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STATE OF RHODE ISLAND
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RHODE ISLAND ADVISORY COMMITTEE TO
THE UNITED STATES COMMISSION ON CIVIL RIGHTS

CONSULTATION PROCEEDINGS ON THE
IMPACT OF THE PERSONAL RESPONSIBILITY
AND WORK OPPORTUNITY ACT OF 1996
ON LEGAL IMMIGRANTS IN RHODE ISLAND

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Providence, Rhode Island

February 9, 1998

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1 ADVISORY COMMITTEE MEMBERS PRESENT:

2 ROBERT G. LEE, CHAIRPERSON

3 LESTER HILTON

4 STEVEN KLAMKIN

5 SOPHAI MOEUY

6 OLGA NOGUERA

7 DAVID SHOLES

8 JOHN THOMPSON

9 DOROTHY ZIMMERING

10 CIVIL RIGHTS COMMISSION STAFF PRESENT:

11 KI-TAEK CHUN

12 RUBY G. MOY

13 FERNANDO SWERPA

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P R O C E E D I N G S

(9:20 a.m.)

1
2
3 MR. LEE: Good Morning. I'm glad
4 you could attend this Consultation on the
5 Impact of the Personal Responsibility and
6 Work Opportunity Reconciliation Act of 1996
7 on Legal Immigrants in Rhode Island. We are
8 the Rhode Island Advisory Committee to the
9 United States Commission on Civil Rights.
10 Before I introduce the committee members and
11 our guests from Washington, let me tell you a
12 little bit about the Commission and its work
13 with the Rhode Island State Advisory
14 Committee.

15 The U.S. Commission on Civil Rights
16 was created by the Civil Rights Act of 1957.
17 It's an independent bipartisan fact finding
18 agency whose mission is to protect and
19 promote civil rights afforded all of us under
20 the Constitution and the Acts of Congress.
21 The Rhode Island Advisory Committee is one of
22 51 committees created to advise the

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1 Commission on matters relating to
2 discrimination or the denials of equal
3 protection under the law based on race,
4 color, religion, ethnic origin, age, or
5 disability and to bring to the attention of
6 the Commission the civil rights issues
7 pertaining to various states and to assist
8 the Commission with statutory obligations to
9 serve as a clearinghouse for information on
10 these matters.

11 Our primary role is to gather
12 pertinent information in our state and to
13 report back to the Commission. Today's
14 consultation is one in which we seek to
15 inquire into the effects of the Personal
16 Responsibility and Work Opportunity
17 Reconciliation Act of 1996 on legal
18 immigrants in Rhode Island. This
19 consultation will be divided into four
20 sessions.

21 The first session will be
22 statements from immigrants or family members

1 of immigrants directly affected by the
2 Personal Responsibility and Work Opportunity
3 Reconciliation Act of 1996. Our second panel
4 will be statements from civil rights and
5 immigrant rights advocates and community
6 service providers. The third session will be
7 statements from federal and state agencies
8 and representatives, and the fourth session
9 will be statements from the Rhode Island
10 State and Congressional delegations.

11 In addition to hearing
12 presentations from our speakers, the
13 Committee would also appreciate any
14 background materials, data, surveys, written
15 reports that any of the participants may be
16 able to provide to help us with a better
17 understanding of the situation. This meeting
18 will run from 9:20 to 5:30 and we are very
19 pleased to have knowledgeable people from all
20 of these areas to come to talk to us about
21 this issue.

22 Each speaker is to going to be

1 asked to give about a seven to ten minute
2 presentation and then members of the
3 Committee may ask questions of the speaker or
4 for further follow-up. There will also be at
5 the end of each panel a period for public
6 comment and questions. If you have prepared
7 a written statement, please give it to
8 Mr. Fernando Serpa or Mr. Ki-Taek Chun. For
9 those of you that have a prepared statement,
10 please help us by keeping your presentations
11 and comments sharply focused and also abide
12 by our legal obligations to refrain from
13 defaming or degrading any individual in your
14 remarks, whether present or not.

15 This briefing is being transcribed.
16 As you can see we have a court reporter to
17 ensure that we are actually getting these
18 statements correctly attributed to the person
19 speaking. I'm going to ask that when you
20 start to speak or give your presentation you
21 introduce yourself so that we can be sure
22 that the commentaries are attributed to the

1 correct person.

2 Speakers here are voluntarily
3 offering comments for this public record;
4 therefore, although the media has been
5 invited, speakers retain the right not to be
6 photographed while addressing us today. If
7 you wish to exercise that right, please
8 inform the staff so that we may accommodate
9 you.

