a program for welfare recipients a month ago at Clinton's suggestion. He spoke with several of the church's 2,000 members, ranging from those on welfare to millionaire magazine publishers.

"This can be done and I need your help to do it," Clinton said. "It is part of all our mission in life to do this anyway."

But Clinton was told that the federal government can't expect the private sector to become an automatic safety net for millions of people who lack the skills for long-term employment. He was told that those leaving public assistance need training and education, so they won't always be locked into the most undesirable jobs.

"I've seen the women clean the toilets. It's horrid and it's demeaning," said Nilda Roman, who is part of Riverside's community working group.

Later, the president told the Business Enterprise Trust Awards luncheon that there are thousands of welfare recipients who are eager to work "and a painful number literally don't know the first thing" about holding a job.

"This country will never be what it ought to be if there are people who are literally beyond the message," Clinton said. "I believe we can do better."

Although he spent much of the day talking welfare, Clinton was also raising cash for Democrats at a \$1 million dinner before traveling to Boston later tonight.

The president said the problem of creating jobs for those coming off welfare would be eased if one person were hired by each of the 135,000 churches, synagogues and mosques that have more than 200 members.

However, Clinton warned that the steady job growth that the economy has experienced in recent years likely won't last. With the tax credits he has proposed and a willingness on the part of the private sector, he said, finding work for welfare recipients would be "a manageable problem."

Earl Graves, CEO of Black Enterprise magazine, called it "unrealistic and unfair" for Clinton to suggest that businesses "sacrifice profit margins in order to do the government's job." He said lasting jobs for those on welfare can be engendered only with a federal safety net and training for the unskilled.

"The involvement of the private sector ... is not a substitute for government-provided resources," Graves said. "Unlike the federal government, we can go out of business."

Clinton said the federal government will not totally withdraw its support from those who leave welfare for good. He cited an extra \$3.3 billion he earmarked in his fiscal 1998 budget plan for welfare-to-work efforts, and a plan to allow employers to claim a 50 percent credit on the first \$10,000 of a hired welfare recipient's annual wages for up to two years.

"I don't think it's accurate to say this bill destroys the safety net for poor people," Clinton said. "It will be a good thing if we make this work, but there is no automatic system for doing it and that's why we need your help."

APNP-02-18-97 1609EST

February 18, 1997

TO: Diana Fortuna

FR: Judy Chesser

RE: noncitizens on SSI issues

My staff has begun working on these questions.

- 3 pages follow -

Non-citizens on SSI

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Ken Manella - Census
Golden - INS

14. Counties/Cities info - human services that these noncitizens will turn to are delivered at what level?

contact: Jim Golden

15. SLIAG - approps history, other difficulties in administering.

contact: Dave Whalin

16. Deeming agruments: everyone has assignment.

unforeseen accidents.
not all aged are disabled
everyone optimistic about their own parents
members of congress over 65.

ATION

WEDNESDAY, FEBRUARY 17, 1992

Pelosi Backs Immigrant Citizenship Bill

55,000 people facing
cutoff live in Bay Area

By Aurelio Rojas
Chronicle Staff Writer

Conceding that Congress is unlikely to extend welfare benefits for thousands of elderly legal immigrants, Representative Nancy Pelosi yesterday said their fate may now ride on legislation and administrative decisions that would make it easier for them to become citizens.

Notices to about 1 million legal immigrants who receive Supplemental Security Income — a \$640 monthly grant for the poor, disabled and blind — are being mailed this month and next month informing them that their benefits will cease by August if they have not become citizens.

Pelosi, D-San Francisco, warned that thousands of elderly and disabled people caught in a bu-

reaucratic logjam could face homelessness unless federal officials remove obstacles that would allow them to become citizens in time and retain their benefits.

During a news conference at the Lady Shaw Senior Center in Chinatown, Pelosi said 55,000 of

Immigrants Sue in S.F. Over Citizenship Delays

SEE BAY AREA, PAGE A20

the SSI recipients who could lose their benefits live in the Bay Area.

"We need to take action now to protect thousands of elderly and disabled people from hunger, homelessness and despair," said Pelosi.

Because the Republican-controlled Congress has reacted coolly to President Clinton's \$15 billion proposal to extend disability and medical benefits for legal immigrants, Pelosi acknowledged that

their best hope may be a bill by Representative Patsy Mink, D-Hawaii.

The legislation would cut the long waiting period for citizenship applicants by allowing those who are at least 70 years old and have resided in the country for 20 years, or paid Social Security taxes for at least 40 quarters, to forgo literacy and civics tests.

Administratively, Pelosi and other Democratic leaders are calling on the Immigration and Naturalization Service to expedite the citizenship applications of elderly immigrants who face the loss of benefits.

They are also urging the immigration service to grant waivers of the English language and civics examination requirements for the physically and mentally disabled, and asking the Social Security Administration to continue benefits for people whose citizenship applications are being processed.



**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 INDEPENDENCE AVE., SW
WASHINGTON, D.C. 20201**

PHONE: (202) 690-6786

FAX: (202) 690-6351

OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION

**CONGRESSIONAL LIAISON OFFICE
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TO: Diana Fortuna

FROM: Irene B. Bueno

DATE: 3/6/97

FAX NO: 456-7028

**TOTAL PAGES
INCLUDING COVER): Part I of II 10 pages**

on DISK

Attached is the latest drafts of the Qs and As (including the TANF Surplus Q&A) and one pagers.

Please call me if you have any questions 202-690-6786.

Thank you.

DRAFT 3/6/97

TREATING LEGAL IMMIGRANTS FAIRLY

"We must join together to do something else, too, something both Republican and Democratic Governors have asked us to do: to restore basic health and disability benefits when misfortune strikes immigrants who came to this country legally, who work hard, pay taxes and obey the law. To do otherwise is simply unworthy of a great nation of immigrants." President Clinton, 1997 State of the Union.

Along with Restoring fair treatment of legal immigrants is a priority of this Administration. The welfare reform law drastically cuts benefits to low-income legal immigrants--many of them children, elderly, and people with disabilities who are unable to work through no fault of their own. These provisions have nothing to do with the real goal of welfare reform, which is to move people from welfare to work. Rather, they were cuts in Federal support to vulnerable populations that were added to welfare reform to save money.

- The President's budget proposal makes good on his promise to correct the harsh immigrant provisions that burden State and local governments and punish children and the disabled who cannot work. The welfare law denies most legal immigrants access to fundamental safety net programs unless they become citizens--even though they are in the U.S. legally, are responsible members of our communities, and in many cases have worked and paid taxes.
- The President's budget proposes to restore Medicaid and Supplemental Security Income (SSI) to legal immigrants who are either children or have become disabled after they entered the country. This country should support and protect legal immigrants and their families--people admitted as permanent members of the American community--when they suffer accidents or illnesses that prevent them from earning a living. Similarly, the country should provide Medicaid to legal immigrant children if their families are impoverished. The Administration also proposes to delay the ban on Food Stamps for legal immigrants from April 1997 until the end of September 1997 to provide time for immigrants who are in the process of naturalizing to complete the process. Finally, the budget proposes to extend the SSI and Medicaid eligibility period for refugees and asylees from 5 to 7 years.
- In January 1997, the National Governors Association agreed that the legal immigrant provisions of the welfare law represent a substantial cost shift to states, unfair treatment of vulnerable legal immigrants, and will divert financial resources from the job training and child care services which are necessary to move people from welfare to work. The NGA passed a resolution asking Congress and the President to work together to find a fair solution for both states and vulnerable legal immigrants without reopening the welfare reform debate. The President's proposal addresses the concerns of Governors and local government officials by restoring benefits to those who cannot work--particularly the children and the disabled -- without reopening the welfare reform law.
- The President's proposal would reinstate SSI eligibility for approximately 320,000 severely disabled legal immigrants, and would also restore Medicaid eligibility for about 195,00 of those 320,000 (FY 1998 estimates). In addition, the proposal restores Medicaid services to about 30,000 (FY 1998) non-disabled legal immigrant children. The total cost of these immigrant proposals is \$14.6 billion over 5 years (\$9.7 billion SSI costs, and \$4.9 billion Medicaid costs).

