

NLWJC - Kagan

Counsel - Box 036 - Folder 004

**Naturalization and Food Stamp
Certification**

IMPLEMENTATION STATUS - EXTENSION OF CERTIFICATION PERIOD FOR ALIENS

Region/State	Plans to Implement
NERO	
Connecticut	Most likely
Maine	Probably No
Massachusetts	Most likely
New Hampshire	No
New York	Most likely
Rhode Island	Yes
Vermont	Most likely
MARO	
Delaware	No (not enough alien HHs)
District of Columbia	Yes
Maryland	Yes
New Jersey	Yes
Pennsylvania	Leaning toward No
Virginia	Yes
Virgin Islands	Yes
West Virginia	Has not yet decided
SERO	
Alabama	Yes
Florida	Yes
Georgia	Yes
Kentucky	Yes
Mississippi	Yes
North Carolina	Yes
South Carolina	Yes
Tennessee	No
SWRO	
Arkansas	Yes
Louisiana	Yes
New Mexico	Not yet decided
Oklahoma	Not yet decided

Region/State	Plans to Implement
SWRO, cont.	
Texas	Not yet decided
MWRO	
Illinois	Yes*
Indiana	Yes
Michigan	No (12 month certs)
Minnesota	Yes
Ohio	Does not know if can use waiver
Wisconsin	Yes
MPRO	
Colorado	Unsure
Iowa	Yes
Kansas	Not returning calls
Missouri	Yes
Montana	Unsure
Nebraska	Yes
North Dakota	Unsure
South Dakota	Yes
Utah	Yes
Wyoming	Unsure
WRO	
Alaska	Yes (but many 12 month certs)
Arizona	Yes
California	No (12 month certs)
Hawaii	Yes (but many 12 month certs)
Guam	Yes (but many 12 month certs)
Idaho	Yes**
Nevada	Yes***
Oregon	Yes (but many 12 month certs)
Washington	Yes

Yes = 36

- Illinois. System cannot identify HHs with legal aliens. Recertification process...
When recipients come in for recertification interview, worker will first check to see if a HH member is a legal alien (and does not meet one of the exemptions). If yes, and if HH has not already had a 12 month cert period, worker will explain that law has changed and that the HH's cert period is being extended.
- ** Idaho: Extending cert periods to 12/31 for households whose certification periods end in September, October, or November only.
- *** Nevada New applications:
Through Friday 9/13, will approve for 6 months
As of Monday 9/16, will deny cases that do not meet 402 criteria



THE GOVERNOR OF THE STATE OF FLORIDA

LAWTON CHILES

September 5, 1996

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, Northwest
Washington, D.C. 20500

Dear Mr. President:

I wanted to advise you of the action that Florida is taking in accordance with the waiver option offered by the U.S. Department of Agriculture, Food and Consumer Service related to eligibility of legal noncitizens for food stamps. The memorandum outlined the difficult task that all states face in instituting the provisions of welfare reform related to eligibility of noncitizens. Recognizing the challenges of immediate implementation of the new law, USDA has provided states with a waiver of federal regulations to extend food stamp certification periods to all current relevant households.

This waiver opportunity will allow Florida's affected families to plan for a definite period of food stamp benefits, rather than having to face an immediate loss of eligibility. Our plan would include a preliminary review of each legal noncitizen household to confirm their current status and to establish a line of communication to assist these families through this process. The length of extension of certification periods will be consistent with the guidelines provided and the family's circumstances. We are hopeful that this will allow for a more orderly and equitable transition.

Through this process, it is our desire to maintain the highest integrity while creating an environment with the minimum of risk for error. However, the uncertainty of the new policies and the speed of implementation which confront Florida and other states in all areas related to welfare reform could increase the error rate. I believe it would be appropriate for USDA/Food and Consumer Service to also consider granting a quality control waiver - particularly for households with extended certification periods - minimizing the increased potential for federal liability. I would appreciate your counsel on this matter.

The Honorable William J. Clinton
Page Two

The leadership that you have shown on this issue will permit thousands of families in Florida, many of them with elderly or disabled family members, to have a reasonable chance to explore their options related to potential citizenship or to make other family arrangements for their future needs. This will also provide time for us to continue to work in partnership to seek modifications to the law to avoid the potentially devastating impact that implementing these changes would have in South Florida. As you know, I feel strongly that the responsibility of national immigration policy should not be shifted to the State and its communities, and like you, have repeatedly expressed my opposition to these new restrictions.