10 Let me emphasize that as the eyes
11 and ears of the Commission for Rhode Island,
12 our first duty is to listen in an impartial
13 manner. If we fail to understand a
14 statement, we may ask for clarification;
15 therefore, when we pose questions please do
16 not feel that you are being subject to cross
17 examination. We are simply trying to get as
18 many facts as possible.

19 After this meeting is adjourned, we
20 may need to ask for further clarification on
21 information provided to us, so we look
22 forward to your cooperation in your giving

1 information to us today. Also, our records
2 will remain open for 30 days to receive
3 comments from any persons who wish to
4 contribute to our better understanding of the
5 issues.

6 Let me introduce the Committee
7 members and our staff representatives from
8 the Commission in Washington, and then we
9 will open the sessions. I'm Robert Lee. I'm
10 the Chair of the Rhode Island Advisory
11 Committee. In my other life, I am Associate
12 Professor in the Department of American
13 Civilization at Brown University, and I teach
14 Asian American studies there. I have
15 a doctorate in history from Brown and a
16 master's from the University of California at
17 Berkeley. I've been a member of the Chinese
18 American Subcommittee of the Rhode Island
19 State Heritage Commission.

20 Let me move from the end of the
21 table. Steve Klamkin is representing Nancy
22 Mayer who is on the Committee. Nancy Mayer

1 is General Treasurer of the State of Rhode
2 Island. Next to Steve is Sophai Moeuy, a
3 Cambodian immigrant who came to the United
4 States in 1982. He became a U.S. citizen in
5 1987 and has been actively involved with the
6 Southeast Asian community for ten years and
7 graduated from Rhode Island College in 1997.

8 Sitting next to Mr. Moeuy is
9 Dorothy Zimmering. Ms. Zimmering resides in
10 Barrington, Rhode Island and is a retired
11 family counselor and mediator. In the past,
12 she served as an officer of the League of
13 Women Voters and the American Civil Liberties
14 Union and was a candidate for the State
15 Legislature in 1980. She has also been
16 active in the United Way, providing training
17 for staff-board relations, and as a Chair of
18 the agency's Allocations Committee. She has
19 a bachelor's degree in journalism and a
20 master's degree in education both from the
21 University of Missouri.

22 Lester Hiltōn, a resident of

1 Cumberland, Rhode Island, is a private
2 insurance broker. He is a graduate of the
3 American College of Life Underwriters. Long
4 active with civic organizations, he is
5 currently the president of the Board of
6 United Cerebral Palsy of Rhode Island. He's
7 been very active in the Rhode Island
8 Republican Party affairs, a member of the
9 State Central Republican Executive Committee
10 and Chairperson of the Cumberland Town
11 Committee since 1974. He is past president
12 of the American Badminton Association.

13 Over here there's Olga Noguera.
14 Ms. Noguera is a resident of Providence and
15 is Assistant Coordinator of Community
16 Relations for the Department of Human
17 Services. She holds a master's degree in
18 social work and has been an active crusader
19 in the fight against hunger. She has also
20 served as Food and Nutrition Coordinator of
21 the Blackstone Valley Community Action
22 Program.

1 Next to Olga is David Sholes.
2 David Sholes is a senior partner in the law
3 firm of Sholes & Sholes in Warwick, Rhode
4 Island. He served in the Rhode Island State
5 Senate from 1977 to 1992. He served as
6 Chairman of the Senate Committee on Health,
7 Education and Welfare, vice-chairman on the
8 Joint Committee on Retirement, and a member
9 of the Senate Committee on the Judiciary. He
10 also served as Chairperson of the Rhode
11 Island SAC for the period 1986 to 1990. He's
12 been a longtime civil rights advocate in
13 Rhode Island. He serves as a member of the
14 Rhode Island Commission of Religious, Racial
15 and Ethnic Harassment, which he helped
16 create. He was also instrumental in the
17 passage of landmark legislation to combat
18 harassment and intimidation motivated by
19 racial, religious and ethnic prejudice. He's
20 been the Chairman for the Civil Rights
21 Committee of the Anti-Defamation League of
22 the B'nai B'rith of Rhode Island.