DRAFT 3/6/97

PROTECTION FOR IMMIGRANT CHILDREN

- The welfare reform law denies SSI and Medicaid to many legal immigrant children who become seriously ill, or have an accident and become disabled, and whose families fall on hard times. It also denies preventive services under Medicaid to legal immigrant children, likely leading to more costly health problems in the future. This policy threatens the health and well-being of a very vulnerable population--legal immigrant children of low-income parents who need medical services and/or cash assistance (if disabled), and cannot work their way out of need. We all lose if we deny future citizens the care and support that all children need.
- Specifically, the welfare reform law denies SSI to nearly all disabled immigrant children until they become naturalized citizens. The new law also denies Medicaid to nearly all immigrant children who enter the country after August 22, 1996 for a period of 5 years, and allows states to deny Medicaid to immigrant children already in the country. Finally, states can continue denying Medicaid assistance to immigrant children who enter the country after August 22, 1996 after the 5 year ban has expired, and they must implement new sponsor-to-alien deeming rules for immigrant children entering under new, legally binding affidavits of support which are expected to be available in May 1997.
- The President proposes to restore SSI and Medicaid coverage of legal immigrant children. Immigrant children would be exempt from the SSI and Medicaid eligibility bans, the state option to deny Medicaid coverage to legal immigrants, and the new deeming and sponsor liability rules. This proposal would, in FY 1998, protect SSI and Medicaid eligibility for about 8,000 disabled legal immigrant children, and ensure medical care for about another 30,000 non-disabled children. Existing program income eligibility rules are not effected; only legal immigrant children who are members of low-income families would be eligible for the restored SSI and Medicaid.
- The President's proposal does not undermine or "reopen" welfare reform. The welfare reform provisions denying assistance to legal immigrant children have nothing to do with the central goal of welfare reform: moving people from welfare to work. Instead, the President's proposal protects access to health care for vulnerable low-income children who are permanent members of this nation's communities, cannot work, and do not have any other means of health care. It also protects cash assistance for low-income immigrant children with severe disabilities. Finally, legal immigrant children under age 18 cannot become naturalized citizens unless both parents are citizens, or the surviving or custodial parent is a citizen. Therefore, unlike adult legal immigrants, children immigrants do not have an independent avenue to naturalization. For example, orphaned immigrant children must be adopted by a U.S. citizen in order to be classified as a citizen.
- About 8,000 disabled immigrant children will retain SSI and Medicaid, and another 30,000 non-disabled children will receive vital health care through Medicaid in FY 1998. The SSI and Medicaid costs associated with these immigrant children are about \$400 million over 5 years. This policy will ensure that low-income immigrant families with severely disabled immigrant children continue to receive a minimal safety net of SSI and Medicaid. It also guarantees that non-disabled legal immigrant children are protected by the Medicaid benefit package, which includes ongoing assistance for children suffering from chronic asthma, screening for developmental disabilities, and well-child and preventive care to prevent the need for intensive and costly care in the future.

DRAFT 3/6/97

EXTENDING ELIGIBILITY FOR REFUGEES

- As a nation of immigrants, this country has a long-standing policy to welcome to this country refugees and asylees who are fleeing persecution in their home country and to help them resettle in their new home.
- Under welfare reform refugees, asylees, and those whose deportation is withheld are exempt from the SSI and Medicaid eligibility restrictions for the first five years that they are in the U.S. However, after the 5 years, needy refugees and asylees are denied SSI benefits, and Medicaid coverage is a state option rather than guaranteed.
- The President's proposal would extend from 5 to 7 years the period of SSI and Medicaid eligibility for refugees and asylees. This extension would alleviate current hardships while providing elderly refugees an extra 2 years to learn English well enough to naturalize. This policy would cost about \$700 million over 5 years, and protect eligibility for about 17,000 refugees and asylees in FY 1998.
- Few refugees arrive with any financial assets that can be used for self-support. Refugees also do not have sponsors who have agreed to take care of them.
- Refugees and asylees need a longer eligibility period for assistance than other legal immigrants because of the circumstances that bring refugees and asylees to this country. Refugees and asylees come to the U.S. with a history of persecution in their country of origin. These individuals frequently experience greater difficulties putting their lives together and becoming self-supporting than other legal immigrants. About one-half of refugees speak little or no English at arrival; only about one-tenth speak English fluently.
- Elderly refugees are a particularly vulnerable group. SSI data indicate that of the estimated 58,000 elderly refugees who will lose their SSI eligibility in August/September 1997, 34,000 are aged 65-74, and 24,000 are aged 75 or older. An estimated two-thirds (38,000) of the 58,000 are severely disabled.
- Generally refugees and asylees may apply for citizenship after residing in the United States for 5 years. However the naturalization process takes up to a year. Therefore individuals who entered the U.S. as refugees, asylees, or who have had their deportations withheld will lose their SSI--and potentially their Medicaid--before completing the application process for citizenship, even if they apply for citizenship immediately after they meet the 5 year residency requirement. Also, most elderly refugees are not able to acquire sufficient English language capability in this period of time to pass the tests for citizenship.
- In refugee communities, the pending loss of SSI and Medicaid and the inability to become naturalized citizens is a major concern. Elderly refugees are terrified that they will be left destitute and homeless. There have already been some instances of suicide among elderly refugees due to the prospect of loss of benefits.

Draft 3/6/97

C:\word\whimm.Q&A

COST OF IMMIGRANT PROPOSALS

QUESTION:

How much does your Budget spend on giving immigrants welfare benefits?

ANSWER:

- ▶ The President's Budget assists those legal immigrants who, through no fault of their own, are unable to work: children and individuals who are disabled.
- ▶ The President's immigrant proposals total \$14.6 billion over five years FY 1998-2002, \$4.9 billion are Medicaid costs (see attached table). The President's budget seeks to:
- ▶ **Restore SSI and Medicaid eligibility for the disabled immigrants (\$13.7 billion SSI and Medicaid costs).** The Welfare law would discontinue SSI and restrict Medicaid benefits for legal immigrants including the disabled and children. The President's budget would continue to provide SSI and Medicaid for 320,000 legal immigrants who become disabled after they enter the country and exempt them from the deeming rules.
- ▶ **Restore Medicaid eligibility for non-SSI immigrant children (\$.2 billion Medicaid costs only).** The Administration's budget would continue Medicaid for approximately 30,000 immigrant children, if they are otherwise eligible, and exempt them from the deeming rules.
- ▶ **Extend the refugee assistance exemption period from 5 to 7 years (\$0.7 billion SSI and Medicaid costs).** The President's budget would lengthen the exemption period for refugees and asylees from 5 to 7 years. The 5 year exemption in the welfare law does not provide enough time for refugees and asylees to become citizens.
- ▶ **Delay the Food Stamp ban until the end of FY 1997 (\$0.2 billion - the cost of this proposal is not included in the overall immigrant proposal cost since the costs are incurred in FY 1997).** The Welfare law denies Food Stamps to most legal immigrants currently receiving benefits and future applicants, affecting a million immigrants. Last year's Omnibus Consolidated Appropriations Act delayed the ban from January 1, 1997 to April 1, 1997 to give immigrants in the process of naturalizing time to complete the process prior to having their benefits eliminated. Recognizing the effort that many are making to become citizens, this proposal would extend the delay to the end of FY 1997.

Draft 3/6/97

IMPLEMENTATION OF IMMIGRANT PROVISIONS**QUESTION:**

What is the status of the Administration's implementation of the immigrant provisions of the new welfare law?

ANSWER:

- ▶ This Administration has been working since the statute was passed to implement the immigrant provisions in a fair and nondiscriminatory manner.
- ▶ The immigration provisions of the new welfare law present a number of complex issues. We are interpreting many of the terms found in the statute and we will issue guidance shortly.
- ▶ Within my Department, we have been in close communication with our state partners to develop Medicaid guidance; to date we have already issued an update to the Medicaid Manual, as well as new regulations and policy letters to state Medicaid directors.
- ▶ In addition, the Administration on Children and Families has also issued interim guidance to help states implement some of the new requirements.
- ▶ We are working with the INS and DOJ to promulgate identity verification rules and the new affidavit of support so that we can properly enforce the new eligibility requirements (see the "Verification" question and answer for more details).

Draft 3/6/97

IMMIGRANTS WHO LOSE SSI--EFFECT ON MEDICAID ELIGIBILITY**QUESTION:**

Do immigrants who lose SSI lose Medicaid as well?