I appreciate the swift action you have taken on this urgent matter. The policy that you have initiated and which Florida is adopting will hopefully permit us to maintain program integrity while responding to urgent human needs.

With kindest regards, I am

Sincerely,



LAWTON CHILES

LC/mpb

cc: The Honorable Dan R. Glickman

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New Hampshire	No
New York	Most likely
Rhode Island	Yes
Vermont	Most likely
MARO	
Delaware	Has not yet decided
District of Columbia	Yes
Maryland	Yes
New Jersey	Leaning toward Yes
Pennsylvania	Leaning toward Yes
Virginia	Has not yet decided
Virgin Islands	Yes
West Virginia	Has not yet decided
SERO	
Alabama	
Florida	Yes
Georgia	
Kentucky	
Mississippi	
North Carolina	
South Carolina	
Tennessee	
SWRO	
Arkansas	Yes
Louisiana	Yes
New Mexico	Not yet decided
Oklahoma	Not yet decided

Region/State	Plans to Implement
SWRO, cont.	
Texas	Not yet decided
MWRO	
Illinois	Leaning toward No
Indiana	Have not started discussions
Michigan	No (12 month certs)
Minnesota	Leaning toward Yes
Ohio	Leaning toward Yes
Wisconsin	Leaning toward Yes
MPRO	
Colorado	Unsure
Iowa	Yes
Kansas	Not returning calls
Missouri	Yes
Montana	Unsure
Nebraska	Yes
North Dakota	Unsure
South Dakota	Yes
Utah	Yes
Wyoming	Unsure
WRO	
Alaska	Yes (but many 12 month certs)
Arizona	Yes
California	No (12 month certs)
Hawaii	Yes (but many 12 month certs)
Guam	Yes (but many 12 month certs)
Idaho	Not yet heard from
Nevada	Not yet heard from
Oregon	Not yet heard from
Washington	Yes

New
First
A

The President has issued a directive ensuring that legal immigrants and their children who remain eligible for food stamps under the new welfare law do not have those benefits cut off mistakenly.

Eligibility of Aliens for Food Stamps

The President has directed the Secretary of Agriculture to ensure that States have the maximum time allowed under the law to make sure that legal immigrants who remain eligible for food stamp benefits continue to receive them. The Secretary is to grant a waiver allowing any state, subject to certain legal restrictions, to extend the certification periods for eligibility for food stamps that apply to legal immigrants receiving assistance. The extension will give States time to develop the procedures needed to make accurate determinations of the many facts -- such as immigration classification, veteran status, or work history -- that the new law makes relevant to eligibility. In this way, the directive will decrease inaccurate or inequitable decisions to cut off food stamps.

CINDY:
SOME
SUGGESTIONS
ELENA

Under the terms of the new law, benefits to legal immigrants and their children are cut off at the time of recertification of their eligibility for food stamps. When a State extends the certification period, it will, in effect, push back the date on which the legal immigrant will be deprived of food stamp benefits.

The waiver has specific time limits. Under current law, the Secretary may not allow states to extend certification periods beyond one year for most aliens or two years for certain elderly or disabled aliens. For states that already use the maximum certification period, the waiver will not have a significant impact. For those that have shorter periods, however, the waiver will permit extensions to a full year or 24 months. The Department, however, may not allow states to extend any certification beyond August 22, 1997.

could be given the time necessary to prove

If States take full advantage of the waiver offered by the Administration, up to 500,000 individuals could be given additional time with benefits to assist them in proving that they meet one of the legislated exemptions, or to become a citizen. For example, the INS has stated that the time it takes to become a citizen takes less than six months, on average, nationwide. If a state could extend a certification period by six months, that could provide an elderly immigrant who has been in the United States for 20 years the opportunity to naturalize without losing food stamp benefits.

The proposal will not help everyone. There are instances where individuals are already certified for the 12 months and their certification period cannot be extended. Other participants will not be able to obtain citizenship or document an exemption within the time frames of an extended certification. Some States may not elect to take this option. And new applicants will be denied benefits. However, the President's action underscores his efforts to provide every opportunity for fair and equitable treatment of those legal immigrants affected by the new welfare law, consistent with that law's terms.

SEEP
inward
welfare

welfare law, consistent with that law's terms.