1 And at the end of the table is Mr.
2 John Thompson. Mr. Thompson is an attorney
3 in Cranston, an estate planner and tax lawyer
4 by training, admitted to both Massachusetts
5 and Rhode Island. He was with the
6 Massachusetts Laborers' Legal Services Fund,
7 where he counseled eligible members on
8 employment and discrimination matters, as
9 well as general, personal and legal matters.
10 His present practice involves counseling of
11 elderly clients on matters of housing and
12 handicapped clients on matters of access and
13 employment discrimination. He is a member of
14 the Governor's Commission on the Handicapped
15 and the Board of Directors of the Cerebral
16 Palsy Association, also active as a member of
17 the ADA Advisory Committee to the Governor's
18 Commission. A victim of Multiple Sclerosis,
19 he walks with a cane or forearm crutches and
20 is particularly sensitive to issues of
21 handicap access. A son of a second
22 generation Italo-American, he's fluent in

1 Italian and particularly sensitive to issues
2 of discrimination on the basis of national
3 origin and ethnicity.

4 Well, that's the members of the
5 committee. Now I would like to introduce the
6 staff members who have been able to join us
7 here from Washington. Let me begin with the
8 Honorable Ruby Moy seated to my right. She's
9 the Staff Director of the U.S. Commission on
10 Civil Rights. Ms. Moy was recently appointed
11 to this position in June of 1997. Ms. Moy
12 served before that, between 1993 and 1997, as
13 Executive Assistant to the Director of the
14 White House Office of Public Liaison, Alexis
15 Herman, who is now Secretary of Labor.

16 In the past, Ms. Moy has been
17 consistently involved in constituency
18 outreach programs. Ms. Moy served as Chief
19 of Staff to Representative Frank Horton, a
20 Republican from New York, from 1973 to 1992.
21 Her responsibilities at the Washington and
22 district offices included managing the

1 Washington and district offices, representing
2 the Congressman at meetings with other key
3 members on the Hill, advising on policy
4 programs, development of legislation and
5 serving as liaison to members, staff,
6 committees and constituents.

7 She has also been the Executive
8 Coordinator to the bipartisan New York State
9 Congressional delegation of which
10 Representative Horton was Dean. During her
11 tenure with Representative Horton, Ms. Moy
12 spearheaded legislation to recognize May as
13 Asian/Pacific American Heritage Week and
14 Month until it became permanent. She has
15 served as Chairperson of the Congressional
16 Staff Caucus for Asian Pacific Americans, as
17 group leader to the Congressional Staff
18 Delegations to various Asian countries, and
19 as a co-founding member of the New York State
20 Republican Administrative Assistants.

21 Ms. Moy attended George Washington
22 University. For the Commission, Ms. Moy is

1 in charge of day-to-day operations as Staff
2 Director.

3 To my immediate left is Fernando
4 Serpa, Civil Rights Analyst with the
5 Commission. He's been with the Commission
6 for three years. Previously, he was
7 appointed by the White House to serve as
8 Assistant Director for Immigration and Asylum
9 Policy at the Department of Justice. He
10 holds a law degree from George Washington
11 University and he has been our connection
12 with Washington, Rhode Island's connection
13 with Washington, and I should say has been
14 instrumental in setting up this consultation.
15 Without his very hard work, this would not
16 have happened.

17 Mr. Chun, who is sitting in the
18 back, is a trained psychologist from the
19 University of California at Berkeley, did
20 research and taught part-time at the
21 University of Michigan and the Institute of
22 Social Research before joining the Commission

1 as Deputy Director of the Office of Research
2 in 1975. He now serves as Director of the
3 Eastern Regional office overseeing the
4 operation of the State Advisory Committees in
5 the eastern region.

6 Let me just, before we begin, read
7 a welcoming statement from the Governor who,
8 unfortunately, couldn't be with us today but
9 sent his greetings. He writes:

10 "Congratulations to the Rhode
11 Island Advisory Committee to the U.S.
12 Commission on Civil Rights for undertaking
13 the consultation examining the impact the
14 federal welfare reform has had on legal
15 immigrant population within the State of
16 Rhode Island. This is an important and vital
17 consideration. By bringing together
18 representatives of affected groups, including
19 the Hispanic, Cambodian, and Russian
20 immigrants, civil rights and immigrant rights
21 advocates, community service providers,
22 federal, state and local officials, and the

1 general public, you are giving our state the
2 chance to highlight the actions that we have
3 taken to work in tandem with the federal
4 changes.

5 I want to thank you, General
6 Treasurer Nancy Mayer, Malvene Brice, Lester
7 Hilton, Olga Noguera, David Sholes, Chhem
8 Sip, John Thompson, Norman Tilles, and
9 Dorothy Zimmering for all of your efforts on
10 behalf of the preservation and expansion of
11 civil rights within our state and nation.

