

Immigrant Families and Welfare Reform

The Policy Institute for Family Impact Seminars



Family
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Seminar

Immigrant Families and Welfare Reform

Background Briefing Report
by Ruth Gordner

and highlights of the Seminar held on Friday, October 24, 1997,
at B-318 Rayburn House Office Building, Washington, DC

Panelists:	Ron Haskins	Staff Director, Subcommittee on Human Resources, Committee on Ways and Means, U.S. House of Representatives
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	Ed Silverman	Chief, Bureau of Refugee and Immigrant Services, Illinois Department of Human Services
	Alice Tetelman	Director, The City of New York's Washington, D.C. Office
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Immigrant Families and Welfare Reform

*A Background Briefing Report
by Ruth Gordner*

Introduction

Passage of the federal welfare reform law—the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)—in the summer of 1996 created the dawning of a new America for legal immigrants. PRWORA restricts legal immigrants' access to our nation's social safety net to the degree that these restrictions will transform the rights of legal immigrants to now be more akin to those of illegal immigrants than of citizens. This transformation calls out for further examination in light of the fact that legal immigrants bear the same obligations to our society as citizens—that is, they must pay taxes and be available to be drafted into our national military. Equally as important, PRWORA dramatically shifts public responsibility for the social and economic integration of legal immigrants from the federal level to states, localities, and, ultimately, to the immigrant families themselves.

It should be noted here that some benefits for legal immigrants which PRWORA eliminated were restored through the Balanced Budget Act of 1997. Specifically, the Balanced Budget Act reinstated Supplemental Security Income (SSI) benefits for elderly or disabled legal immigrants who were receiving such benefits on the date of PRWORA enactment. Further, legal immigrants residing in the U.S. on the date of enactment who are or become disabled will be eligible to receive SSI benefits. More discussion of the Balanced Budget Act restorations is contained in Section V of this paper.

In spite of these restorations, however, the basic thrust of PRWORA remains the same. The primary responsibility for caring for legal immigrants has been shifted from the federal government to states, localities and immigrant families.

This abbreviated background briefing report is aimed at encouraging a closer examination of these issues and at fostering a greater dialogue between the health and human services and immigrant service providers. It is especially critical that a close working relationship be developed between these communities so that in the short term they can collectively address how best to assure as much social and economic stability as possible for immigrant families. In the long term it is hoped that their collective voices will offer the insights needed to inform local, state, and national policymakers of how best to balance the rights and responsibilities of our nation's newest residents.

This paper summarizes key facts and issues relevant to the passage of the federal welfare reform law, the Balanced Budget Act restoration of some immigrant benefits, and the effects on immigrant families for those readers unfamiliar with welfare or immigration policies. This summary represents a synthesis of more extensive reports and research studies on these issues, which are referenced at the end of this document.

I. Background

(Sources: Institute for Research on Poverty, 1996-97)

With the exception of Native Americans, most Americans can trace their family's immigrant roots. Yet we as a nation are in the middle of another debate about the benefits and costs of encouraging immigrants to settle here.

One of the most significant outcomes of this debate thus far is the landmark federal welfare reform law—The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)—which was enacted in August 1996. PRWORA places broad new restrictions on legal immigrant families' access to our nation's social safety net. A confluence of forces brought about this sweeping Act. According to Thomas Espenshade, "Anti-immigrant sentiment and fiscal conservatism have coalesced to form a new fiscal politics of immigration. Immigrants are viewed as part of the reason for the high cost of social services and are especially vulnerable to current attempts to reduce government expenditures." To wit, the cost savings from the immigrant restrictions in PRWORA, as enacted in August 1996, were expected to account for \$23 billion, or almost half of the total savings.

Congress's passage in 1996 of the welfare reform law will exacerbate conflict between immigration versus immigrant policy priorities at the national level. The basic conflict between these arenas is based on the fact that on the immigration policy side, the federal government has full responsibility, as opposed to states or localities, for deciding who can immigrate. Once an immigrant is permitted to enter our country now, though, on the immigrant policy side, the new federal welfare reform law restrictions effectively push responsibility for assuring the social and economic integration of legal immigrants from the national level down to states and localities.

To further explain the impact on families, on the immigration policy side, the priority has been to promote family reunification. The focus on family reunification has been an immigration policy priority for more than 30 years.

Over this same period of time, however, immigrant policy—that is, government programs targeted towards legal immigrants to promote their social and economic integration—has been developed in an incoherent, piecemeal fashion. Therefore, the ultimate responsibility for assuring legal immigrants social and economic integration into their communities through English and citizenship education, for example, has more and more fallen on states and localities.

Concurrently, legal immigrants' rights to access the primary public benefit programs, such as cash assistance, Medicaid, Supplemental Security Income, and Food Stamps, have been basically the same as that of citizens. Legal immigrants' eligibility for federal insurance and public assistance programs was established through passage of the Social Security Act in 1935. As mentioned above, legal immigrants by and large have been accorded the rights of citizens because they have borne the same basic responsibilities of citizens through paying taxes and being available to serve in the military.

The conflict between immigration and immigrant policies will be exacerbated by PRWORA because it basically eliminates the right of future legal immigrants to receive federally funded public benefits. From the date of enactment of PRWORA (August 22, 1996) forward, there will be basically be two sets of rules—one for those legal immigrants living here prior to enactment and another set for those immigrants entering the U.S. post enactment. With some exceptions, which are discussed later in this paper, PRWORA's elimination of a broad array of federally funded public benefits for legal immigrants

dramatically shifts responsibility for the social and economic integration of these immigrants to the states, localities, and ultimately to immigrant families.

To help understand some forces which influenced the enactment of the immigrant restrictions in the welfare reform law, the first section of the paper provides a brief look at historical and current immigration trends and Congressional actions taken in response to these trends. This section also includes an overview of the current categories of immigrants who can be legally admitted to the U.S. The second half of the paper gives a summarization of current legal immigrants use of public benefits, key immigrant provisions in the 1996 welfare reform law and 1997 balanced budget bill, and highlights of initial state responses to provision of benefits for legal immigrants. The final section raises some national policy questions to be addressed with regard to reconciling the growing tensions between federal immigration and immigrant policies.