ANSWER:

- ▶ Not necessarily. The question of which immigrants retain Medicaid eligibility is a complicated one. The welfare bill specifically cuts off SSI cash assistance to qualified immigrants.
- ▶ Previously, receipt of SSI automatically made one eligible for Medicaid in most states. Therefore immigrants who lose their SSI and are not otherwise eligible for Medicaid, may well lose this coverage.
- ▶ In states that continue to cover immigrants in their Medicaid programs, some immigrants who lose SSI may fit into another Medicaid state optional eligibility group and therefore retain Medicaid. Specifically, states which cover individuals who meet SSI criteria but are not receiving the assistance may cover immigrants in this category.
- ▶ However, in the 21 states which do not currently offer this category of Medicaid assistance, immigrants who lose SSI will also lose Medicaid (see attachment). [As always, states could amend their plan to include this option, but coverage would be expanded to all individuals meeting the criteria, not just legal immigrants.]
- ▶ Of course, all states have the option to decide not to offer Medicaid to qualified immigrants.
- ▶ We are exploring both administrative and legislative possibilities to give states the most flexibility to cover immigrants.

*What about
our fix??*

Draft 3/6/97

21 STATES¹

Alabama
Arkansas
California
Connecticut
Delaware
Georgia
Illinois
Kansas
Kentucky
Louisiana
Missouri
Nevada
New Hampshire
New Mexico
North Carolina
Ohio
Oklahoma
Texas
Virginia
Wisconsin
Wyoming

7 STATES²

Alabama
Delaware
Louisiana
Nevada
New Mexico
Texas
Wyoming

. These are states that do not currently cover the optional group of "non-cash, SSI-like" individuals.

. These are states that would require a legislative solution (i.e., they do not currently cover either the optional group of "non-cash, SSI-like" individuals, or the medically needy).

Draft 3/6/97

STATE AND LOCAL IMPACTS OF NEW IMMIGRANT RESTRICTIONS**QUESTION:**

What is the impact of the new immigrant eligibility restrictions on state and local governments and other service providers?

ANSWER:*Rhetoric first*

- ▶ Similar to other estimates in this area, it is difficult to predict with any precision.
- ▶ However, CBO estimated total federal budget savings (through FY 2002) of nearly \$24 billion, and state and local governments will now have to decide how much of their own assistance they will provide to legal immigrants in order to replace this huge withdrawal of federal assistance.
- ▶ Even though states and localities are provided options to deny various assistance to legal immigrants similar to that enacted for federal programs, it is unclear whether they will take such a course. Many of the legal immigrants are likely to remain residents of the state and denying them fundamental safety net assistance will merely result in other costs such as increased public health threats, increased homelessness and hunger, etc.
- ▶ States (and localities) with large immigrant populations will be affected disproportionately by the new restrictions (e.g., California, New York, Texas, Florida, Illinois, New Jersey, and Massachusetts). See the attached state-by-state breakdowns of SSI recipients.
- ▶ Therefore, these provisions represent a significant cost-shift from the federal government to state and local governments.
- ▶ The Medicaid restrictions in particular, but also the SSI restrictions, will affect adversely the revenues of hospitals and other health providers (such as nursing homes and doctors) in high-immigrant communities.

Draft 3/6/97

UNDERMINING WELFARE REFORM – PROTECTING LEGAL IMMIGRANTS**QUESTION:**

Aren't you opening up the welfare reform bill with your immigrant proposals?

ANSWER:

- ▶ The President and I remain firmly committed to implementing the welfare reforms enacted last year.
- ▶ But the immigrant restrictions of the new welfare law had nothing to do with the central goal of welfare reform --moving welfare recipients from welfare to work. This is **not** an effort to "open up" welfare reform, it is an effort to restore benefits cuts that were attached to welfare reform and shouldn't have been part of the bill to begin with.
- ▶ Legal immigrants work hard, pay taxes and contribute to American society. Immigrant children and disabled immigrants who fall on hard times through no fault of their own should get medical and other vital assistance when they need it.



**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 INDEPENDENCE AVE., SW
WASHINGTON, D.C. 20201**

PHONE: (202) 690-6786

FAX: (202) 690-6351

OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION

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TO: Diana Fortuna

FROM: Irene B. Bueno

DATE: 3/6/97

FAX NO: 456-7028

TOTAL PAGES
INCLUDING COVER): Part II of II 8 pages

Attached is the latest drafts of the Qs and As (including the TANF Surplus Q&A) and one pagers.

Please call me if you have any questions 202-690-6786.

Thank you.

Draft 3/6/97

REFUGEE ELIGIBILITY EXTENSION**QUESTION:**

What accounts for the high welfare utilization rates among refugees?

*Not state
Don't refugees***ANSWER:**

- ▶ By definition, refugees and asylees are individuals who come to our country to escape persecution in their country of origin. These individuals have generally experienced war or other violent trauma and often need more time to put their lives together and become self-supporting than other legal immigrants.
- ▶ About one-half of refugees speak little or no English at arrival; only about one-tenth speak English fluently.
- ▶ Therefore, we believe refugees and asylees need a longer eligibility period for assistance than other qualified aliens because of the unique circumstances that bring refugees and asylees to the U.S.
- ▶ Specifically, refugees and asylees need an additional two years to address their special needs and to provide sufficient time to enable them to achieve stable self-support. The President's Budget proposal would extend refugees' eligibility for SSI and Medicaid benefits from 5 to 7 years.
- ▶ The longer time period is particularly important because more recent refugee populations have included larger numbers of older and elderly individuals who require a longer time to adjust.

Draft 3/6/97

NGA PROPOSALS AND IMMIGRANTS

QUESTION:

The Governors asked the Administration to work with them and the Congress to "meet the needs of aged and disabled legal immigrants who cannot naturalize," but specifically stated we did not need to reopen welfare reform to do it. Why then does the Administration propose to reopen welfare reform and make costly changes that would give welfare to immigrants?

ANSWER:

- ▶ The Administration is committed firmly to the major reform of the AFDC program enacted last year.
- ▶ But the immigrant restrictions of the new welfare law had nothing to do with the central goal of welfare reform --moving welfare recipients from welfare to work. This is not an effort to "open up" welfare reform, it is an effort to restore benefits cuts that shouldn't have been in the welfare bill to begin with.
- ▶ Legal immigrants work hard, pay taxes and contribute to American society. Immigrant children and disabled immigrants who fall on hard times through no fault of their own should get medical and other vital assistance when they need it.
- ▶ The Administration's immigrant proposals are responsive to the concerns noted by the Governors and we welcome the opportunity to work with them and the Congress to rectify some of the unfair burdens placed on immigrants.
- ▶ Our budget addresses the needs of immigrants disabled after entry by reinstating their eligibility for SSI and Medicaid; exempts all legal immigrant children from eligibility restrictions; extends SSI and Medicaid eligibility for refugees from 5 to 7 years; and delays the Food Stamps cut-off until the end of the FY 1997.
- ▶ These proposals would restore aide to these most vulnerable people who need assistance through no fault of their own.
- ▶ In addition, our proposal is responsive to the NGA statement that the immigrant provisions represent a significant cost shift to state and local governments. These provisions reduce the burden on states and local governments.

Draft 3/6/97

CUBAN/HAITIAN ENTRANTS

QUESTION:

Are Cuban/Haitian entrants eligible for assistance under the new welfare reform rules?

ANSWER:

- They are specifically eligible for the special refugee assistance programs under the Office of Refugee Resettlement.
- Even though Cuban/Haitian entrant status is not specifically included in the list of immigration categories which define who is a "qualified alien", most entrants have been given parole status for a period of at least 1 year or legal permanent resident status which does make them qualified aliens.
- If entrants are qualified aliens, they would be treated the same as other qualified aliens under the state eligibility options in TANF and Medicaid (if they entered the U.S. before enactment of the welfare law in August 1996), or denied TANF and Medicaid for 5 years after entry (if they entered after enactment in August 1996).
- Under welfare reform, Cuban/Haitian entrants are not specifically exempted from eligibility restrictions as refugees are

Background

Under bilateral agreement between U.S. and Cuba it is estimated that about 20,000 Cubans will be allowed to enter the U.S., the majority of whom will be parolees or legal permanent residents (i.e., qualified aliens), with an estimated 6,000-7,000 likely to be refugees.

Draft 3/6/97

MAKING SPONSORS RESPONSIBLE

QUESTION: Why shouldn't these immigrants -- disabled and children -- be taken care of by the sponsors who agreed to take care of them?