12 Signed, Lincoln Almond."

13 Let me turn to Ruby Moy for some
14 introductory remarks.

15 MS. MOY: Good morning. My name is
16 Ruby Moy. I was appointed by President
17 Clinton to the Commission on June 13 to serve
18 as Staff Director for the U.S. Commission on
19 Civil Rights. I began my career in the
20 Federal Government at the height of the civil
21 rights movement. I was working at the White
22 House when President Johnson signed three

1 civil rights laws, the Civil Rights Act of
2 1964, the 1965 Voting Rights Act, and also in
3 1965 immigration legislation.

4 As Dr. Lee has said, I also served
5 as Chief of Staff to Congressman Frank
6 Horton, a New York representative, and
7 enjoyed my years there and especially in
8 spearheading the legislation on Asian Pacific
9 American Heritage Week and Month.

10 I went back to the White House
11 during the Clinton Administration and became
12 Staff Director in June of 1999. The position
13 of the Staff Director is very similar to that
14 of a Chief Executive Officer of a company.
15 The Staff Director is responsible for
16 implementing the major policy decisions of
17 the Commission, including overseeing regional
18 programs and the day-to-day operations of the
19 Commission. Dr. Lee has already expressed
20 the Commission's work and I just wanted to
21 add to that in discharging its duties the
22 Commission relies heavily on the work of the

1 State Advisory Committees.

2 The Commission has 51 Advisory
3 Committees, including one from the District
4 of Columbia. Each is composed of citizen
5 volunteers familiar with local and state
6 civil rights issues. The Advisory Committee
7 serves as the eyes and ears for the
8 Commission dealing with civil rights issues
9 on the state and local level.

10 The Commission and I recognize that
11 the Committee members serve without
12 compensation and we deeply appreciate their
13 dedication to advancing civil rights in their
14 states. The Commission would like to
15 compliment the Committee for their efforts as
16 it studies the effects of the Personal
17 Responsibility and Work Opportunity
18 Reconciliation Act on legal immigrants. The
19 Rhode Island Advisory Committee is the first
20 state Advisory Committee to address this
21 issue and will add greatly to the
22 Commission's overall important function in

1 monitoring this topic.

2 Welfare reform legislation's impact
3 on legal immigrants is an important issue,
4 but it is at the same time not fully
5 understood or appreciated. In Rhode Island,
6 the Advisory Committee has taken an important
7 step toward articulating the issues by
8 bringing together civil rights and immigrant
9 rights advocates, federal, state and local
10 officials, community service providers and
11 the effected persons themselves.

12 Once again I applaud the Committee,
13 its current Chairperson, Dr. Bob Lee, and
14 past Chairperson Sarah Murphy and David
15 Sholes, for their hard work and look forward
16 to a productive and informative day. Thank
17 you.

18 MR. LEE: Mr. David Sholes will now
19 give us some background on this project.

20 MR. SHOLES: Thank you very much,
21 Mr. Chairman and Members of the Commission.
22 Ladies and gentlemen, I'd like to give you a

1 background of what this project is and what
2 we intend to accomplish, but first of all I
3 would like to tell you what the two pieces of
4 legislation are about that brings us here
5 today.

6 Two recently enacted pieces of
7 legislation have dramatically and
8 substantially changed the eligibility of
9 aliens for benefits in the United States. On
10 August 22, 1996, President Clinton signed
11 into law the Personal Responsibility and Work
12 Opportunity Reconciliation Act of 1996, the
13 so called "Welfare Act." This legislation
14 dramatically altered the current welfare
15 system and in Title IV restricted the access
16 of legal and illegal immigrants to a wide
17 range of public benefits. The law also
18 provided for changes in the Immigration Act
19 requiring the service to establish a
20 verification system to determine the
21 eligibility for most federal public benefits.

22 On September 30, 1996, the

1 President signed into law the Illegal
2 Immigration Reform and Immigration
3 Responsibility Act and provided for strict
4 changes in the immigration policies in this
5 country. I'd like to give you a summary of
6 the changes in the Welfare Act which is now
7 law, and these are just the high points.

8 Most citizens are no longer
9 eligible for SSI and food stamp benefits.
10 New immigrants arriving after August 22,
11 1996, are barred from federal "means tested"
12 benefits for five years. After the five-year
13 bar, new immigrants that have sponsors must
14 include their sponsor's income when applying
15 for federal means tested benefits until the
16 immigrant retains citizenship or ten years of
17 work.

18 After January 1, 1997, the states
19 have the option to determine current
20 immigrant eligibility for temporary
21 assistance to needy families, Medicaid and
22 other benefits. States have the option to

1 provide or bar state-funded programs for
2 current new immigrants. State and local
3 funded programs may deem for new immigrants
4 as of March 1997, and undocumented immigrants
5 are ineligible for federal, state and local
6 public benefits. And many of these benefits
7 which are set forth in the statute include
8 assisted housing, educational benefits,
9 post-secondary education, amendments to the
10 internal revenue code, professional licenses,
11 loans and grants from the states and the
12 federal government.