II. Forces Influencing Enactment of Welfare Reform Law

(Sources: Institute for Research on Poverty, 1996-97; Fix & Tumlin, 1997; Immigration Policy Project, 1997; Fix & Zimmerman, 1995)

A. Historical

A look back in history finds anti-immigrant sentiments forging similar national welfare policy beginning in the 1800's. The concern about immigrants' "public welfare" needs seems to be rooted in the adoption of the English Poor Laws by the original colonies. "On the one hand," as Stanley Engerman points out, "over half of all colonial immigrants arrived in an indentured status, or otherwise had their relocation subsidized. On the other, since the colonies had adopted the English Poor Laws, which made local public authorities ultimately responsible for the care of the destitute, newcomers often were subject to rigorous scrutiny... Those 'at-risk' of becoming public burdens were often discouraged from settling in the community."

During the 1800's, immigration grew from around 100,000 foreign-born residents arriving in the 1820's, to about 1.7 million newcomers living in the U.S. by the 1840's. After the Civil War, new arrivals blossomed from about 2.8 million in the 1870's to about 5.2 million by the 1880's. Over this expansive period of time, "welfare" policy underwent two major reform efforts—in the 1840's and again in the 1880's. The essence of these two efforts was to replace "outdoor" relief—cash assistance to families living in their own homes—with "indoor" relief (i.e., workhouses), counseling or "moral suasion." During this time period, children were frequently removed from their "improper" (usually urban) families and placed with families in rural communities.

In 1891 the Immigration Act was passed, which for the first time instituted controls on immigration and placed authority for administering this law within the federal Department of Treasury. As the nation experienced the biggest wave of new immigrants making their home in America at the beginning of the 20th century, a tightening of immigration controls was established through the Immigration and Naturalization Act of 1924. This Act also set up for the first time quotas and preferences for immigrants from northern and western Europe.

The 1924 Act caused immigration to diminish, lowering the number of foreign-born Americans from about 15 million in the 1920's to less than 10 million by the 1960's. This decline in immigrants, combined with an expanding economy following World War II, fostered willingness among Americans in the 1960's to be more open minded about immigration. This open mindedness was in part also an outgrowth of our nation's dominance as a world superpower after World War II and the accompanying gesture of embracing of the world's refugees that this superpower role engendered. Thus, in 1965, Congress passed the Immigration and Nationality Act, which resulted over time in the shifting away from European immigration.

The 1965 Act also led to family reunification as an immigration policy priority, which has been sustained as the primary immigration priority since that time. For example, in 1994, about three-quarters of all legal immigrants entered either as immediate relatives of U. S. citizens or through the family preference system.

Between 1980 and 1990, three more pieces of immigration legislation were approved by Congress. The cumulative legacy left by these three pieces of legislation has been to substantially increase the number of immigrants legally entering our country.

In 1980, the Refugee Act was passed. The three primary effects of this Act were to expand the definition of refugees to go beyond those fleeing communist countries, to set policies governing annual admissions of refugees, and to establish refugee entitlements to federally funded social and medical services.

In 1986, the Immigration Reform and Control law was enacted. The principal focus of this legislation was on illegal immigration and border control. However, this Act also created programs for granting legal status to immigrants residing here illegally at that point in time.

Finally, in 1990, Congress passed the Immigration Act. The net effect of this bill was an expansion of immigrant admissions by 40 percent. This significant increase, however, was largely allocated to admitting highly skilled immigrants.

An overview of how the federal legislation has influenced recent immigration trends follows shortly. First, though, in order to provide some better understanding of who can immigrate and under what conditions, a short section covering key immigration definitions which relate to the immigrant provisions in the 1996 welfare reform law follows.

B. Immigration Definitions

(Sources: Institute for Research on Poverty, 1996-97; General Accounting Office, 1997)

- *Alien*—any person not a citizen of United States.
- *Immigrant*—a) alien admitted to U.S. as a lawful resident; b) a foreign-born resident in the U.S. illegally, often referred to as an “illegal alien,” “illegal immigrant,” or “undocumented worker”; c) a child born to a non-citizen living in the U.S. legally or illegally, who automatically becomes a citizen with all rights of citizenship, including public benefits (members of immigrant households frequently have differing legal statuses, which often causes confusion about who is eligible for what public benefits).
- *Refugees* or *Asylees*—persons admitted into the U.S. because of persecution or well-founded fear of persecution in their native country; annual numerical limits applicable to asylees but not refugees; distinction between two categories attached to where they are when applying for admission—refugees are those living outside U.S. when applying and asylees are already in U.S. when applying for admission.
- *Sponsor*—person providing guarantee of financial responsibility for newly admitted immigrant; persons who petition for entry of a relative must also be the sponsor; if relative petitioning for entry cannot meet newly enforceable income requirements, another person may sign affidavit of support; sponsor also has legal responsibility for immigrants under age 18; sponsorship required only for immigrants who are considered to be at risk of becoming a public charge.
- *Immediate Relative of US. Citizen*—spouses, child (under 21 years of age), parents of citizens over 21, or orphans adopted by citizens over 21; immediate relatives are exempted from numerical immigration limitations.
- *Naturalization*—the way legal permanent residents who have “green cards” and are at least 18 or who have been married to and residing with a U.S. citizen for three years can apply for citizenship; two requirements for citizenship are the ability to read and write simple English and knowledge of basic facts of U.S. history, which are demonstrated through an oral or written examination; requirement to understand English can be waived for disabled or those over 50 years of age who have been lawful permanent resident of the U.S. for more than 20 years.

- *Immigration Preferences*—established through the 1965 Immigration and Nationality Act, preferences are given to two categories of immigrants—primary consideration is given to those with close family members permanently residing in the U.S. (family reunification entrants) and secondarily to those with occupational skills in high demand (occupational preference entrants).
- *Present Immigration Allocations*—established through the Immigration Act of 1990, the total immigration cap overall is set at 675,000 beginning in 1995; of this number, 480,000 are to be family-sponsored immigrants and 140,000 are to be occupational preference immigrants.

C. Recent Immigration Trends

(Sources: Fix and Zimmerman, 1995; Institute for Research on Poverty, 1996-97; U.S. Commission on Immigration Reform, 1997)

Immigration trends over the last decade are typically described in four dimensions—**scale**, **concentration**, **pace** and **diversity**. It is generally agreed that these four dimensions have collectively shaped much of the current public debate about the impact of immigration on our nation generally and on our public welfare systems specifically.