ANSWER:

- We agree that sponsors need to be held responsible and accountable.
- However, welfare reform makes most legal immigrants ineligible for [SSI and Food Stamp] assistance, even those who have never had sponsors or whose sponsors have died.
- In fact, recent INS estimates of all FY 1994 non-refugee immigrants found that nearly half-- or 44 percent--did not have sponsors.
- Also, sponsors of immigrants who arrived before welfare reform signed affidavits of support that are not legally binding and therefore do not obligate them to provide support or to reimburse for public assistance.
- The new law requires all family-based, and some employment-based, immigrants to have legally binding affidavits of support (which will be available in May 1997).
- Our proposal would exempt from these harsh new rules only those legal immigrants who become disabled after entry into the U.S. or legal immigrant children.
- Sponsors of legal immigrants who become disabled after entry have no possible way of planning for the costly care that results from a severe disability.
- We think it is unfair to impoverish such sponsors beyond regular program requirements for family income, or to withdraw assistance from disabled immigrants who have never had sponsors.
- Under the new deeming rules, not only must sponsors impoverish themselves so that immigrant family members are eligible for SSI and Medicaid assistance, but they are also liable to repay the amount of assistance received by such family members when these rules have made them least able to make repayments.
- Similarly, sponsors of immigrant children--like many working parents both citizens and legal immigrants--have difficulty maintaining affordable health insurance and will be overwhelmed by health care expenses arising from severe illnesses or injuries suffered by their children (for example, children who suffer from leukemia or serious head injuries).
- Denying Medicaid to legal immigrant children whose families have fallen on hard times threatens the health and well-being of an extremely vulnerable population, and likely leads to more costly health care in the future.

Legal Immigrant Strategy Group

February 26, 1997

Agenda

- Status of Paper; group to fine-tune

✓ Levin document OK?

✓ Potential upcoming events:

- NACO -- meet with them, VP?

- NCSL leadership in early March?

- Mayors conference call?

- Govs -- bipartisan, Dems

- Schedule big meeting with groups

- Conference calls through public liaison?

✓ Legislative strategy -- Becerra met w/

• Bucket? -- next wk

• Next meeting

- Lamm, Becerra, Lewis

- Matsui - wty for Wilson to complete; he won't

- Providers - public hosps, nsg homes - target list of members

- Blue Dogs Coalition budget

- Lunch Bunch Mod R's House

- Breau

- Abraham - quiet - prob w/ deeming - concede

Endorsements? Hard - countries - letter

* Irene - list of legislative proposals competing

* Need 18-50

* BR re imm vs fs

~~* BR re imm vs fs~~

* Wadley - give me gp list

* Media - Dennis - ethnic media

* Barbara - 1 pager

APWA 3/26

county #5 - Judy C

Monday - Shalala, Ken

also FS? No - conf call - following wk

- being diff later - 2 wks

no reason, just Chiles

special - Wed/Thurs

every Monday

+ education
+ Catholics + aging + kids + civil rts/lbs
Barbara re late next wk

*Levin*
URGENT

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 INDEPENDENCE AVE., SW
WASHINGTON, D.C. 20201**

PHONE: (202) 690-6786**FAX: (202) 690-6351**

OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION

**CONGRESSIONAL LIAISON OFFICE
ROOM 406G HUMPHREY BUILDING**

TO: Diana Fortuna 456-7028
Ken Apfel 395-5730
Judy Chesser 358-6074

FROM: Irene Bueno

DATE: 2/20/97

TOTAL PAGES INCLUDING COVER): ____

As you requested, attached for your review is the information we plan to send to Levin in response to his questions. Levin asked for this information by today but we plan to send the information on Monday.

Levin asked for 4 things:

1. Chart of effective dates of provisions relating to recipients and immigrants - See Attachment A.
2. Full and clear breakdown of the \$4.9 billion for Medicaid. See Attachment B.
3. Percentage of immigrations who are refugees broken down by state. We have information on AFDC (see Attachment D) but not on SSI. David Nielsen has been working with SSA staff to obtain this information. Judy - any help you can provide is appreciated.
4. Age of immigrants receiving SSI and Medicaid broken down by state. This information does not exist for Medicaid. We understand that SSA has this information. Judy - Please get this information to us and Levin.
5. We also attached welfare budget information for background - See attachment C. *not attached*

Please let me 690-6786 or Mary Bourdette 690-6311 know if you have any comments or questions.
Thank you.

ATTACHMENT A

ATTACHMENT B

DRAFT

PRESIDENT'S BUDGET -- IMMIGRANT FACT SHEET

Sponsored Immigrants

According to INS data on immigrants entering the country in FY 1994, 44 percent of all non-refugee legal immigrants *did not have sponsors* (this includes employment-based immigrants).

Clearly this percentage is likely to change with the new rules that require all family-based immigrants, and some employment-based immigrants, to have sponsors that sign the new legally binding affidavits of support that will be promulgated by INS and State Department in March 1997.

Program Costs

The immigrant proposals total **\$14.6 billion over 5 years** (not including the delay in the Food Stamp ban, which is FY 97 spending).

- **SSI costs are \$9.7 billion;**
 - \$9.2 billion related to exempting disabled immigrants from the ban/deeming; and
 - \$0.5 billion related to extending the eligibility period for refugees/asylees and aliens whose deportation is withheld from 5 to 7 years after entry.
- **Medicaid costs are \$4.9 billion;**
 - \$4.7 billion related to exempting disabled legal immigrant children and adults from the ban/deeming;
 - \$2.3 billion related to restoring Medicaid eligibility to current SSI immigrant recipients who will lose SSI due to eligibility ban, and will also lose Medicaid because they reside in one of the 14 states which do not currently have Medicaid plans that easily allow for coverage of non-SSI eligible individuals (see attachment);
 - \$2.4 billion related to restoring Medicaid eligibility to post-August 1996 legal immigrants who will lose Medicaid under current law 5-year eligibility ban, and most of whom will be subject to new deeming rules thereafter;
 - \$0.16 billion related to exempting non-disabled children from the 5-year ban/deeming; and
 - \$0.03 billion related to extending the eligibility period for refugees/asylees and aliens whose deportation is withheld from 5 to 7 years after entry.

DRAFT

Recipients

The President's Budget would continue to provide SSI and Medicaid to 320,000 legal immigrants who become disabled after entry, and to disabled children who will otherwise lose eligibility under current law.

It would also continue Medicaid coverage for about 30,000 non-SSI legal immigrant children.

Attachment

14 STATES¹

Alabama
Arkansas
California
Delaware
Georgia
Kansas
Kentucky
Louisiana
Nevada
New Mexico
North Carolina
Texas
Wisconsin
Wyoming

¹. These are states that do not currently have Medicaid plans that easily allow coverage of non-SSI eligible individuals.

ATTACHMENT D

AFDC QUALITY CONTROL DATA--IMMIGRANT RECIPIENTS

The attached data provide estimates of the number of all noncitizens receiving AFDC in FY 1995, broken down by refugees and all other immigrants, by state. These estimates are derived from the AFDC Quality Control (QC) data, which is based on a random sample of case files performed by each state for purposes of measuring "error rates". The actual number of case files sampled varies by state but is generally small, ranging from 300 in small states to 1,200 in larger states (about 2-3 percent of total case files). For purposes of the attached data these actual samples are "weighted" upwards to establish a final total estimate. For example, states with an estimated total of 1,000 immigrant recipients are based on actual sample data from about 20 cases. Therefore, the data is more reliable for states with higher estimates of immigrant recipients.