13 Now, these bills have a potentially
14 devastating impact on legal immigrants
15 residing in this country. Although
16 immigrants are only about five percent of the
17 population receiving welfare benefits, almost
18 half of the \$54.2 billion cuts in welfare
19 benefits mandated by the Act comes from
20 eliminating federal benefits for legal
21 immigrants.

22 I emphasize legal immigrants.

1 According to the Urban Institute, an
2 estimated 1.2 million legal immigrants and
3 their families, many of whom are U.S.
4 citizen's children, will be pushed below
5 poverty level by the welfare cuts. These
6 provisions will also be responsible for
7 almost half of the over one million children
8 being forced into poverty.

9 The Congressional Budget Office
10 estimates that over a million legal
11 immigrants will lose access to food stamps
12 and thousands, tens of thousands, of legal
13 refugees will lose their SSI benefits in the
14 next five years. These losses in assistance
15 are doubled if states exercise the authority
16 reserved in the Act to deny additional
17 benefits, such as the Temporary Assistance to
18 Needy Families, Medicaid, and other benefits.

19 In light of these concerns and the
20 losses to this population group, the
21 Commission issued a letter to the President
22 in which it stressed that the Act

1 specifically states that civil rights
2 prohibit discrimination from federally
3 assisted programs applied to programs under
4 the new legislation and that the Commission
5 and state Advisory Committees will closely
6 monitor its implementation.

7 The premise of welfare reform is
8 that people who are able to work should be
9 encouraged to find employment so that they
10 will not have to remain dependent on
11 government assistance; nonetheless, the
12 blind, the elderly, and the disabled, a group
13 that's been targeted by this act, are the
14 least likely to find sufficient employment to
15 sustain themselves.

16 The immigrant provisions of the Act
17 raises serious legal objections by
18 conditioning eligibility for government
19 benefits based on citizen status.

20 Citizenship status is not a prerequisite for
21 equal protection under the Civil Rights Act.
22 This Act, the Welfare Act, discriminates

1 against national origin, racial and ethnic
2 minorities, particularly Asians and
3 Hispanics, that comprise the majority of the
4 immigrant population, new immigrant
5 population, to the United States over the
6 last 20 years.

7 Let's look at Rhode Island. Rhode
8 Island's a home to a large number of legal
9 immigrants. In 1996, two years ago, last
10 available figures show that approximately
11 4,114 elderly and disabled legal immigrants
12 in Rhode Island received SSI benefits. Also
13 in 1996, approximately 8,250 legal
14 immigrants, Rhode Islanders living in
15 approximately 5,200, families received food
16 stamp assistance and it's estimated by August
17 of 1997 (we don't have those figures) that
18 approximately 6,400 legal immigrants in Rhode
19 Island will have been removed from the
20 federal food stamp program and thousands of
21 elderly and disabled legal immigrants will
22 not be eligible for the federal SSI program.

1 Today's consultation is an attempt
2 for this Committee to learn from the
3 community about the adverse impact of the
4 Welfare Reform Legislation. We would like to
5 look at three major concerns or focus of this
6 consultation.

7 First is to determine the nature
8 and extent to which the implementation of the
9 Welfare Act will have upon the legal
10 immigrants and their American citizen
11 children, what will be the adverse impact.
12 Two is to determine if and how the state
13 policies plan to ameliorate these adverse
14 conditions which will result in the
15 implementation of this Act. And the third
16 major issue is to learn the current efforts
17 from the Rhode Island Congressional
18 Delegation, what is planned to ameliorate the
19 adverse conditions that may result from the
20 implementation of the Act, in particular, of
21 the implementation of the regulation that
22 will be implemented pursuant to those Acts.

1 Thank you very much.

2 MS. NOGUERA: At this time I would
3 like to ask if we have any immigrant families
4 or immigrants themselves that would like to
5 come forward to speak this morning. Is there
6 anybody from the community that would like to
7 take this opportunity to speak? If we don't
8 have anybody here, I would like to turn to
9 Dorothy Zimmering.

10 MR. LEE: Before we turn to Dorothy
11 Zimmering, let me say that it was our
12 intention to have this be a forum in which
13 immigrants and their family members who have
14 been impacted by these changes in law to come
15 and speak in an open forum and as this day
16 grew closer and we found that the response
17 was not forthcoming, we realized that, in
18 fact, there are substantial barriers,
19 cultural barriers, and fear about speaking at
20 a public forum with regard to any issues
21 related to ones of immigrant status.