- The **scale** of immigration from the 1980's through the 1990's has matched the levels at the end of the 19th century, which has meant around 900,000 legal and 200,000 illegal immigrants entering the U.S. each year.
- The **concentration** of new immigrants arriving during this time period has resulted in about three-quarters of all immigrants making their home in only six of the 50 states—California, Florida, New York, Texas, Illinois, and New Jersey. Moreover, half of all immigrants who settled in the U.S. during the 1980's are concentrated in eight urban areas—Los Angeles, Anaheim, San Francisco, Chicago, Houston, New York, Washington, D.C., and Miami. It should be noted here, however, that a much larger number of states—such as Massachusetts, Maryland, Minnesota, Washington—have experienced rapidly growing immigrant communities during the 1980's and 1990's. This is important to note because leaders in these states have deep concerns about how they will meet the challenges created for their states and localities through the welfare reform legislation.
- The impact of the new wave of immigrants has been intensified by the **pace** of immigration—about half of the immigrants now living in the U. S. arrived during the last decade. The diversity of recent immigrants has been an outgrowth of a doubling in the number of countries with more than 100,000 foreign-born residents in the U. S. during this time.

To further understand the diversity of immigrants, it is useful to look at the origins of our foreign-born residents since the passage of the 1965 Immigration and Nationality Act, which resulted in the shift in immigration away from the European countries. The number of countries from which foreign-born residents have migrated since the 1970's has grown from 21 to 41. In 1961 about one-third of immigrants came from Europe while only about 13 percent came from Asia. By 1990, this trend was reversed; less than 17 percent of immigrants came from Europe and more than 37 percent came from Asia. The largest percentage of legal immigrants now comes from Mexico, followed by the Philippines.

These trends, coupled with intense anxiety about perceived costs of illegal immigration in terms of competition for jobs and a drain on public coffers, have fueled Americans' anti-immigrant sentiments. Anti-immigrant sentiments seem to reflect the public's attitudes about job insecurity, fiscal conservatism, and the misperceptions of the costs of immigration.

The intersection of anti-immigrant sentiments and fiscal conservatism led to the passage of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act. This law restricts legal immigrants' access to our nations' social safety net in ways that previously had mostly applied only to illegal immigrants.

What are the costs and benefits to our country of immigrants? A closer examination of some basic facts related to this question is covered next to help illuminate the research findings.

III. Immigrants' Effects on Private and Public Sectors

(Sources: Morse, 1994; Fix & Passel, 1994; Fix & Zimmerman, 1995; Institute for Research on Poverty, 1996-97; Congressional Budget Office, 1995)

A. Private Sector

It is generally agreed that immigration over the last 30 years has helped urban renewal. Through development of small businesses and provision of low-wage labor, immigrants have helped sustain urban centers and fostered higher levels of economic activity.

Further, aggregate data reflecting the effect of immigration on wages and jobs show small negative effects in the low-skilled market where the economy is stagnant, but not in other economies. In fact, in communities where the economy is growing, immigration increases the overall labor market opportunities for low-skilled workers. Finally, two frequently overlooked facts are that self-employment among immigrants is higher than among citizens and that spending by immigrants fosters other jobs and economic growth in general.

B. Public Sector

On the question of costs of immigrants, first it needs to be stated that, contrary to popular opinion, illegal immigrants have never been eligible for public benefits, with the exception of emergency medical assistance. Even legal permanent residents have been barred from receipt of public benefits during their first three years of residency because the income of their sponsors has always been “deemed” as being available to them when determining eligibility for benefits. The only general exception to this is Medicaid, but this assistance also could be denied if the state tied Medicaid eligibility to receipt of cash assistance.

As noted above, the only legal immigrants allowed access to public benefits at the time they are admitted have been refugees and asylees. This is based on the ethical notion that refugees are fleeing persecution and more often than not arrive traumatized and without financial resources.

Also contrary to popular opinion, immigrants use of public benefits is only slightly higher than that for citizens—6.6% for immigrants compared to 4.9% for citizens. However, it is essential to note that this use is accounted for by two subpopulations—refugees and elderly immigrants. Receipt of public benefits by non-refugee, working-age immigrants is roughly the same as for citizens—5.1 % for immigrants compared to 5.3% for citizens.

The 1965 immigration law, which fostered the policy priority on family reunification, eventually resulted in a doubling in the number of parents of citizens migrating to the U. S. during the 1980's. Subsequently, the number of legal immigrants receiving Supplemental Security Income (SSI) grew from around 244,000 in 1986 to almost 800,000 in 1996—roughly a 230% increase. Overall this meant that more than half of the elderly receiving SSI benefits in 1995 were noncitizens.

The percentage of elderly immigrants receiving SSI is higher because they typically do not have enough quarters of work to qualify for Social Security. They also generally have lower incomes and are more likely to qualify for SSI.

Examination of this trend among elderly legal residents receiving SSI illuminates how Congress arrived at using immigrant restrictions on receipt of SSI to achieve a great deal of the cost savings derived from restrictions in the 1996 welfare reform law. However, the welfare reform debate in Congress did not prominently feature two other critical facts—(1) the proposed SSI restrictions would retrospectively deny benefits to legal elderly and disabled immigrants; and (2) two of the cash assistance programs most commonly thought of as “welfare” (Aid to Families with Dependent Children and Food Stamps) actually have lower utilization rates among nonrefugee immigrants than is true for citizens.

Thus Congress chose to focus on the rapid growth in use of SSI by elderly and disabled immigrants to make the case that cutbacks were necessary. The final story these cuts illustrate that Congress did not discuss much was the historic decision to exclude people from public benefits based solely on their status as legal immigrants, even if their need for assistance was identical to a citizen’s.

This historic decision marked a major departure from long-standing interpretations of “public charge.” The idea of “public charge” has been primarily been applied to prevent potential immigrants from entering the U. S. Once an immigrant is admitted, however, our long-standing social policy has been to make public benefits available equally to legal immigrants and citizens.

The sweeping decision to deny legal immigrants public benefits akin to those available to citizens transforms U. S. immigrant policy by now denying legal immigrants access to such benefits to almost the same degree that we have historically denied benefits to illegal immigrants. Furthermore, the 1996 federal welfare reform law pushes responsibility for public benefits for legal immigrants even more onto states and localities. Along with devolving this responsibility to the states and localities, Congress also explicitly authorized the states to discriminate against legal immigrants in deciding eligibility for state or locally funded public benefit programs.

Beyond greater responsibility being pushed down to states and localities for public benefits for legal immigrants, immigrant families themselves will ultimately bear a far greater share of the financial care of extended family members than will be true for citizens.

IV. Immigrant Provisions—1996 Federal Welfare Reform Law

(Sources: Immigrant Policy News, 1996; Institute for Research on Poverty, 1996-97; *Washington Post*, 10/21/97)

Below is a summary of the key provisions in the 1996 welfare reform law which affect legal immigrants' access to public benefits. Following this summary is an update on restoration of SSI benefits for immigrants contained in the 1997 Balanced Budget Act.