QC 1995 DATA FOR ALL ALIEN RECIPIENTS
WEIGHTED

TABLE OF STATE BY CITCODE

STATE (STATE) CITCODE (ALL ALIEN RECIPIENTS)

Frequency Row Pct Col Pct	ALL OTH ALIENS	REFUGEE/ ASYLEES	Total
ALABAMA	149.58 50.00 0.02	149.58 50.00 0.08	299.16
ALASKA	590.57 88.56 0.09	76.266 11.44 0.04	666.83
ARIZONA	6410.6 99.12 0.99	56.731 0.88 0.03	6467.4
ARKANSAS	54.536 100.00 0.01	0 0.00 0.00	54.536
CALIFORNIA	328807 79.07 50.67	27037 20.93 47.76	415845
COLORADO	1809.9 85.19 0.28	314.63 14.81 0.17	2124.6
CONNECTICUT	3805.4 82.80 0.59	790.73 17.20 0.43	4596.1
DELAWARE	166.28 100.00 0.03	0 0.00 0.00	166.28
DC	447.73 90.76 0.07	45.578 9.24 0.03	493.3
FLORIDA	26687 80.61 4.11	6420.2 12.32 3.52	33107
GEORGIA	2457.4 70.00 0.38	1053.2 30.00 0.58	3510.6
Total (Continued)	648862	182230	831092

QC 1995 DATA FOR ALL ALIEN RECIPIENTS
WEIGHTED

TABLE OF STATE BY CITCODE

DRAFT

STATE (STATE) CITCODE (ALL ALIEN RECIPIENTS)

Frequency Row Pct Col Pct	ALL OTH ALIENS	REFUGEE/ ASYLEES	Total
HAWAII	2334.1 24.00 0.36	138.94 5.62 0.08	2473.1
IDAHO	168.5 100.00 0.03	0 0.00 0.00	168.5
ILLINOIS	12405 76.38 1.91	3836.3 23.62 2.11	16241
INDIANA	1225.4 100.00 0.19	0 0.00 0.00	1225.4
IOWA	191.51 20.00 0.03	766.05 80.00 0.42	957.56
KANSAS	1048.6 53.33 0.16	917.49 46.67 0.50	1966
KENTUCKY	181.79 60.00 0.03	121.2 40.00 0.07	302.99
LOUISIANA	594.72 90.00 0.09	66.08 10.00 0.04	660.8
MAINE	633.1 83.33 0.10	126.62 16.67 0.07	759.72
MARYLAND	1936 87.94 0.30	265.45 12.06 0.15	2201.5
MASSACHUSETTS	14384 70.08 2.22	6141.6 29.92 3.37	20526
Total (Continued)	648862	182230	831092

QC 1995 DATA FOR ALL ALIEN RECIPIENTS
WEIGHTED

TABLE OF STATE BY CITCODE

STATE(STATE) CITCODE(ALL ALIEN RECIPIENTS)

Frequency Row Pct Col Pct	ALL OTH ALIENS	REFUGEE/ ASYLEES	Total
MICHIGAN	6966.6 61.17 1.07	4421.8 38.83 2.43	11388
MINNESOTA	4959.7 35.00 0.76	9210.4 65.00 5.05	14170
MISSISSIPPI	93.3 100.00 0.01	0 0.00 0.00	93.3
MISSOURI	720.15 58.82 0.11	504.1 41.18 0.28	1224.3
MONTANA	30.525 16.67 0.00	152.63 83.33 0.08	183.15
NEBRASKA	388.85 50.00 0.06	388.85 50.00 0.21	777.7
NEVADA	1172.2 83.33 0.18	234.45 16.67 0.13	1406.7
N HAMPSHIRE	102.86 100.00 0.02	0 0.00 0.00	102.86
NEW JERSEY	16220 94.25 2.50	989.05 5.75 0.54	17209
NEW MEXICO	2880.9 98.55 0.44	42.367 1.45 0.02	2923.3
NEW YORK	128487 90.13 19.80	14065 9.87 7.72	142553
Total (Continued)	648862	182230	831092

QC 1995 DATA FOR ALL ALIEN RECIPIENTS
WEIGHTED

TABLE OF STATE BY CITCODE

STATE(STATE) CITCODE(ALL ALIEN RECIPIENTS)

Frequency Row Pct Col Pct	ALL OTH ALIENS	REFUGEE/ ASYLEES	Total
N CAROLINA	2291.3 91.67 0.35	208.3 8.33 0.11	2499.7
NORTH DAKOTA	34.307 20.00 0.01	137.23 80.00 0.02	171.54
OHIO	4733.8 92.06 0.73	408.06 7.94 0.22	5141.9
OKLAHOMA	403.52 57.14 0.06	302.64 42.86 0.17	706.15
OREGON	2078.9 33.08 0.32	4205.1 66.92 2.31	6284.1
PENNSYLVANIA	8970.1 65.02 1.39	4826 34.98 2.65	13796
RHODE ISLAND	4080.7 85.22 0.63	707.87 14.78 0.39	4788.5
S CAROLINA	242.85 59.67 0.04	164.17 40.33 0.09	407.02
SOUTH DAKOTA	102.71 45.45 0.02	123.25 54.55 0.07	225.96
TENNESSEE	672.11 88.89 0.10	84.014 11.11 0.05	756.13
TEXAS	36092 93.37 5.56	2563.7 6.63 1.41	38656
Total (Continued)	648862	182230	831092

QC.1995 DATA FOR ALL ALIEN RECIPIENTS
WEIGHTED

TABLE OF STATE BY CITCODE

STATE(STATE) CITCODE(ALL ALIEN RECIPIENTS)

Frequency Row Pct Col Pct	ALL OTH ALIENS	REFUGEE/ ASYLEES	Total
UTAH	429.81 68.18 0.07	200.58 31.82 0.11	630.39
VERMONT	63.471 40.00 0.01	95.207 60.00 0.05	158.68
VIRGINIA	2776.8 77.75 0.43	794.53 22.25 0.44	3571.3
WASHINGTON	11248 34.62 1.73	21239 65.38 11.66	32487
WEST VIRGINIA	50.613 100.00 0.01	0 0.00 0.00	50.613
WISCONSIN	4721.4 40.61 0.73	6903.7 59.39 3.79	11625
WYOMING	42.506 100.00 0.01	0 0.00 0.00	42.506
GUAM	305.28 30.00 0.05	712.33 70.00 0.39	1017.6
PUERTO RICO	627.33 73.91 0.10	221.41 26.09 0.12	848.75
VIRGIN IS	382.38 100.00 0.06	0 0.00 0.00	382.38
Total	648862	182230	831092

DRAFT



440 First Street, NW
Washington, DC 20001
Phone: 202/393-6226 Fax: 202/942-4281

Fax Cover Sheet

TO: Jim Golden

From: Marilina Sane

Fax Number: 358-6074

Date: _____

Total No. of Pages: _____
(including cover page)

Remarks: Latest estimates from New York City &
Los Angeles County on impact of
immigration.

02/10/97 MON 16:01 FAX 213 738 6590

WELFARE REFORM STRATEGY

0002

10 MAJOR IMPACTS OF WELFARE REFORM IN LOS ANGELES COUNTY **(Options for State Action are Underlined)**

► Termination of SSI/SSP and Food Stamps for Most Legal Immigrants

1. An estimated 99,000 elderly and disabled legal immigrants will lose SSI/SSP benefits, which are primarily used to pay for rent and food. An estimated 150,000 legal immigrants will lose food stamps. Legal immigrants who become U.S. citizens will not lose these benefits.
2. The local economy will experience an estimated net loss in buying power of \$412 million from the termination of SSI/SSP and \$120 million from the termination of food stamps.
3. An unknown number of elderly and disabled legal immigrants who lose SSI/SSP will apply and qualify for general relief, unless state SSP savings are used to provide alternative subsistence benefits. For example, if one-half apply and qualify for general relief, there will be a \$131 million annual increase in county general relief costs.
4. Termination of In-Home Supportive Services (IHSS) for an estimated 22,000 elderly and disabled legal immigrants who lose SSI/SSP with a corresponding annual wage loss of \$99 million for homecare providers, unless state law is amended to uncouple IHSS eligibility from SSI.

► Potential Termination by the State of Non-Emergency Medi-Cal and/or Temporary Assistance for Need; Families for Most Legal Immigrants

5. TANF: If the state opts to exclude most legal immigrants, 124,000 children and adults would lose benefits. An unknown number of such legal immigrants would apply and qualify for general relief. If, for example, one-half received general relief, the estimated cost shift to the County would be \$107 million/year.
6. Non-Emergency Medi-Cal: If the state opts to exclude most legal immigrants, there will be a very substantial loss of Medi-Cal revenue to the County health and mental health systems. Legal immigrant patients now receiving care from the County would lose non-emergency Medi-Cal coverage. Other legal immigrants losing non-emergency Medi-Cal could migrate from private facilities to the public system. The resulting adverse impact on the County would be extremely serious.