22 One of our plans now is for the

1 Committee itself to do field interviews and I
2 think we, hopefully, will be in touch with
3 Committee organizations in an effort to try
4 to arrange one on one or small group field
5 interviews.

6 MS. MARTINEZ: Mr. Chairman, good
7 morning. My name is Patricia Martinez and I
8 am from Progreso Latino. One of the things
9 I wanted to suggest is if the Committee,
10 within the 30 days that you mention, could
11 come out in the community and instead of
12 one-on-one interviews, one of the things that
13 I could suggest is to offer a focus group
14 targeting certain people.

15 The agency could help you set up
16 and organize these focus groups. In my
17 efforts last week in trying to recruit some
18 participants, some of the people who wanted
19 to come and testify one of the bigger
20 problems, along with fear that you mentioned,
21 was the whole issue of whether or not being
22 able to come here today. They said, "I would

1 love to go. I have so many things to say.
2 The problem is I'm being pressured right now
3 to go and find a 40 hour a week job. I have
4 to go to work at 10 o'clock, so I don't have
5 the time. If I take the time out of work,
6 I'm going to be punished."

7 And so I think the timing of this
8 created some of the problems for some of the
9 people to attend. Perhaps if the Committee
10 was available maybe in the late afternoon
11 after the children are home from school or
12 even an evening or a Saturday are some of the
13 times that I would suggest.

14 MR. LEE: Thank you very much. I
15 think that precisely what we have in mind.
16 We would like to be in touch with the
17 different organizations and groups and get if
18 not the whole Committee at least various
19 groups of us spread out, so to speak.

20 MS. ZIMMERING: I don't know
21 whether you would like to -- we only have
22 three chairs set up here -- but perhaps if

1 the first three people on the panel would
2 come down to speak to us and then we'll
3 shift. We have a lot of people on the panel.
4 If Ms. Schmidt, Mr. Shuey, and Linda Katz
5 would all come down, please? We have large
6 panel. Maybe we can hear each other better.
7 That's really the only way we can do this.

8 MR. LEE: We are running quite
9 early. It could be that some people haven't
10 come yet.

11 MS. ZIMMERING: Well, let's proceed
12 with those people who are here. Ms. Bath and
13 Sr. Marlene? Let's get one more person on
14 that panel. Mr. Lee? Okay, we have three.
15 Good. Thank you.

16 I would like to mention at the
17 beginning that I'm going to have two
18 questions for almost everyone who appears
19 before us. I would like to narrow the focus
20 and, so I would like to know from each of
21 you, not necessarily in your initial
22 presentation, one thing that you believe that

1 needs to be changed that would make the most
2 difference and, secondly, what should the
3 change be, so that I for one hear from you
4 something that I could focus on. Changing
5 things one thing at a time seems to be more
6 possible in lots of cases than trying to
7 generalize changes. So if you would start,
8 Ms. Katz.

9 MS. KATZ: Thank you. My name is
10 Linda Katz. I'm an attorney with Rhode
11 Island Health Center Association, and we are
12 a non-profit organization that provides
13 services to low-income individuals working
14 particularly with Central Falls, Woonsocket,
15 and Providence programs. I also had the
16 honor of working with the Rhode Island
17 Coalition on Immigrants and Refugees drafting
18 some of the state's proposals to have Rhode
19 Island pick up the gaps in services and loss
20 of assistance from the federal programs.

21 I guess I should start off now by
22 telling you of some of the changes happening

1 since the Personal Responsibility Act passed.
2 I don't think we can appreciate the pain and
3 suffering that the people who lost benefits
4 suffered when the PRA was enacted. Thousands
5 of people throughout the communities were
6 living in uncertainty for a long period of
7 time.

8 But, as most people here know,
9 Congress did act last year to fix some of the
10 harshest provisions of the PRA with continued
11 eligibility. One group of people that
12 Congress did not restore SSI eligibility
13 reform to are legal immigrants who were in
14 the country before August 22 and who turned
15 65 and may not be disabled enough to qualify
16 for SSI on the basis of disability, but are
17 elderly, may not have worked for ten years,
18 maybe only worked for eight years, and they
19 don't qualify for SSI benefits. They may
20 have language problems. They may have some
21 health problems, but not serious enough to
22 make them eligible.