A. Summary of Key Provisions

- *SSI and Food Stamps*—elimination of benefits for noncitizens effective 8/22/97, unless they become citizens, can show 10 years of work, or fall within the 5 year or military exemptions.
- *Five-Year Bar*—almost all new immigrants (post August 22, 1996) barred from receiving federal means-tested benefits for five years.
- *Deeming*
 - ◆ at end of five-year bar, new immigrants with sponsors subject to deeming of sponsors' income in determining their eligibility for federal means-tested benefits until becoming naturalized citizen or completing 10 years of work;
 - ◆ for all sponsored immigrants, the sponsor must guarantee financial support at a level equal to at least 125 percent of the federal poverty level (currently an annual income of at least \$20,062 for a family of four);
 - ◆ the sponsor's responsibility under the new law lasts until citizenship;
 - ◆ the new law also requires the establishment of legally enforceable affidavits of support (prior law only provided for deeming of a sponsor's income for three to five years and the declaration of financial support was not legally enforceable);
 - ◆ according to the federal regulations issued on 10/20/97 by the Immigration and Naturalization Service, affidavits of support will be required not only for family-sponsored immigrants but for those coming to work for relatives or for companies in which the relative owns a stake and sponsors will need to show tax returns to meet the new income requirements.
- *TANF Medicaid and SSBG*—states given choice of deciding current immigrants' eligibility for these three programs after 1/1/97 and new immigrants' eligibility at end of five-year bar.
- *Programs Funded by States or Localities*—states have choice of providing or barring current and new immigrants from state and/or locally funded programs.
- *Undocumented Immigrants*—remain ineligible for federal, state, and local public benefits.

B. 1997 Restoration of Some Immigrant Benefits

(Source: Welfare Information Network)

Pressure from the White House, key governors, state legislators, and immigrant advocacy and community groups led Congress to restore some of the immigrant benefits stripped away in the 1996 Personal Responsibility and Work Opportunity Reconciliation Act. The most critical assistance restored through the balanced Budget Act passed in August 1997 is the provision of SSI for legal elderly and disabled immigrants residing in the U.S. on August 22, 1996 who were already receiving such benefits.

Additionally, SSI benefits will be allowed for legal immigrants residing in the U.S. at the time of enactment who are or become disabled. The Balanced Budget Act also restored some benefits to refugees and added Cuban-Haitians to groups considered refugees.

These restorations do not diminish the basic thrust of the 1996 federal welfare reform law. The dramatic shift in public responsibility from the federal to the state, local, and ultimately immigrant families, remains.

V. Highlights of State Responses

(Source: Immigrant Policy Project, 1997)

States have generally chosen to codify the federal welfare reform law. This means that states, by and large, have chosen to provide benefits to legal immigrants residing here on August 22, 1996 and to deny them to new immigrants who arrive after that date. Below is a snapshot of state actions taken as of the summer of 1997 as states grapple with how to respond to immigrant restrictions in the federal welfare reform law. An updated analysis of state responses can be obtained through the October 20, 1997 edition of *State LegisLine* issued by the Immigration Policy Project.

A. Cash Assistance

States had two basic decisions to make with regard to cash assistance—whether to provide Temporary Assistance to Needy Families (TANF) for qualified aliens and whether to provide some level of benefit to legal immigrants losing Supplemental Security Income.

Alabama is the only state thus far that has decided to deny TANF to all immigrants. Some states have chosen to fund state-only TANF benefits to immigrants arriving after August 22, 1996.

With regard to SSI, states have chosen to make some assistance available through one of three approaches: (1) state general assistance benefits; (2) state-funded SSI supplement or disability benefit; or (3) establishment of a new program. Most states taking action chose one of the first two approaches. However, since federal SSI benefits have been restored for a great majority of affected immigrants, states that already took some action will need to decide what to do with the programs intended to replace SSI.

B. Deeming

It appears that most states anticipate using the newly required affidavits of support and have set up deeming requirements based on the federal 1996 welfare and immigration reform laws.

C. Domestic Violence

In accordance with provisions of the welfare reform law, several states have exempted immigrant mothers and their children for meeting citizenship requirements in order to receive benefits if they are victims of domestic violence.

D. Health Care

If states choose to deny Medicaid to legal immigrants residing in the U.S. as of August 22, 1996, the Health Care Financing Administration (HCFA) is requiring states to file amendments to their state plans. Thus far only Louisiana and Wyoming have filed such plan amendments.

A small number of states have decided to provide medical assistance to immigrants arriving after August 22, 1996. Some of these states will, however, apply deeming and residency requirements.

E. Nutrition

About 11 states are making provisions for some type of food assistance. The provisions range from state-funded programs operated like Food Stamps, to actual state purchase of U.S. Department of Agriculture (USDA) food coupons, to nutritional assistance for legal immigrant children, to “Minnesota grown” food coupons (vouchers to be used to purchase only Minnesota grown products). The majority of the states are providing such assistance either at a lower benefit level to current residents of the state or to selected groups of immigrants, such as children and the elderly.

Thanks to language contained in the FY 1997 supplemental appropriations bill, states choosing to do so will be able to purchase Food Stamps from USDA for use in giving some assistance to immigrants no longer eligible for federally funded Food Stamps.

F. Naturalization

In an effort to foster the ability of legal immigrants to become citizens when they are otherwise eligible, which will thereby reduce the numbers of immigrants who could be denied public benefits, several states funded naturalization and citizenship assistance programs. A few states went so far as to temporarily extend benefits to immigrants in the process of pursuing citizenship.

While this is a minimalist snapshot of states’ actions, it illustrates what state officials have begun to do to step up to the public responsibilities for legal immigrants handed over to them through federal welfare reform. It is generally understood that the greatest challenges are likely still to come. Although the restoration of SSI benefits in the Balanced Budget Act means one of the most significant cost shifts was averted, states still must address the remaining array of lost benefits. The greatest single loss that states have only begun to address is Food Stamps. What seems clear is that no state will be able to completely fill the gaps left by the loss of federal funds for these critical public benefits.

The dramatic shift in immigrant policy created by the 1996 federal welfare reform law’s restrictions on legal immigrants’ access to our nation’s safety net cannot be emphasized enough. This shift in responsibility for the provision of public benefits from the federal to state and local governments and the resulting treatment of legal immigrants being more akin to illegal immigrants rather than citizens raises serious questions about the meaning of citizenship in our society.

Beyond this dawning reality, however, immigrant families will also be subject to bearing a far greater share of the financial care of their members than is true of citizens. The scope of this inequity cannot be fully anticipated at this point in time.