02/10/97 MON 18:01 FAX 213 738 6590

WELFARE REFORM STRATEGY

0003

-2-

► **Work Participation Requirements and Child Care**

7. In 2002, an estimated 95,000 TANF recipients will have to be engaged in almost full-time work-related activity (although upcoming State decisions could significantly reduce this number). At present, 27,000 LA County GAIN participants would count toward satisfying the work participation requirement, as would an unknown number of current recipients who are either working or participating in a qualified training program other than GAIN.

An additional 38,000 child care spaces will be required for children of TANF recipients as their parents move into the workforce. Competition for child care subsidies will be fierce as these recipients join the over 30,000 low-income families already on program waiting lists.

► **Food Stamps**

8. Up to 63,000 food stamp recipients will lose their food stamps unless they participate in a qualified workfare program or the State secures an authorized Federal waiver of the newly enacted three-month limit on food stamp eligibility for children's adults.

► **Emergency Assistance**

9. In FY 96-97, loss of at least \$48.5 million for juvenile probation services including, 18 probation camps housing 2200 children daily and \$33 million for child protective services, unless the county receives its fair share of TANF block grant funds for emergency assistance which are already included in the state's TANF block grant.

► **Abused and Neglected Children**

10. Unless the State takes appropriate action, the number of children in foster care will increase as a result of: (1) the termination of SSI benefits for disabled children, (2) TANF time limits and work requirements for relative caregivers, (3) family members no longer receiving public assistance as a result of drug-related felonies, (4) legal immigrants becoming ineligible for certain benefits, and (5) parents who fail to comply with work requirements. The cost of foster care is approximately eleven times higher than the cost of current TANF/AFDC benefits.

All estimates are based on point in time information that is subject to change.

Federal Welfare Reform and New York City Immigrants

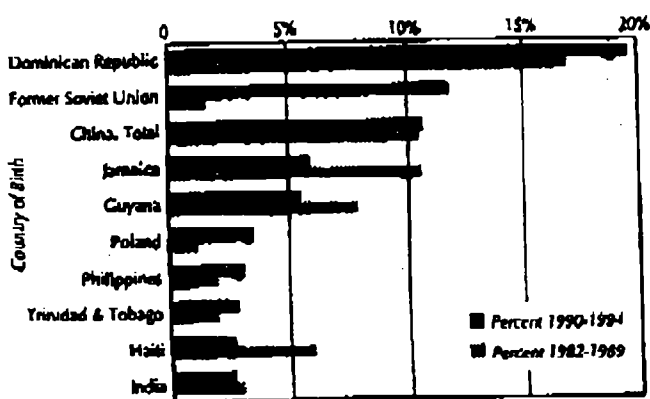
On August 22, 1996, President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, known as the welfare reform law. This new law contains provisions which unfairly target non-citizens in the United States. These provisions disproportionately impact New York City, where immigrants, as they have for the past 400 years, contribute to the City's economic, social and cultural fabric.

The Personal Responsibility and Work Opportunity Reconciliation Act:

- Makes most legal immigrants ineligible for Supplemental Security Income (SSI) and Food Stamps;
- Bars most legal immigrants entering the US after August 22, 1996 from Federal benefits, including non-emergency Medicaid, cash benefits from the Temporary Assistance For Needy Families (TANF) program, and Title XX block grant services, for the first five years after entry;
- Imposes strict deeming requirements (counting sponsor's income as if it were the immigrant's) for new sponsored immigrants;
- Prohibits local governments from restricting exchange of information (including citizenship status) with the INS, even in the interests of public health and safety;
- Removes state and local governments' discretion in providing non-federally funded benefits to immigrants.

For close to 400 years, New York City has welcomed immigrants from every corner of the earth. People born outside of the US comprise a third of the total population of New York City; moreover, between 50% and 55% of the City's residents are either foreign born or the children of foreign born parents.¹ Fifteen percent of all immigrants to the United States come to New York City.²

Figure 1:
Immigrants Admitted from the Top Ten Source Countries to New York City for 1990-1994
(With Contrast to 1982-1989 Admissions)



Many Peoples, One City

Most immigration to New York City has emanated from the Caribbean, Europe and Asia, but that immigration has always been dynamic (Figure 1). Comparing 1990-1994 to 1982-1989, while Dominican immigration remained dominant, immigration from the former Soviet Union soared from 2% to 12%, Chinese immigration held constant at about 11%; non-Hispanic Caribbean immigration declined. Polish immigration tripled and Indian immigration remained steady. (Dominicans and Russians comprised 31% of all immigrants to the City from 1990-1994.) Immigration in the 1970's also included large numbers of Italians, Cubans, Greeks, Barbadians and (former) Yugoslavians, but fewer Irish, Poles, Ecuadorans and Pakistanis than in the 1980's and 1990's.

How Do Immigrants Enter New York City?

Federal immigration policy in 1990 attempted to shift emphasis to increasing the required skill levels for incoming immigrants and to a more equitable, sensitive immigration policy. This impacted the City in the following ways:³

- Employment-based immigration has doubled;
- Immediate relatives of US citizens have increased;
- Family reunification remains a declining but still important source for immigration;
- Refugees and asylees (predominantly from the former Soviet Union) have sharply increased;
- Diversity immigrants ("Green Card lottery" winners, intended to diversify the pool of immigrants) are providing new immigration from Ireland, Poland, the United Kingdom, Bangladesh and Japan.

¹ *The Newest New Yorkers 1990-1994*, New York City Department of City Planning, 1996, p. 157.

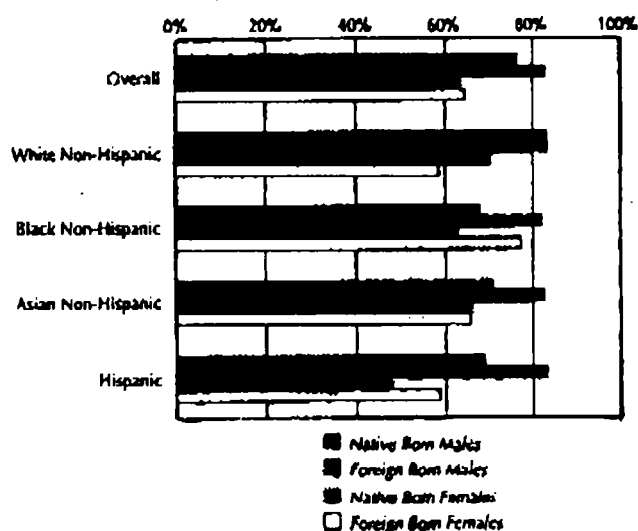
² *The Newest New Yorkers 1990-1994*, New York City Department of City Planning, 1996, p. 2.

³ *The Newest New Yorkers 1990-1994*, Department of City Planning, 1996, pp. 38-39.

Age and Labor Force Participation Rates

Immigrants tend to be of working age. According to the 1990 Census, 78% of the foreign born versus 63% of the native born in the City are between 15 and 64. Nearly 83% of foreign born males compared to 76% of the native born are in the labor force (Figure 2).⁴ Overall the labor force participation rates for certain foreign born populations are extraordinarily high. For example, 92% of Mexican men, 85% of Indian men, 80% of Jamaican women and 88% of Filipino women participate in the labor force. Household income for many foreign born surpasses that of the native born. Median household income for the native born is \$30,000; it is \$31,000 for Guyanese, \$50,000 for Filipinos, \$42,000 for the English and \$39,000 for Russians.⁵

Figure 2:
Labor Force Participation Rates by Race and Nativity

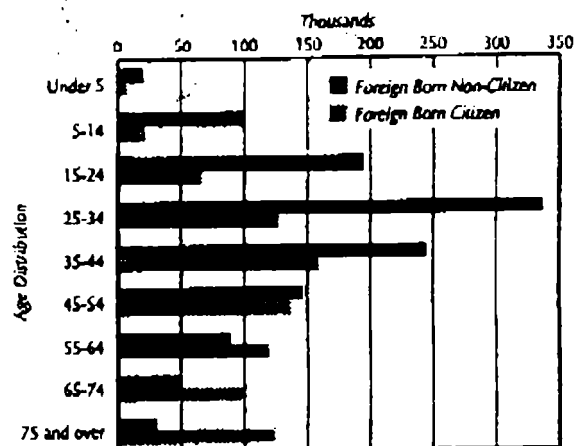


Naturalization

Naturalization is correlated with age; older immigrants are more likely to be citizens (Figure 3).⁶ Immigrants who are working and paying taxes may be among the least likely to be citizens.