New last A:

The President has vowed to repair the provisions of the welfare reform bill affecting legal immigrant families. In the meantime, he is determined to ensure, as this directive shows, that the law be implemented as carefully as possible.

August 23, 1996

I think we've said this already.

Also this seems to emphasize too much the negative

I think we've now decided that we do not want to stress this point.

New
list
A

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SPEP
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Ren Hill

Waiver authority -

auth to ~~waive~~ provisions of F.I. Act itself -

// Regulatory - waivers of regs.

7 CFR 272.3(c)

to improve admin of prog.

EXECUTIVE OFFICE OF THE PRESIDENT

23-Aug-1996 03:30pm

TO: Elena Kagan

FROM: Jeremy D. Benami
Domestic Policy Council

SUBJECT: USDA implementing memo

This is really from Diana:

Yvette Jackson of USDA/food stamps (the woman at the meeting today) said she gave you a copy of the draft implementing memo for the recertification directive. She needs your comments on that today, or at the latest Monday morning. She wants to send out that implementing memo with the larger implementing memo that USDA wants to send out on all the food stamp provisions in the bill (it was in the packet I handed you at the meeting today).

I will send you her phone number, but she just told me she will be out next week -- I THINK Stacey Dean would be the person to talk to if you can't get to her until Monday morning.

By the way, there are 2 legal questions on how to interpret the children's SSI cuts that have a big effect on the timing and number of disabled children dropped from the rolls. I have asked SSA to have Arthur Fried, their general counsel fill you in on one of the 2. I will get you info on the other. They are both issues that have to be decided shortly -- probably Labor Day week.

703-305-2026

OK

DRAFT

Dear Commissioner:

The Department has been concerned about the difficult task State agencies face in implementing the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) signed by the President on August 22, 1996. The new criteria the PRWORA establishes for the eligibility of noncitizens create some particularly challenging implementation issues. The criteria for eligibility to participate in the Program are very specific and require extensive verification to determine whether or not an alien is eligible. Both the Immigration and Naturalization Service and the Social Security Administration will be sources of verification and Federal and State officials need time to develop systems and procedures to minimize the likelihood of inaccurate ineligibility determinations.

In an effort to recognize the challenge of implementing the PRWORA, the President has directed the Department to grant State agencies a waiver to extend the certification periods of all households containing participating alien members, provided no certification period is extended to longer than 12 months or 24 months for households in which all adult members are elderly or disabled but not beyond August 22, 1997. This waiver will enable States to develop procedures for more orderly implementation and allow more time for State and Federal officials to work together to develop procedures for determining alien eligibility. The waiver is granted under the authority of 7 CFR 272.3(c)(1)(ii) which allows waivers that would result in a more effective and efficient administration of the Program. State agencies that take this option will notify affected households that their certification periods are extended and record the extension in the case file. They are not required to provide notification to the Department.

Our goal is to ensure that a fair and accurate determination of eligibility is made for all noncitizens affected by these new provisions. We hope this administrative action increases your ability to implement the new legislation accurately and fairly.

Sincerely,

Yvette S. Jackson
Deputy Administrator
Food Stamp Program

Elana -
Jack has asked
that Keith's staff
prepare 1 document
that both you

Cindy
5x9189

Eligibility of Aliens for Food Stamps

Background: The new welfare reform bill requires States to remove almost all legal immigrants currently receiving food stamps from the program. By August 22, 1997 all current recipients are required to be off the program unless they meet one of a limited number of exemptions, or have become a naturalized citizen. The new rules apply to new applicants immediately.

Immigrants currently on the program will be judged against the new stricter criteria at their next "recertification." When food stamp households first apply for benefits, they are allowed to participate for a fixed number of months, not to exceed 12 months in most cases. A household must be recertified at the end of that period to continue to receive benefits.

The new provisions provide exemptions for veterans; individuals that have worked or can be credited for forty quarters of work under Social Security rules; and immigrants having refugee or and asylee status for less than 5 years.

The Immigration and Naturalization Service, the Social Security Administration and the Department on Veteran Affairs will be sources of verification. Federal and State officials need to develop systems and procedures to minimize the likelihood of inaccurate ineligibility determinations.