Furthermore, the strengthened sponsorship and deeming requirements contained in the federal welfare reform law are likely to further restrict who among legal immigrants can be reunified with their foreign-born relatives. While our inclusive immigration policies have allowed more immigrants than ever to be reunited with their foreign-born family members, the restrictive welfare reform provisions will surely have a chilling effect on lower-income immigrant families’ abilities to sponsor the immigration of their family members.



VI. Policy Questions

- 1) How will the conflict between the immigration policy priority on family reunification and the immigrant policy restrictions on receipt of public benefits and sponsorship deeming requirements affect immigration trends? Who will be able to be reunified with their foreign-born family members? How will the stability of lower-income immigrant families be affected by the simultaneous loss of public benefits and social capital, such as care for their children and disabled members, typically provided by their extended family members?
- 2) How will legal immigrant families, their communities and our society be affected by the welfare reform restrictions transformative effect leading to legal immigrants being treated more akin to illegal immigrants than citizens are in their rights to our nation's social safety net?
- 3) Given the federal role in defining who can legally immigrate, is there not a concomitant federal role in providing some level of assistance to states and localities to assist in the integration of immigrants, i.e., at least to provide assistance for English and citizenship education?
- 4) What responsibility ought the federal government have to states and localities for sharing the costs of public benefits given that most of the taxes paid by immigrants go to the federal government while the welfare reform law pushes even more of the costs of public benefits down to state and local governments?
- 5) What responsibility should employers bear for at least providing health care benefits to the legal immigrants in their employ and their dependents?
- 6) What role should businesses, especially those employing significant numbers of legal immigrants, play in assuring the social and economic integration of immigrant families into our society?

Highlights of the Seminar

Held Friday, October 24, 1997, B-318 Rayburn House Office Building, Washington, DC.

Introduction

Participants were welcomed by Theodora Ooms, Executive Director of the Family Impact Seminar. Panelists were introduced by Ruth Gordner, Senior Research Associate at the Family Impact Seminar, who authored the background briefing report prepared for this seminar. Ooms moderated the discussion period.

In her introductory remarks, Ooms noted that this meeting's focus on the effects of welfare reform on immigrant families brought together two worlds that had been hitherto rather separate—the world of people concerned with immigrants and immigration and the world of child and family policies and programs. The purpose was to provide some background into the immigrant provisions of the welfare reform legislation, and to hear how two states and one city are responding to their increased responsibilities to deal with immigrant populations.

Ron Haskins

Ron Haskins is Staff Director for the Subcommittee on Human Resources of the Committee on Ways and Means for the U.S. House of Representatives. In this capacity, he was the principal staff author of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act. Previously, he served as welfare counsel for the Republicans on the Ways and Means Committee, taught at the university level, and has written books and articles on intellectual development, day care policy, education policy, divorce and child support, and federal budget and tax policy.

Haskins presented the historical and contemporary context for and summation of the policy changes affecting immigrants which were contained in the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). The argument for inclusion of the immigrant benefit restrictions in the PRWORA rested on historical precedent. The argument is based on the principle that in exchange for offering non-citizens “the best bargain in the world”—that is, the opportunity to come to this country where they enjoy the most individual freedom of any nation on earth, the “hottest” economy on earth, and the liberty to practice their religious beliefs—they are asked to obey our laws and not to go on welfare until they become citizens.

The policy of not allowing immigrants to receive welfare benefits until they become citizens has been U.S. policy since 1882, according to Haskins. It has roots as far back as 1645 when the Massachusetts Bay Colony prohibited anyone from entering the Colony from abroad who could not support themselves. Over the course of time, from the colonial days up through the 1996 passage of the immigrant restrictions in PRWORA, the principle of being able to support oneself has been incorporated time and again in policy. Moreover, since the early 20th century, people entering our country who subsequently accepted public support were subject to deportation. Therefore, considered in this historical context, the immigrant restrictions in PRWORA do **not** represent new policy.

In addition to historical precedents driving the inclusion of the immigrant restrictions in PRWORA, there were three other factors Haskins cited which influenced the Congressional representatives decision to include these restrictions in this bill: (1) dramatic increases in utilization of Supplemental Security

Income (SSI) by recent immigrants; (2) anecdotal evidence from some immigrant communities of deliberately bringing relatives to the U.S. to apply for welfare benefits; and (3) research evidence showing that receipt of welfare benefits induces dependency.

Haskins distributed a chart documenting the growth in SSI receipt by immigrants beginning in 1982. The chart showed that, between 1982 and 1994, SSI enrollment grew from 92,000 to 440,000. This represents a 560 percent increase in SSI usage by noncitizens who are over age 65 during that time period. By 1995, half of SSI benefits were paid to noncitizens.

He then cited research conducted by Dr. George Borjas of Harvard University indicating that almost 21 percent of households with an immigrant occupant have one or more welfare beneficiaries, compared with only 14 percent of native households. If you look at welfare usage by households as compared to individual immigrants, which is how other researchers often analyze this data, this translates into 47 percent more immigrant households receiving welfare benefits than in the native population. SSI is, however, the biggest and most rapidly growing welfare benefit utilized by immigrants.

Borjas is also the source of anecdotal evidence suggesting that members of some immigrant communities plan the sponsorship of relatives in order to help them access welfare assistance. Again, the evidence available shows such immigrants drawing down SSI benefits.

The third factor driving inclusion of these immigrant restrictions is the growing evidence that receipt of welfare benefits induces dependency. Haskins stated that over two-thirds of studies of nonmarital births show at least some correlation between receipt of welfare benefits and the rate of nonmarital births. Because of the belief that the behavior of recipients is affected by the receipt of welfare, limiting immigrants' access to welfare benefits is critical for reinforcing the need for immigrants to draw on their own talents to make a better life for themselves and their family members.

The final part of Haskins presentation included an overview of the immigrant provisions contained in PRWORA, as subsequently revised in the Balanced Budget Act of 1997. The immigrant provisions can be thought of as consisting of two populations—those in the country as of August 22, 1996 (the date of enactment of PRWORA) and those arriving after this date.

For those immigrants in the country as of August 22, 1996 and receiving welfare benefits, they will remain eligible for such benefits. If an immigrant was in the U.S. on that date but not receiving SSI and subsequently becomes disabled, they will still be eligible to receive SSI. Thus, the major group most affected by the PRWORA provisions will be those immigrants not in the U.S. as of the date of enactment.

Beyond these two broad parameters, there is a five-year ban on receipt of most welfare benefits for newly arriving immigrants. The ban on benefits for immigrants arriving after August 22, 1996 continues for Food Stamps and SSI. With regard to Medicaid and TANF for this group of immigrants, there are options for states. They can offer Medicaid or TANF once immigrants arriving after August 22, 1996 have been in the U.S. for five years, but then they will pay roughly half of the costs of doing so.