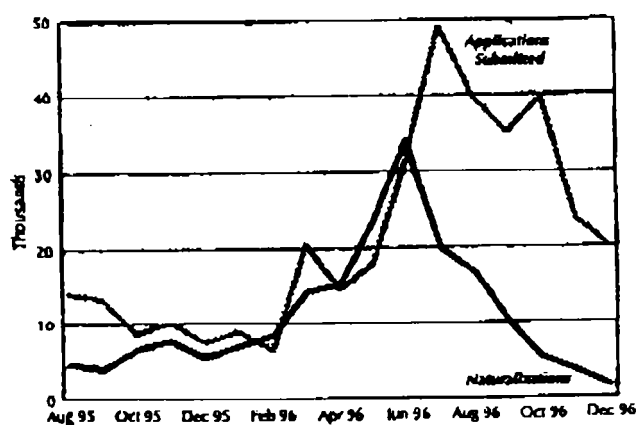
Naturalizations within the City (as throughout the nation) skyrocketed in 1996. In southern New York State, close to 170,000 immigrants became citizens in 1996, a greater than 333% increase over 1995. Immigrants may have naturalized in such large numbers because of federal outreach programs (CitizenshipUSA), reactions to increased public anti-immigrant sentiment, fears of loss of eligibility for benefit programs, Immigration & Naturalization Service Green Card Renewal program

Figure 3:
Naturalization Status by Age Distribution



requiring that long term permanent residents renew their green cards (and during the process many immigrants chose to apply for citizenship rather than renew), and large numbers of immigrants from the late 1980's and early 1990's becoming eligible for naturalization. In late 1996 and early 1997, citizenship applications far exceeded naturalizations (Figure 4).⁷ It is unclear whether this trend will continue. However, citizenship is more crucial than ever. The new welfare law's restrictions on federal benefits based on citizenship status will deny assistance to many legal immigrants who have been eligible until now and regions with large numbers of immigrants will be severely impacted.

Figure 4:
Naturalizations and Naturalization Applications:
New York District (to date)



⁴ Annual Report on Social Indicators, 1996. Department of City Planning.

⁵ Annual Report on Social Indicators, 1996. Department of City Planning.

⁶ 1990 Census Public Use Microdata Sample A File, Department of City Planning analysis.

⁷ US Immigration & Naturalization Service, Statistics Division.

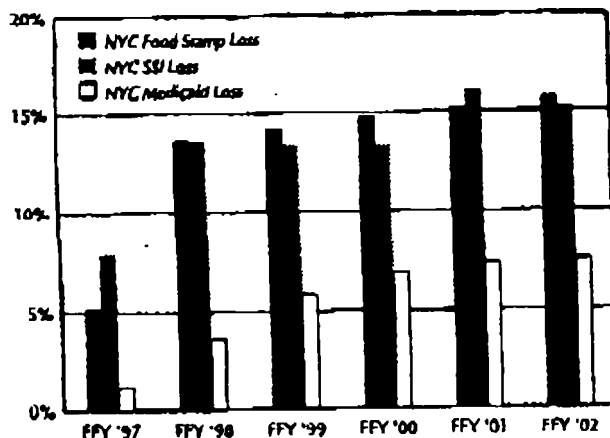
The Impact On New York City Immigrants

Because of New York City's large legal immigrant population, benefit restrictions in the new welfare law will have a severe impact on individuals, families and communities throughout the City. In 1998, for example, more than 74,000 New York City immigrants will lose SSI eligibility, 130,300 will lose Food Stamps, 14,500 will lose federal Medicaid and 9,600 will be ineligible for TANF (Table I). This will result in a loss of over \$450 million in federally-funded benefits to formerly eligible immigrants in the City.

Program	1998		2000		2002	
	# People	Lost Federal \$	# People	Lost Federal \$	# People	Lost Federal \$
• SSI	74,100	\$326.8 m	79,370	\$369.9 m	83,500	\$411.8 m
• Food Stamps	130,300	\$95.5 m	127,660	\$93.1 m	128,000	\$92.9 m
• Medicaid	14,500	\$22.2 m	26,000	\$70.4 m	33,900	\$112.4 m
• TANF ⁸	9,600	\$8.4 m	13,400	\$14.2 m	13,400	\$14.2 m
Total Annual \$ Loss		\$452.9 million		\$547.6 million		\$631.3 million

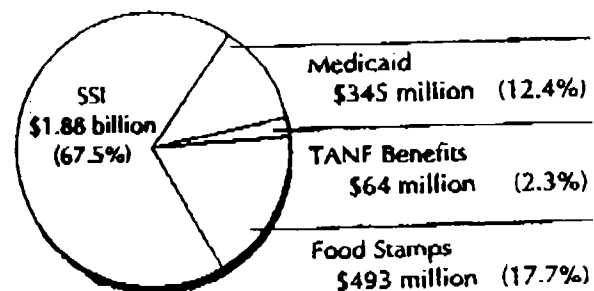
Over 44% of federal savings nationwide under the new welfare law are the result of restrictions on benefits to immigrants. This loss of federal funds will disproportionately impact New York City. Although the City accounts for approximately 5.8% of national Food Stamp and 6% of SSI expenditures, an average of *over 14% percent of federal savings* from denial of these benefits to immigrants comes from losses to City immigrants. In 1998, the loss of benefits to immigrants in the City will represent over 13% of federal SSI and Food Stamp savings and 4% of Medicaid savings.⁸ By 2002, the

Figure 5:
NYC as a Percent of Total Annual Federal Savings



⁸ Unlike other programs, the TANF block grant to the State will not decline, so the federal government will not immediately realize savings from denying TANF to immigrants. Under current State law, non-federal funds would be used to replace lost benefits to individuals.

Figure 6:
\$2.78 Billion Cumulative Loss of Federal Dollars to NYC Immigrants by 2002



City share will rise to 15% of federal SSI and Food Stamp savings and over 7.5% of Medicaid savings (Figure 5.)

By 2002, the total cumulative loss of federal funds to New York City immigrants will total over \$2.7 billion — nearly \$1.9 billion for SSI, \$493 million for Food Stamps and \$345 million for Medicaid (Figure 6). *This loss represents 12.2% of the cumulative federal savings of \$22 billion over six years estimated by the CBO.⁹* Another \$64 million in cumulative TANF dollars will be unavailable to immigrants and shift equivalent costs to the City and State.

⁹ CBO estimated \$23.8 billion in cumulative savings from the non-direct provisions of the welfare law. Of this total, \$11.1 billion is attributable to denial of the earned income Tax Credit (EITC) to those not authorized to work in the US. This analysis does not include impacts related to the EITC restrictions.

What is New York City Doing?

Legislative and Advocacy Efforts

Mayor Rudolph Giuliani has consistently opposed provisions in the new welfare law that are harmful and unfair to immigrants. Under the Mayor's leadership, the City continues to:

- Urge the President and Congress to repeal the new welfare law's limits on benefits for lawfully present immigrants;
- Seek restoration of SSI, Food Stamps, TANF and Medicaid benefits to children, pregnant women, the disabled and the elderly;
- Advocate to retain state and local discretion in the use of non-federal funds for services to non-citizens;
- Recommend federal regulations that are fair to cities with large immigrant populations;
- Evaluate the loss of federal dollars and the resultant impact on the City;
- Work to achieve an equitable City/State partnership in the implementation of the new welfare law in New York State;
- Pursue repeal of provisions which conflict with the City's Executive Order 124.

Legal Challenges to Federal Welfare and Immigration Laws

New York City sued the federal government on October 11, 1996 to block implementation of provisions of the new welfare law and the Illegal Immigration Reform and Immigrant Responsibility Act prohibiting local governments from restricting exchange of information with the Immigration and Naturalization Service (INS). These provisions conflict with City Executive Order 124, which forbids City workers from reporting information on any alien to the INS, except when required by law, in cases of suspected criminal activity or at the request of the alien. The Executive Order encourages all City residents to report crime, use public health services to control communicable disease and send their children to school. Public health and safety depend on active participation by the entire community -- requiring public cooperation with government and assuring the ability of City residents to access essential services. The suit contends that the new federal laws violate the Tenth Amendment and the Guarantee Clause of the Constitution by interfering with the legislative and policy-making authority of states and localities.

