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November 10, 2005

## SUPPOSED EASING OF HOUSE FOOD STAMP IMMIGRANT CUT TURNS OUT TO BE LARGELY COSMETIC

### Change Retains Full Cut, Merely Phases It In Over Several Years

Last night, the House Rules Committee modified a food stamp cut in the House reconciliation bill. This change is being widely reported as a major easing of the bill's restrictions on the ability of poor legal immigrants to receive food assistance. Such reports are incorrect. The Rules Committee's changes in the food stamp immigrant cuts are both minor and temporary. Congressional Budget Office analysis shows that by 2008, the full, original cut would still take effect.

#### The Original Cut

Under the Agriculture Committee title of the bill, most low-income adult legal immigrants who meet all other food stamp eligibility requirements would be barred from the Food Stamp Program for *seven years* after entering the United States, regardless of how poor they might be. Under the current law, these individuals are barred from the program for their first *five* years in the country.

The Congressional Budget Office estimates that this provision would save \$275 million over five years. CBO also said it would result in 70,000 low-income legal immigrants losing eligibility for food stamps in an average month.

#### The House Rules Committee Change

The House Rules Committee change would make two modest exemptions to this rule that would apply to limited number of current food stamp recipients. These exemptions, however, would simply result in a phasing-in of this cut over a two-year period. After that period, the full cut would be in effect.

The Rules Committee would exempt from the cut those legal immigrants who *both* are participating in the Food Stamp Program at the time of enactment *and* either are age 60 or older or have applied to naturalize for citizenship.<sup>1</sup> Contrary to what some Members of Congress seem

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<sup>1</sup> Technically, the language also exempts individuals who have been approved to naturalize and have not yet taken the oath. But, immigrants cannot be approved to naturalize if they have not already applied for naturalization. So, this is not an additional exemption.

## Cut Rolls Back Bush Administration Policy

Legislation enacted in 2002 allows legal immigrant adults who meet all of the Food Stamp Program's eligibility criteria to participate in the program after they have been in the country for five years. This is the same policy as applies in the Medicaid and TANF programs. This policy was proposed by the Bush Administration and adopted by Congress on a bi-partisan basis with overwhelming support. The cut in the House bill, with the small, temporary change the Rules Committee made, would roll back the 2002 restoration.

mistakenly to believe, the Rules Committee change does *not* exempt those poor non-elderly legal immigrants with serious disabilities whom the Agriculture Committee provision would disqualify. These people would be terminated immediately.

The Rules Committee change reduces the overall savings from this cut from \$275 million over five years to \$255 million over five years — a reduction of 7 percent. Thus, *some 93 percent of the food stamp immigrant cut remains*. This change would reduce the bill's *total* food stamp cuts from \$844 million over five years to \$824 million, a reduction of just two percent.

Moreover, this modest reduction in savings comes entirely in the first two years, by reducing the number of people cut off food stamps in these years from 70,000 in an average month to 50,000. *The CBO estimates show that by 2008, some 100 percent of the original cut would be in effect, with the full 70,000 legal immigrants losing eligibility each month.*

In other words, because the narrow exemptions would apply only to people currently on the program, these exemptions would evaporate by 2008. These exemptions also would do nothing even for the first two years for the thousands of low-income *non-elderly*, working-poor legal immigrant parents, and legal immigrants with serious disabilities, who would be terminated swiftly when the legislation was enacted.

The modification also would not even affect poor elderly legal immigrants who are not *currently* enrolled in the program. If an elderly legal immigrant who has been in the country for six years and is trying to get by without assistance falls into poverty this winter — or finds that with rising heating bills, she can no longer make ends meet without food stamp aid — she will be denied any food stamp help.

A final problem that bears noting — and that will make these exemptions less effective even during the two-year phase-in period — is that many immigrants do not apply to naturalize as soon as they are eligible because the citizen application process is expensive and cumbersome to navigate. To become a naturalized U.S. citizen, legal immigrants must pay a significant fee (currently \$330), and pay for fingerprints (currently \$70), as well as submit numerous supporting documents. The citizenship process also is complex, and many legal immigrants feel they must consult immigration attorneys before pursuing citizenship. Many low-income legal immigrant workers who are struggling to make ends meet are likely to use their limited resources to pay their bills and put food on the table for their families. Many of these people are unlikely to be able to come up quickly with the funds for the citizenship and attorney fees.<sup>2</sup>

<sup>2</sup> The application fee can be waived, but the waiver is not automatic, and must be accompanied by documentation of the immigrant's economic circumstances. If the waiver is denied, the immigrant has to begin the application process all over again. The fee waiver does not apply to the fingerprint fees.