Another major provision affecting immigrants in PRWORA is stronger language regarding deeming a sponsor's income for determining a new immigrant's eligibility for benefits. Deeming a sponsor's income has always been contained in federal law, but previously the courts have determined that sponsorship agreements were not legally binding contracts. The new language was designed to guarantee that such sponsorship contracts would be legally binding in the future.

Under the new deeming provisions, when a newly arriving immigrant applies for welfare, the income of their sponsor will be deemed as available to the applicant. If the applicant succeeds in receiving welfare benefits during this period, the sponsor will be responsible for reimbursing the state for such benefits.

The groups exempted from this policy are refugees and asylees during their first seven years in the U.S., immigrants who have accumulated 40 quarters of work, and any immigrant honorably discharged from the U.S. military. Additionally, any immigrant who has attained citizenship is then eligible for benefits under the same conditions as other citizens.

The other broad exceptions to the new immigrant restrictions are that all noncitizens remain eligible for emergency medical services, which has been long-standing policy. Additionally, they are also eligible for noncash disaster relief, education and training, and Head Start. The philosophy behind offering noncitizens access to these kinds of services is that it fits with the kinds of programs people need in general to advance themselves. Foster care and adoption services are also provided to noncitizens because they are crisis services.

In conclusion, Haskins re-emphasized his major point that the immigrant provisions in the 1996 Personal Responsibility and Work Opportunity Reconciliation Act are not a major new direction but simply reinforced long-standing U.S. immigrant policies.

Frank Bien

Bien is Director of the Office for New Americans (MONA) within the Maryland Department of Human Resources. MONA is a resource to the Governor, Maryland General Assembly, and local governments regarding refugee and immigrant policy. MONA also funds local service providers to help newcomers adjust to life in America. Bien is past President of the State Coordinators of Refugee Resettlement (SCORR), and is a member of the National Immigration Forum in Washington, D.C.

To help the audience understand his remarks, Bien distributed a chart (see Attachment I) providing an "Overview of Noncitizens' Benefits Eligibility" prepared by Michael Fix and Karen Tumlin of the Urban Institute. He also noted that at the state level in Maryland, programs for immigrants emanating from three federal agencies are administered by two state departments, Baltimore City, and 23 local county departments of social services.

In summary, Maryland has opted to continue assistance for legal immigrants using state funding. Specifically, Maryland will provide cash assistance to all otherwise qualified noncitizens, regardless of whether they arrived before or after the August 22, 1996 federal welfare reform enactment date. The Maryland General Assembly passed legislation making state general funds available for this purpose after enactment of the federal welfare reform law. Further, Maryland will continue providing Medicaid and Food Stamp benefits to all legal immigrant children. (Note: Food Stamps and cash assistance benefits are now provided electronically through a special ATM card.)

Refugees not eligible for TANF can receive a separate federal cash assistance benefit called Refugee Cash Assistance, with a benefit period of eight months. In accordance with federal law, refugees and asylees will continue to be eligible for Medicaid and Food Stamps for their first five years in the U.S.

Maryland will pay the costs of health care for legal immigrant children and pregnant women regardless of when they arrive. Further, Maryland will continue to use the Social Services Block Grant (SSBG) funds for services for noncitizens, including those who are undocumented, based on their interpretation of who is eligible for these services. This interpretation is based in large part on the fact that in Maryland, SSBG funds are primarily used for child and adult protective services.

For those Maryland immigrants who are not eligible for SSI, mainly people in PRUCOL (Persons Residing Under Color Of Law) status, the state will provide temporary emergency medical and housing assistance to those who are disabled with at least a three-month impairment. The maximum amount they can receive will be \$100 a month for 12 months. If they have a SSI application pending, they can receive this assistance for a longer period of time.

In the second part of his talk, Bien very poignantly and proudly told the story of who makes up Maryland's immigrant communities. He drew from an editorial column that had appeared in the October 19, 1997 edition of *The Washington Post* to paint a picture of his state's foreign-born residents.

In summary, in 1996 Maryland had a total population of 5.1 million, with 20,000 immigrants making this state their home that year. While Maryland ranked nineteenth in the nation in terms of total population at that point in time, it ranked ninth in terms of the number of immigrants arriving that year. On average, Maryland hovers between ninth and eleventh rank in terms of numbers of immigrants settling in the state each year.

Thus, eight percent of Maryland's population overall is foreign born, with a total of 412,000 immigrants residing there from more than 145 different countries. Koreans constitute their largest immigrant nationality, which in the 1990 census meant that Koreans represented about 6.7 percent of Maryland's foreign born.

In terms of educational attainment, 45 percent of Maryland's immigrants hold a bachelor or professional degree, compared to 31 percent for Maryland natives. Only about 10 percent of the noncitizens are undocumented, compared to 20 percent nationally. About 10 percent of noncitizens live below the poverty level, and about 23 percent have yearly incomes of \$35,000 or more.

Of the roughly 30,000 refugees living in Maryland, about 200 receive Refugee Cash Assistance benefits each month. Of these 200, none have been in the U.S. for more than eight months. On that upbeat note, Bien concluded his remarks.

Ed Silverman

Silverman is Chief of the Bureau of Refugee and Immigrant Services with the Illinois Department of Human Services and is currently President of SCORR (the national affiliation of State Coordinators of Refugee Resettlement). He has administered the Illinois Refugee Resettlement Program since 1976 and is actively involved in refugee and immigrant policy and program development at the national, state, and local levels.

Silverman's opening remarks were focused on providing additional facts about immigrants, which he noted Haskins had omitted in his earlier discussion of factors influencing Congress to restrict immigrants' access to public benefits. The two main facts he brought out were that half of the foreign-born residents receiving SSI are refugees and that 40 percent of immigrants entering the U.S. do so without sponsors. This means that these two immigrant populations are particularly at the mercy of our public assistance system in times of crises.

He then turned to his home state of Illinois, where immigrant policy is not filled by anti-immigrant sentiments as is the case in some other states. This was especially noteworthy given that Illinois is one of the top five states disproportionately impacted by immigrant growth over the last decade. The lack of anti-immigrant sentiments has meant that Illinois' policymakers have decided in most cases to use state monies to fill the gaps left by federal funding losses to continue caring for their noncitizens.

Specifically, Illinois decided to maintain TANF and Medicaid for noncitizens in the U.S. as of August 22, 1996 for whom the federal match is available. They will also provide prenatal and postpartum care for all income-eligible noncitizens, including the undocumented.