Mayor Giuliani's Immigration Coalition

Mayor Rudolph Giuliani reached out to prominent individuals and immigration advocacy organizations to mobilize an Immigration Coalition, which was formally announced on January 9, 1997 on Ellis Island. Members of the Immigration Coalition represent a wide range of racial, ethnic and religious communities dedicated to highlighting the important contributions made by immigrants and to speaking out against unfair welfare and immigrant policies. The Coalition will work to educate the public about the new laws and their impacts, to urge Congressional action and to promote naturalization efforts.

Prepared by New York City Office of the Mayor, February 1997.

*For further information, contact: In Washington D.C., Lisa Shuger (202) 624-5900
In New York City, Anita Garimella (212) 768-3754*

NUMBERS OF AGED AND DISABLED NONCITIZENS RECEIVING SSI

Jack -
What do
we do
w/ this?
Disua

The following tables show the number of noncitizens on the SSI rolls as of December 1996 who were scheduled to receive January 1997 payments.

These figures are based on SSA's 100 percent file. (Note: Other noncitizen data is based on the 10 percent sample file so numbers on these tables may not be identical to previously released figures.)

- The term "Lawful" means individuals lawfully admitted for permanent residence under immigration law.
- The term "Disabled" includes beneficiaries eligible on the basis of blindness.
- The term "Refugees, etc." includes refugees, asylees, parolees, persons whose deportations are being withheld and other miscellaneous immigration categories. (Refugees represent 68 percent of total; parolees represent 8 percent; asylees represent 2 percent; the remainder have various other immigration statuses.)

STCODE=ALABAMA

	PROG								
	ALL			AGED			DISB		
	CAT			CAT			CAT		
	ALL	LAWFUL	REFUGEES, ETC.	ALL	LAWFUL	REFUGEES, ETC.	ALL	LAWFUL	REFUGEES, ETC.
	N	N	N	N	N	N	N	N	N
ALL	625	502	123	408	336	72	217	166	51
NAME									
AUTAUGA	4	3	1	2	2	.	2	1	1
BALDWIN	10	8	2	6	5	1	4	3	1
BARBOUR	1	1	.	1	1	.	.	.	.
BLOUNT	3	3	.	1	1	.	2	2	.
BULLOCK	1	1	.	.	.	.	1	1	.
CALHOUN	12	11	1	9	9	.	3	2	1
CHAMBERS	2	2	.	.	.	.	2	2	.
CHILTON	2	2	.	1	1	.	1	1	.
CHOCTAW	1	1	.	1	1	.	.	.	.
CLARKE	4	4	.	3	3	.	1	1	.
CLAY	1	.	1	1	.	1	.	.	.
CLEBURNE	2	2	.	2	2	.	.	.	.
COFFEE	5	5	.	4	4	.	1	1	.
COLBERT	5	4	1	4	4	.	1	.	1
COOSA	1	1	.	.	.	.	1	1	.
COVINGTON	2	2	.	1	1	.	1	1	.
CULLMAN	3	2	1	3	2	1	.	.	.
DALE	11	9	2	9	7	2	2	2	.
DALLAS	5	5	.	4	4	.	1	1	.
DE KALB	4	4	.	2	2	.	2	2	.
ESCAMBIA	2	2	.	2	2	.	.	.	.
ETOWAH	7	5	2	5	3	2	2	2	.
FRANKLIN	1	1	.	1	1	.	.	.	.
GENEVA	3	2	1	.	.	.	3	2	1
GREENE	1	.	1	1	.	1	.	.	.
HOUSTON	11	7	4	5	2	3	6	5	1
JEFFERSON	150	114	36	118	89	29	32	25	7
LAUDERDALE	4	3	1	.	.	.	4	3	1
LAWRENCE	2	2	.	.	.	.	2	2	.
LEE	9	7	2	8	6	2	1	1	.
LIMESTONE	5	5	.	3	3	.	2	2	.
MADISON	87	77	10	73	66	7	14	11	3
MARENGO	2	2	.	1	1	.	1	1	.
MARION	1	.	1	.	.	.	1	.	1
MARSHALL	4	3	1	1	1	.	3	2	1

(CONTINUED)

*Outside strategy mtg - wk after next
*Call Murguia

*Invite ~~to~~ to mtg - OMB Hth-bucket
*How much does pos. decision on bucket help cost of P/F? 9m
*Go back @ Govs? - How?

*OMB/DAC - 18-50
mtg. PR/BS
Bob + FRAC
*Get Lamar, BG TANF paper

What are Blue Dogs doing? - wk after next
Ken - won't do it (Cit → ^{non-cit} CPI)
R6 - BD's know won't get votes
18-50 now in trouble w/ BD's
Sabo, Cardin - shld dist BD
Has taxation of SS1 + fs

Need QTA OMB
look @ Lamar Smith comments - didn't respond yesterday
Resurrect old dilemma? Ken likes

Levin's list:
Medicaid - Josh Bernstein - don't understand it - ^{response:} ~~hard~~ to do for 8/22
Sponsorship
WK
TANF Surpluses → ^{FS} ~~did paper~~ → Windfall
coordinated Response

Charles Lammint

w/o Govs + Condition, very tough
Don't be too tough on Shaw - may want to be more helpful
Time helps us/human face

Govs - Levin → Charles; in a month, ~~Pe~~ calls Govs to WH.
B6 - Charles ^{go but} don't reach out to other Govs
- Romen better

w/ Senate?
Wk After Next?

Hardship - NCLR - Daly - Cecilia - Hth will reach out
- bad for Admin - but Murguia sez she will
18-50 nowhere

\$4.5b CBPP: overest'd cost - bucket
Levin wants to talk - Ken pushes back

pull in young R's

Wed @ 1130

HHS

→ Murguia
~~Fenwick~~

Tarplin

Bvent

Wielson?

Hayashi

Mark Miller

Public Liaison

INS

Bach?

USDA

Jackson

Stacy & others

SSA

Chesser

Someone else

Date: 02/13/97 Time: 18:58

WRepublicans look at new block grants to help immigrants

WASHINGTON (AP) Having vowed they will not reopen last year's welfare reform law, Republicans are looking at establishing new block grants to funnel money to legal immigrants who don't qualify for benefits any more.

The new grants would be outside the formal welfare program and therefore would not require changing the ban in last year's law on cash assistance, Medicaid, food stamps and disability benefits for immigrants, said Rep. Clay Shaw, chairman of the House Ways and Means Human Resources subcommittee.

"We would really be taking care of the some of the areas which are in really tough situations," Shaw, R-Fla., said Thursday. "I'd be willing to look at that and see what we could do."

Republicans contend that the new law will reduce caseloads and free up money from existing grants to address immigrants. And the Clinton administration said last month said states could use their own money to aid immigrants.

That makes the immigration issue much easier to handle, said Ari Fleicher, a spokesman for the Ways and Means Committee. "States should first look to their own resources before asking (federal) taxpayers to kick in."

Shaw noted that even if he ultimately supports immigrant block grants, he would not consider "anywhere near" as much money as Clinton requested.

Last week President Clinton asked Congress amend last year's reform bill to add \$17.9 billion over five years to restore immigrant aid.

But Republican leaders have consistently vowed not to reopen the legislation, predicting it could quickly become a rerun of last year's contentious debate. Giving states money through new block grants would avoid that possibility, Republicans said, and at the same time possibly satisfy Clinton's concerns.

"We're in a mood here in Washington to try and cooperate with the administration, not fight with them," Shaw said.

The new block grants might also satisfy governors, including Republicans in New York and California, who have complained that the burden of caring for poor immigrants will fall to them.

"We've heard the rumblings and we're definitely pleased," said Becky Fleischauer, spokeswoman for the National Governors' Association.

Michael Kharfen, a spokesman for the Health and Human Services Department, said the administration just wants "to restore equity" to legal immigrants and is not rejecting a block grant approach.

"It's the same thing by another name," said Kharfen, who works in HHS's Administration for Children and Families, which administers the cash assistance program.

Building the Republican case that last year's welfare overhaul will work, Shaw released figures Thursday predicting states will have significantly more money to spend on each welfare recipient than they once had.

Nationally, caseloads have dropped by nearly 18 percent since they peaked in March 1994. Shaw said caseloads will continue to drop over the next two years while federal funding has been established based on higher numbers.

States in 1998 will get federal funds sufficient for spending an average \$5,662 for each qualifying welfare family in 1998, compared with \$3,624 in 1994, he said. Those figures do not include administrative costs.