Implementing the new provisions: Instituting the new eligibility criteria and the making the complex exemption determinations will be very challenging. Recognizing this difficulty and the short time frames, the President has directed the Department of Agriculture to take the necessary steps under the Secretary's authority to permit states to extend certification periods to ensure that recertifications are made fairly and accurately.

The proposal may grant additional time to some legal immigrants who have applied for citizenship and others who intend to naturalize without losing benefits. The bill delayed implementation of the new alien eligibility provisions until January 1, 1997 for other programs.

If States take full advantage of the waiver offered by the Administration, up to 500,000 individuals could be given additional time with benefits to assist them in proving that they meet one of the legislated exemptions, or to become a citizen. For example, the INS has stated that the time it takes to become a citizen takes less than six months, on average, nationwide. If a state could extend a certification period by six months, that could provide an elderly immigrant who has been in the United States for 20 years the opportunity to naturalize without losing food stamp benefits.

The proposal will not help everyone. There are instances where individuals are already certified for the 12 months and their certification period cannot be extended. Other participants will not be able to obtain citizenship or document an exemption within the time frames of an extended certification. Some States may not elect to take this option. And new applicants will be denied benefits. However, the President's action underscores his efforts to provide every opportunity for fair and equitable treatment of those legal immigrants affected.

f
5x7370

EXECUTIVE OFFICE OF THE PRESIDENT

23-Aug-1996 12:07pm

TO: Elena Kagan
FROM: Barry Toiv
Office of Press Secretary
SUBJECT: immigrants

Sending you draft. could yo make sure Justice is ok with our releasing info on their memorandum? Can we have theirs and hand it out over here? Is there a contact there we can put in our press release? When are they issuing it?



whether?
I can't know
↓

~~Myra~~
Myra Marlin
616-2765

When? —

This afternoon —
soon as she's ^{not} available —

Not much.

THE WHITE HOUSE

WASHINGTON

August 22, 1996

MEMORANDUM FOR LEON PANETTA

FROM: ELENA KAGAN *ek*

CC: GEORGE STEPHANOPOULOS

SUBJECT: WELFARE-RELATED DIRECTIVES

I am attaching, at Jack's request, two directives related to today's signing of the welfare bill. The first, as we discussed at yesterday's meeting, directs the Secretary of Agriculture to grant an automatic waiver allowing states to extend the certification periods of legal aliens. The second, which is much less substantive, directs the Attorney General to continue taking steps to improve the INS's ability to process naturalization applications. The first directive has been approved by all affected parties; the second still has some hoops to run through, but I don't expect any real problems. The written signing statement refers to both these actions in very general terms.

We need to make a decision about when (and, I suppose, whether) to release these directives. Jack's instinct is to do so this afternoon, sometime after the ceremony.

In addition to the above, two other executive actions -- one specifically authorized by the welfare bill -- may mitigate the impact of the bill on immigrants. You or others may wish to refer to these actions in the next few days.

The first is a proposed rule that the INS hopes to publish in the next week exempting people with certain disabilities from standard testing requirements for naturalization. Such a rule will allow certain people with disabilities to become citizens and thus escape the bill's limitations on providing benefits to aliens.

Second, the Attorney General, by the terms of the bill, may designate any non-means tested programs necessary to protect life and safety; the effect of this designation is to prevent the exclusion of legal aliens from the program. Examples of programs that the AG will so designate include those providing crisis counseling and short-term shelter. The AG currently intends to sign this memo this afternoon.

MEMORANDUM FOR THE ATTORNEY GENERAL
SECRETARY OF HEALTH AND HUMAN SERVICES
AND OTHER EXECUTIVE DEPARTMENT HEADS

SUBJECT: Naturalization

Citizenship is the cornerstone of full participation in our democracy. To become a United States citizen through naturalization represents a pledge to undertake the responsibilities of being a full member of our national community.

Naturalization is the best example of our legal immigration system working. It reflects our society's recognition of those who came to this country to work hard, play by the rules, and pursue shared ideals of freedom, opportunity and responsibility.

In the past, hundreds of thousands of eligible individuals have had to wait unnecessarily to become citizens. In some parts of the country, these individuals have had to wait well over a year after filing their application to realize their dream of United States citizenship.

This Administration is committed to eliminating the waiting lists of those eligible for citizenship. To accomplish this, we launched Citizenship U.S.A., the most ambitious citizenship effort in history. In FY 1996, the INS will spend more than \$165 million for naturalization.