Illinois is also the proud sponsor of the first and most comprehensive Refugee and Immigrant Citizenship Initiative. This Initiative is currently made up of a network of 26 agencies that provide English as a Second Language and Civics instruction, as well as citizenship application services. Total expenditures for this Initiative since its inception in January 1995 through June 1997 have totaled about \$4.4 million. About 70,000 persons from roughly 80 different countries had participated in the Initiative.

Before Congress' restoration of SSI benefits, the Illinois General Assembly had appropriated \$10 million for those who were at risk of losing their SSI. Now that this money is available for reprogramming, the General Assembly has chosen to fund Food Stamps for youth and elderly who are not eligible for these federal benefits.

Silverman used both the total numbers of immigrants in Illinois who will be affected as well as individual family stories to powerfully illustrate the impact of the federal changes. The total numbers include: (1) 38,000 noncitizens will lose their Food Stamps, including 14,000 children, elderly, and disabled; (2) at least 300 noncitizens who are 65 but not disabled will lose their SSI; and (3) 1,300 noncitizen children and 2,400 "unqualified" adult legal residents will lose Medicaid. Moreover, over 50 percent of all welfare utilization by immigrants in Illinois is for Medicaid only—the working poor who do not have any other health care.

To further amplify Illinois' willingness to make the case for adequately caring for its residents, Silverman's office funded a series of studies. He handed out a copy of one of these studies examining taxes paid by immigrants versus services utilized.

Immigrants make up 10.2 percent of the population in Illinois, but they pay 10.6 percent of the state's taxes. Furthermore, immigrants paid \$6.11 in taxes for every dollar used in major services. Native-born residents paid \$3.75 in taxes for every dollar used in services. Finally, the study documents that 70 percent of taxes paid by immigrants go to the federal government, which is now paying for less than 30 percent of the services they utilize.

In conclusion, Silverman emphasized that the federal government will continue to collect roughly the same amount taxes from immigrants; but as a result of welfare reform, the federal government will pay even less of the costs of services. As a consequence, across the country hundreds of thousands of noncitizens will suffer.

Alice Tetelman

Tetelman is Director of The City of New York's Washington, D.C. Office. She was appointed by Mayor Rudolph Giuliani to be Director in January 1994. Prior to this, she honed her political and policy skills through working for three members of Congress and as Republican Staff Director for the House Select Committee on Hunger, Director of former New Jersey Governor Kean's Washington Office, and Executive Director of the Council of Governors' Policy Advisors (CGPA).

Tetelman started by giving a snapshot of the magnitude of New York City's current immigrant population. Out of the 7.3 million people calling New York City home, about 1.2 million or 16 percent are legal permanent residents.

She then focused on why Mayor Giuliani has been at the forefront of speaking out on behalf of immigrants and providing national leadership on these issues. Historically, New York City is known worldwide for opening its arms to immigrants. The contributions to the City made by immigrants over the generations are legion. Immigrants, like citizens, pay taxes and contribute their resources and energy to constant revitalization of the City. In the last five years, whole neighborhoods have been rejuvenated by the recent waves of immigrants.

Mayor Giuliani is personally committed to improving policies and programs to integrate immigrants into our nation, and he has spoken out from the beginning of the welfare reform debate about his opposition to the immigrant restrictions that eventually became part of the 1996 welfare reform and illegal immigration laws. He formed an immigration coalition in New York made up of prominent individuals and organizations to highlight the contributions of immigrants to this nation.

In June 1997, he convened a national Conference on Immigration in New York City. The conference featured 15 elected officials from 11 cities who came together to emphasize the contributions of immigrants to America and to push for restoration of the benefits denied legal immigrants in the welfare reform legislation. It is the Mayor's strong belief that all of the benefits lost in this legislation need to be restored, and he plans to continue to work with other elected officials nationally to reach this end.

Tetelman passed out copies of the Resource Guide compiled for the June Conference on Immigration. It contains information about the advocacy efforts of the officials of the cities and states that participated in the Conference.

Tetelman stressed that the major themes espoused at this Conference were the same as those that had been emphasized at this session today: (1) public benefits for immigrants are a federal responsibility; (2) the immigrant restrictions in the welfare reform law represent a major cost shift from the federal to the state and city governments; and (3) many of the people who will lose benefits as a result of the federal law are among the most vulnerable in our society.

Mayor Giuliani has traveled around the country to speak about the punitive aspects of the welfare reform legislation. He consistently emphasizes that it is unfair to taxpayers who have contributed to our society to now make them lose benefits that other citizens rightly receive. It is his very strong position that legal permanent residents in this country deserve the same benefits as citizens.

The impact of the loss of federal public assistance funding will be even greater for the state of New York because of its constitutional requirement to assist the needy. This requirement was used as the foundation for a new state law passed in August 1997 to fill the gaps left by the federal welfare reform law.

Two new programs were established through the August 1997 legislation that was passed by the New York legislature. One is called the Family Assistance Program (FAP), which essentially replaced the old Aid to Families with Dependent Children (AFDC). FAP will provide benefits for up to five years, but contains the work requirements necessary to meet the new federal law mandates.

The second program established is referred to as the Safety Net Assistance program. This program replaces New York State's former Home Relief program, which provided general cash assistance. The Safety Net Assistance program will provide two years of cash and in-kind benefits. If assistance is still needed after two years, there is also a separate program of non-cash assistance that can be made available. The Safety Net Assistance program will be targeted to immigrants who cannot qualify for the federal TANF benefits. However, there will be a one-year waiting period for new immigrants before they can be eligible for Safety Net Assistance benefits.

Legal immigrants who were in New York as of August 22, 1996 will continue to be eligible for TANF and Medicaid. After this date, once new immigrants have passed the five-year ban on receipt of public assistance, they will become eligible for the Family Assistance Program and Medicaid benefits.

New York will also use state funds to continue provision of Food Stamp benefits to those legal immigrants no longer eligible for these federal benefits. Assistance will be made available for noncitizen children, the disabled, and the elderly who were residents in the state as of August 1997. This program is optional for counties, and New York City has opted to participate.

Because New York State and City equally share the cost of state-funded programs, the costs to New York City for continuing these public assistance benefits will be significant. For Food Stamps, preliminary projections indicate there are about 80,000 New York City immigrants who received benefits and that about 48,000 will continue to receive state/city Food Stamp assistance. Most of these immigrants are elderly who were on SSI. (Cost projections are not available yet.)