1 Those people are still threatened
2 with the prospect of no means of support
3 because in Rhode Island we do not have, and
4 some other states do, a state general
5 assistance program that picks up people who
6 are not disabled, who are not eligible, or
7 who do not qualify for federal benefits. In
8 Rhode Island we still have that one gap. The
9 coalition did try last year to get
10 legislation passed that would have provided
11 assistance to people who were not eligible
12 for federal benefits, but the General
13 Assembly did not pass the program that would
14 provide benefits to people who were not
15 recipients.

16 So right now Rhode Island does not
17 have a safety net program for those
18 individuals. There is legislation that is
19 being proposed here in Rhode Island to pick
20 up immigrants who are not eligible for SSI
21 solely because of the changes in the Personal
22 Responsibility Act. That target population

1 would be people who were in the country
2 before August 22 and turned 65 and would not
3 be able to get SSI.

4 I'd like to focus my remarks on the
5 population of people who come into the
6 country after August 22, 1996, because I
7 think that group has become the group that
8 really has been affected and, having
9 advocated last year with the Coalition to try
10 to restore eligibility for people who were
11 affected by the Personal Responsibility Act,
12 August 22, 1996, was kind of the cutoff date
13 that we were able to say to policy makers
14 that people who were here before that date
15 were living by the rules and they should be
16 able to have the same benefits that they had
17 when they came to this country.

18 But it's the folks who come in
19 after August 22, 1996, that really are, and I
20 use the term loosely, discriminated against.
21 Generally, we hear statements very receptive
22 to the arguments that we should be taking

1 care of our neighbors whether they were born
2 here or moved here. In 1996, when the
3 General Assembly implemented its Family
4 Independence Program, which is Rhode Island's
5 Block Grant Program of the Temporary
6 Assistance to Needy Families Program, every
7 state set up its own program and in 1996 said
8 that legal immigrants would have access to
9 family independence cash assistance in the
10 same way that citizens have access.

11 Last year the General Assembly
12 changed the Family Independence Act and cut
13 back eligibility and said that new immigrant
14 families, children, as well as their families
15 would not be eligible for these benefits if
16 they entered the country after August 22,
17 1996.

18 So in the legislator's mind, I
19 think, August 22 was kind of the cutoff date.
20 That means if a family comes to the United
21 States and is sponsored here by a family then
22 three years down the road something happens

1 to one of the parents or the children are in
2 need of assistance, they won't be able to get
3 help in Rhode Island.

4 Similarly, those families could not
5 get food stamps for five years because of the
6 bar and there's not a state-funded food stamp
7 program for them. If one of those
8 individuals is in a serious car accident and
9 becomes disabled they can not get SSI
10 benefits because of the five-year bar.

11 In response to your question, Ms.
12 Zimmering, I would say that the focus should
13 be setting up barriers to particularly low
14 income families in bringing other family
15 members to this country. We're saying that
16 there's a flat bar for five years for
17 accessing public assistance. We also have
18 set the bar higher for what income a family
19 must have to bring family members here.
20 Sponsorship rules have always applied to the
21 public assistance program in the past where
22 sponsors are considered available for a

1 certain number of years before immigrants get
2 assistance. This combination of the five-
3 year bar and the higher barrier to be able to
4 sponsor somebody here means that families who
5 come here and work hard at lower paying jobs
6 may not be eligible to bring family members
7 here. If they do, if those families members
8 come and they work hard they can't get access
9 to assistance here.

10 So to a new immigrant coming in
11 we're saying, "Sorry you can't access the
12 same assistance that we give to somebody
13 sitting next to you who is a citizen working
14 for the same wage." I think those are areas
15 of focus that we really should be looking at.

16 MS. ZIMMERING: Thank you.

17 MS. KATZ: Thank you for the
18 opportunity to come here and identify these
19 issues. I think that most people don't
20 understand the broad sweep that the Personal
21 Responsibility Act had. If any member has
22 any questions, I'd be glad to answer them.

1 MR. KLAMKIN: Ms. Katz, I just want
2 to compliment you on your work and study that
3 we saw that you provided. Have you been able
4 to quantify numbers of people who, senior
5 citizens, for example, who have been cut off
6 or been left in the lurch, as it were, after
7 the August 22, 1996, date?

8 Also, we've been told by our staff,
9 our staff did some work, that's it's been
10 difficult to find any kind of definitive or
11 comprehensive demographic data that goes into
12 determining how many people are affected by
13 these changes. Do you have any suggestions
14 or recommendations for them? Who, for
15 example, ought to be compiling this data?

16 MS. KATZ: Well, I think there will
17 be information coming from the groups today
18 that work with the immigrant community about
19 the number of people they feel have been
20 affected. I think in gathering the data,
21 places like -- and this gets tricky which I
22 think is part of the problem of trying to

1 quantify this. Somebody, for example, at the
2 food stamps program should know how many
3 people you turned away because of the rules.
4 They should be able to keep better count of
5 people who are affected by the federal rules.