Citizenship U.S.A. combines three broad strategies: hiring more people to handle applications, improving the naturalization process, and expanding partnerships with local officials and community organizations.

We are already making progress. We have increased the staff 235% in the five districts with 75% of the pending applications: Los Angeles, New York, Miami, San Francisco, and Chicago. In Los Angeles, where one-fourth of all new applications are filed, we have opened three new processing centers and have more than quadrupled the number of INS officers handling citizenship applications.

But this is just the beginning. This Administration's target is to process and swear-in within six months of application all individuals eligible for citizenship. As we meet this target, more than one million newcomers will become citizens by the end of this year. After that, INS shall maintain those reforms necessary to stay current with the demand of new citizen applicants.

Using all of the tools at your disposal, I ask you to ensure that policies and practices necessary to accomplish these targets of one million new citizens sworn-in and the elimination of the waiting list are implemented. This includes continuing, expanding or accelerating, as appropriate and practicable, the following:

1) New Hires. Hiring, training and deployment of full staffing to assist naturalization efforts should proceed to completion as quickly as possible.

2) Cutting Red Tape. This includes: establishing electronic filing and mailing-in of citizenship applications, extended weekday hours and Saturday interviews, further expansion of processing facilities, and improvements to make it easier for people to obtain forms and get immigration information by telephone or computer.

3) Working with Local Officials and Community-Based Groups. We are working in partnership with local officials and community groups in naturalization to a degree never before accomplished. In Los Angeles, for example, INS hosts weekly meetings with various community groups to expand outreach and we are working in cooperation with the County of Los Angeles. Accordingly, I direct you to expand our efforts to work with local officials and groups to leverage our resources to help get naturalization information to people, assist them in filling out applications, offer more local sites for interviews, especially for the elderly and the homebound, and seek other means to jointly facilitate the process. We also will seek to work with state and local governments and community-based groups to expand the availability of local hotlines dedicated to providing easily-accessible naturalization information.

4) English Training. To assist legal immigrants move toward citizenship and new citizens expand job skills and maintain self-sufficiency, I request relevant agencies to work with the Domestic Policy Council, the National Economic Council, and other White House offices to present to me by December 30, 1996, a report describing opportunities to establish public/private cooperative efforts to teach English to the many individuals waiting to learn or improve their English-language skills. This report should consider possible roles by private companies, educational institutions, unions, community organizations, and the Americorp program to accomplish this goal.

5) Interagency Outreach. I direct each Executive agency to take steps to promote naturalization outreach consistent with your agency's mission. In particular, I direct that you include naturalization information to current recipients of benefits or services in material distributed concerning welfare reform eligibility redetermination.

6) Refugees and Asylees. Those who flee persecution and suffering in their home country are often in the weakest position to acquire the skills they need to enter the job market, maintain self-sufficiency and achieve U.S. citizenship. I direct the Secretary of the Department of Health and Human Services, in conjunction with other agencies as appropriate, to present to me through the Domestic Policy Council, a report by December 30, 1996 setting out a strategy of additional steps that we can take to promote social adjustment in the U.S., economic self-sufficiency and naturalization.

In taking these steps, the Administration shall maintain and strengthen the standards and requirements of the naturalization test that demonstrate an individual's readiness to accept the responsibilities of citizenship and full participation in our National community. You are directed to continue vigilant oversight to preserve these standards.

Hundreds of thousands of people are seeking the dream and the promise of American citizenship. They have worked to become United States citizens, and these steps should ensure that they are not made to wait unnecessarily.

August 22, 1996

MEMORANDUM FOR THE SECRETARY OF AGRICULTURE

SUBJECT: Eligibility of Aliens for Food Stamps

Under the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which I recently signed into law, aliens receiving food stamps as of the date of enactment will continue to receive benefits until recertification of their eligibility, which shall take place not more than one year after enactment of the law. The results of the ~~the~~ ^{lan} certification, including decisions as to ~~the~~ individual's immigration classification, veteran status, or work history, will determine whether the individual remains eligible for benefits under the Food Stamp Program. Implementation of these new procedures will pose a substantial challenge for all involved federal and state agencies. To ensure that eligibility determinations are made fairly, accurately, and effectively, I direct you to take the steps necessary under your authority to permit the state agencies to extend the certification periods of currently participating aliens, provided that no certification period is extended to longer than 12 months, or up to 24 months if all adult household members are elderly or disabled, and provided that in no event shall certifications be extended beyond August 22, 1997.