For TANF and Medicaid, they estimate about 62,000 recipients in New York City will take advantage of the new Safety Net Assistance Program. For the first year, they project it will cost the City about \$8 million in direct costs. There are no estimates yet of what the costs will be to administer these new programs.

Beyond the immediate need to put in place programs to continue public assistance benefits for immigrants, Mayor Giuliani sees naturalization as the ultimate safety net. In New York City, the Mayor made a decision to emphasize naturalization as a means of providing to legal immigrants the benefits he believes that they rightly deserve. In 1997, he established a \$12 million program in six sites around the City to assist immigrants in the naturalization process. The kinds of activities these sites conduct include outreach and naturalization education, referral to legal assistance when necessary, and assistance with getting fingerprints and photographs.

Unfortunately, the wait in New York City to acquire citizenship is averaging about 22 months. So the burden on the City of providing public benefits while immigrants are awaiting citizenship is growing due to the Immigration and Naturalization Service backlog.

Tetelman concluded by noting that while the Balanced Budget Act went a long way in restoring benefits for legal immigrants, Mayor Giuliani believes we must do more. “All benefits taken away must be restored both for those immigrants who are here now and for those immigrants who come into our country in the future.”

Discussion

Before turning to the audience for questions, Ooms gave Haskins an opportunity to respond to some of the points made by the other panelists.

Haskins further elaborated on the philosophy underlying the immigrant provisions of PROWRA, emphasizing that they were not anti-immigrant but intended to be anti-welfare. He pointed out that family reunification has only been a goal only since 1965. Prior to that, officials were charged with admitting only immigrants who could show that they could support themselves. Sponsorship agreements were devised for this purpose.

Haskins declared that it is because we started admitting people primarily for family reunification purposes, without regard to their ability to support themselves, that welfare programs started being opened up to immigrants. In his view, this is how we got in the trouble we are in with the growing numbers of immigrants utilizing welfare benefits.

In response to the accusation that the immigrant provisions are unfair, Haskins again reviewed the historical precedents. “It has always been our policy not to admit people who could not support themselves and to deport people who became public charges, and people knew that when they came to this country. Over half of them had written statements saying that.”

Regarding the notion of states and localities not having the money to pay for immigrant services, he emphasized that TANF is a block grant. Therefore, states that have a high number of immigrants received their TANF allocation in part based on the average number of immigrants residing in their states during 1992-1994 or 1994-95, whichever is greatest. This is to say that whatever money they spent on immigrants during this time period was included in the states’ block grant allocation. This money is fungible, so they should be able to figure out how they can continue to use these monies for immigrant services.

There should be no question, Haskins asserted, about the federal government continuing to pay its share of Medicaid expenses for immigrants who were here on the date of enactment of the welfare reform law. There were huge fights about this issue, and Congress’ commitment on this issue should be very clear. If there are any problems about Medicaid, they could only be relevant to those immigrants arriving after the August 22, 1996 enactment date.

Since passage of the Balanced Budget Act of 1997, everyone who was receiving SSI should be continuing to receive his or her benefits. Furthermore, for those turning 65 after the date of enactment, it is estimated that about 80 percent will eventually qualify for SSI due to disabilities.

Haskins next emphasized his beliefs about the behavioral effects of toughening up the enforcement of sponsorship agreements. Family members will not commit themselves to everlasting poverty if they don’t feel they have enough income to support a person they are sponsoring who may then fall on hard times. This will affect the kind of people who come to this country. “We will return to the way immigration has worked historically in this country, meaning the decision about who to admit will be based on their ability and drive to support themselves.”

Haskins agreed that a harder look needs to be taken at what can be done to help the Immigration and Naturalization Service (INS) reduce the unacceptably long backlog of immigrants waiting to be naturalized.

He also agreed that “our policy is out of balance. The Federal government admits noncitizens, and often, even under previous law, the states and localities wound up holding the bag. That is a problem ...and we should make sure the federal government plays its proper role and not just dump problems on the states and localities.”

With this expansive set of comments offered by Haskins, Ooms offered the other panelists a brief response period. Tetelman offered two recommendations: (1) All interested parties should support the \$200 million reprogramming request for INS that was being considered by the Appropriations Subcommittee governing INS funding; and (2) everyone should work to make Section 245-I permanent so that immigrants affected by these provisions will not have to return to their homelands and leave their families for three to ten years before being able to immigrate back here.

Bien mentioned that, in its final report, the U.S. Commission on Immigration Reform made the very useful recommendation that the federal government should fund states to offer all immigrants moving towards citizenship the kind of orientation currently provided to refugees, which greatly helps with their integration into the community. .

A local area case manager for Vietnamese refugees asked the panelists how they met the TANF work requirements for refugees and other non-English speaking immigrants. In his locality, they are exempted from the requirements, which he feels is shortsighted as it does not prepare them to be self-sufficient when the time cut off kicks in. Both Bien and Silverman agreed this was a problem but mentioned that states can define English as a Second Language (ESL) as an approvable activity.

Another participant suggested that the federal government needed to invest more in programs like ESL, which is currently seriously underfunded. Haskins and the other panelists agreed. Silverman pointed out that the Emergency Immigrant Education Act authorizes \$500 per immigrant student in federal subsidy to the local education authorities, but the appropriations are so low that Illinois only received \$100 per student in 1996. Another participant mentioned the serious underfunding of the Office of Refugee Resettlement.

Haskins noted that several people had commented that the fragmentation of responsibility for refugees and other immigrants between several different congressional committees was a major problem. However, he noted that these come together in the appropriations process, and getting information about some of these problems to appropriations committee staff could be very useful.

Panelists were asked about factors that influenced state/local decisions to provide state/local-funded benefits to immigrants to compensate for the federal cutbacks.

Bien said that Maryland has been investing in helping to promote naturalization for many years prior to TANF. Governor Glendening made the decision to provide state-funded benefits to legal immigrants.

Silverman pointed out that Illinois has established many vehicles for consulting with various ethnic and racial groups and Governor Jim Edgar was very receptive and made good use of them. (It helped that a study from his office found that 51 percent of immigrants in Illinois lived outside the Chicago, and immigrants heavily impacted many Republican districts.) The Governor was also very active in urging Congress to change the immigrant provisions in the original bill.

Tetelman affirmed that Mayor Giuliani has both philosophical as well as practical reasons for continuing to invest in citizenship, immigrant outreach, and related programs. She expects them to be continued even in the event of economic downturn.

Other questions addressed issues of child care; worries about child nutrition (in the light of cuts in Food Stamp); the importance of language-specific health care services; the need for welcome centers that orient new immigrants to the maze of services available; and the relationship between the deeming and sponsorship requirements and the five-year time-limit.

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