WILLIAM J. CLINTON
THE WHITE HOUSE

THE WHITE HOUSE

WASHINGTON

August 22, 1996

MEMORANDUM FOR LEON PANETTA

FROM: ELENA KAGAN *ek*

CC: GEORGE STEPHANOPOULOS

SUBJECT: WELFARE-RELATED DIRECTIVES

I am attaching, at Jack's request, two directives related to today's signing of the welfare bill. The first, as we discussed at yesterday's meeting, directs the Secretary of Agriculture to grant an automatic waiver allowing states to extend the certification periods of legal aliens. The second, which is much less substantive, directs the Attorney General to continue taking steps to improve the INS's ability to process naturalization applications. The first directive has been approved by all affected parties; the second still has some hoops to run through, but I don't expect any real problems. The written signing statement refers to both these actions in very general terms.

We need to make a decision about when (and, I suppose, whether) to release these directives. Jack's instinct is to do so this afternoon, sometime after the ceremony.

In addition to the above, two other executive actions -- one specifically authorized by the welfare bill -- may mitigate the impact of the bill on immigrants. You or others may wish to refer to these actions in the next few days.

The first is a proposed rule that the INS hopes to publish in the next week exempting people with certain disabilities from standard testing requirements for naturalization. Such a rule will allow certain people with disabilities to become citizens and thus escape the bill's limitations on providing benefits to aliens.

Second, the Attorney General, by the terms of the bill, may designate any non-means tested programs necessary to protect life and safety, from which aliens cannot be barred. Examples of programs that the AG will exempt include those providing crisis counseling and short-term shelter. The AG currently intends to sign this memo this afternoon.

PROPOSAL TO EXTEND CERTIFICATION PERIODS FOR FOOD STAMP HOUSEHOLDS CONTAINING NONCITIZENS

Background: The new welfare bill would require States to remove almost all legal immigrants currently receiving food stamps from the program. The bill is very explicit about which immigrants should and should not be receiving benefits. One year from the date of enactment, all current recipients are required to be off the program unless they meet one of the exemption criteria or have become a naturalized citizen. The new rules would apply to new applicants immediately.

Under the new legislation, those immigrants currently on the program should be judged against the new stricter criteria at their next "recertification" with the mandate of removing all current recipients by one year from the date of enactment. When food stamp households first apply for benefits, they are allowed to participate for a fixed number of months, not to exceed 12 months in most cases.

Issue: Should USDA grant an automatic waiver to allow State agencies to delay a legal immigrant's recertification? States could be given a waiver to extend certification periods of households containing noncitizens, provided no certification period is extended beyond August 22, 1997 and no certification period is longer than 12 months.

Pro:

Equity - This proposal might grant additional time to those legal immigrants who have applied for citizenship and others who intend to naturalize without losing benefits. The bill delayed implementation of the new alien eligibility criteria until January 1, 1997 for other programs.

Difficulty of verification - Households which meet the exemption criteria may be unfairly terminated because Federal and State systems for verifying eligibility under the new criteria are inadequate. By delaying implementation, States would be providing themselves with the opportunity to ensure more responsible implementation of this provision. The Federal and State agencies will have to work together to develop verification requirements and procedures.

Con:

Limitations - Many immigrants will not be assisted by this proposal. Very preliminary estimates indicate that about half (or 580,000) of the affected individuals would not have their certification extended by this proposal. The effect of the waiver would depend on the length of certification periods in various States. The average certification period is 10 months. In California, for example, most households are certified for either 6 or 12 months. In the other States most affected (New York, Texas, New Jersey, Illinois, and Arizona) households are more likely to have shorter certification periods. Moreover, if the State does not opt to avail itself of the waiver, there would be no benefit.

Appearance - This would be seen as a clear attempt to circumvent the legislation. It would appear that aliens were getting better treatment than citizens who would be adversely affected by other provisions of the law.

Cost - Preliminary estimates indicate that savings could be reduced by \$320 million in FY97. The original estimate for this provision was \$365 million in savings for FY97.

In addition - 1
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P. who have wives

Tach

Cew - fax at home
301 - 424 -
9544

Signing
statement
???

Bruce - no benefit -
not set it done.
dent case

Avoid insurance,
incl. people

Dr. everything in power b
income

Augustine
62126

3242
514 616-7767
416-5000

Bob Baul

Bob Baul
619
544-5000

Heidi
434-

dinner next
Monday

Bob Litz
514
2636

~~690~~

Under the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which I recently signed into law, many previously eligible legal aliens will lose the right to receive benefits under the Food Stamp Program. Others, depending on their particular alien classification, veteran status or work histories, will remain eligible for those benefits. A fair and accurate determinations of the eligibility of individual aliens will require complex verification procedures which must be coordinated among the states which administer the Food Stamp Program and the several Federal agencies maintaining records necessary to make such determinations. It is my intent that the new requirements for aliens be administered in a manner ^{that} which will minimize the likelihood of inaccurate eligibility determinations during the period when the necessary verification procedures are being developed and put in place.

With respect to aliens who were receiving food stamps as of the date of enactment, the new legislation provides a grace period during which these individuals will continue to receive benefits until recertification of their eligibility, which shall take place not more than one year after enactment of the law. Because I want to provide the opportunity for the new alien provisions to be administered as fairly as possible, I am directing that you take the steps necessary under your authority to permit the state agencies administering the Food Stamp Program to extend the certification periods of currently participating aliens, provided that no certification period is extended to longer than 12 months, or up to 24 months if all adult household members are elderly or disabled, and provided that no certification shall be extended beyond August 22, 1997.

~~Depending on~~ The results of the certification, including ^{decisions/} ~~determinations~~ as to ^{an} ~~the person's~~ individual's immigration classification, veteran status, or work history, will determine whether the individual remains eligible for benefits under the Food Stamp program. To ensure that ^{eligibility} such determinations are made fairly, pending the development of formal verification procedures by the states administering the FS program and the federal agencies maintaining relevant records, I direct

and accurately

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

22-Aug-1996 10:44am

TO: Elena Kagan
TO: Bruce N. Reed
TO: Diana M. Fortuna

FROM: Jeremy D. Benami
 Domestic Policy Council

CC: Carol H. Rasco

SUBJECT: other immigration steps

In addition to the two items above, there are two more executive actions the administration can take in the immediate term that mitigate the impact of the welfare bill on immigrants:

o the first is a proposed rule that the INS will be publishing within the next week (?) which authorizes the INS to exempt people with certain disabilities from the testing requirements for naturalization. This regulation will help ensure that legal immigrants whose disability may make them unable to take or pass these tests will not be denied the opportunity to become citizens. This obviously will help to mitigate the impact of the ban on SSI and other benefits for those legal immigrants with certain disabilities. This action is anticipated and welcomed by the immigration community.

o the second is the Attorney General's memorandum designating certain programs, services and assistance from which immigrants cannot be barred. The Attorney General's designation is authorized by the welfare reform legislation and helps to ensure that certain services necessary to protect the life and safety of all residents of the United States will not be adversely affected by the bill. Examples of the type of services that the AG will exempt include soup kitchens, crisis counseling, and short-term shelter. The AG's order demonstrates that the legislation does provide the administration with authority to limit potential harm caused by the provisions of this bill.

The Attorney General's memorandum could be signed today and the President could announce that the INS rule is to be published -- as part of an overall package to demonstration action on the immigrant provisions of this legislation.

ELENA: the above paragraphs were written quickly, using the

August 22, 1996

MEMORANDUM FOR THE SECRETARY OF AGRICULTURE

SUBJECT: Eligibility of Aliens for Food Stamps

Under the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which I recently signed into law, aliens receiving food stamps as of the date of enactment will continue to receive benefits until recertification of their eligibility, which shall take place not more than one year after enactment of the law. The results of the ~~the~~ ^{IGN} certification, including decisions as to ~~the~~ individual's immigration classification, veteran status, or work history, will determine whether the individual remains eligible for benefits under the Food Stamp Program. Implementation of these new procedures will pose a substantial challenge for all involved federal and state agencies. To ensure that eligibility determinations are made fairly, accurately, and effectively, I direct you to take the steps necessary under your authority to permit the state agencies to extend the certification periods of currently participating aliens, provided that no certification period is extended to longer than 12 months, or up to 24 months if all adult household members are elderly or disabled, and provided that in no event shall certifications be extended beyond August 22, 1997.

WILLIAM J. CLINTON
THE WHITE HOUSE