6 Similarly, the Social Security
7 Administration should be able to tell us how
8 many people who are elderly and applied for
9 assistance and have been told no. I don't
10 think their tracking methods on denials are
11 very good because often in that circumstance
12 they would just say goodbye without taking an
13 application and issuing a formal denial.

14 I think there's also the
15 compounding factor of the information that's
16 out in the community, who's eligible and
17 who's not, some of which is misinformation.
18 People don't even knock on the door. I think
19 it's very hard to -- you know, we can
20 extrapolate from the number of people who
21 have been on and use some percentages, but
22 that would be the best we'd be able to do.

1 MR. SERPA: Being from Washington
2 and not familiar with local politics, I'm
3 just curious how receptive was the Assembly
4 to your efforts to make changes by a
5 bipartisan group?

6 MS. KATZ: It was bipartisan and
7 last year there were some proposals from the
8 Governor's office, originally. Then there
9 were a few proposals from the General
10 Assembly, both from the Senate and House
11 side. I think the response from the General
12 Assembly and, in large part, from many of the
13 General Assembly members on first or second
14 generation immigrants was this is wrong and
15 we're not going to let this happen in Rhode
16 Island.

17 We're one of ten states that
18 established a food stamp program and each
19 state has a different set of restrictions.
20 Some states only provide assistance to
21 children, some states only provide assistance
22 to children and elderly. Our state said we

1 will provide them for anybody who was in this
2 country or in the state before August 22.
3 Nationally, people understood what was
4 happening before it happened.

5 MS. ZIMMERING: Thank you.

6 MR. KLAMKIN: What's become of some
7 of the elderly and disabled people, are you
8 aware?

9 MS. KATZ: Well, maybe other people
10 from the group that work more closely with
11 them than I do can tell you what the
12 psychological impact has been on some of the
13 people who have fallen through the cracks,
14 but at least on paper all of the people who
15 were eligible and receiving benefits were
16 continuing on the program.

17 We did see massive harm with
18 respect to if the federal government had not
19 restored eligibility for SSI recipients. We
20 would have seen people have their income cut
21 by a little bit more than half. In terms of
22 elderly people now who would have been

1 eligible under the old rules but no longer
2 qualify, again some of the groups can give
3 you some of that information and that's the
4 group of people we need to try to quantify
5 and find to pick up under the state program
6 and to make an argument that we should have a
7 state program.

8 MS. NOGUERA: I'd like to ask you
9 about the recommendations that you proposed
10 to the Commission. The point that you
11 mention about we don't know how many people
12 we turned out of the doors, what will be the
13 recommendation that you would have for the
14 Commission? As far as the Rhode Island
15 regulations and for reason for denials, for
16 instance. We don't know how many and we
17 don't know the reasons for denials. So what
18 would be your recommendations to the
19 Commission?

20 MS. KATZ: Well, the state and
21 federal agencies could keep better track of
22 requests for assistance and track denials and

1 the reason for the denials and that would
2 start to give us the new information that we
3 need to see the impact, particularly with
4 people who came after August 22 of '96.

5 I think the other, and I get a
6 little bit leery of saying the state should
7 track this information. I think we need to
8 work out a way that people can make a request
9 and the information we extract can be tracked
10 in a more anonymous way. Those are certainly
11 things referred to when tracking information.

12 I think we can also do a better
13 analysis, perhaps, of people who are
14 recipients and what other family members may
15 be entitled to. So I think the specific
16 recommendation is that we work together as
17 state agencies, ask the right questions so
18 that we can get appropriate information
19 reported back, and therefore get a better
20 handle on that.

21 MS. ZIMMERING: Thank you. Any
22 more questions? Okay. Let's move on.

1 Ms. Bath?

2 MS. BATH: My name is Gretchen Bath
3 and I am a lawyer with Rhode Island Legal
4 Services. Rhode Island Legal Services is an
5 agency which provide free legal
6 representation to low-income people. I want
7 to thank you for inviting me here today.
8 Linda has pretty much covered everything that
9 I was going to say, but maybe I can give you
10 details on the more recent legislation on the
11 state and federal level that somewhat
12 ameliorated the effects of the Personal
13 Responsibility Act in Rhode Island.

14 And, just to summarize again, in
15 Rhode Island there are two large groups that
16 still remain affected, the elderly,
17 non-disabled legal immigrant population who
18 are no longer eligible for SSI benefits or
19 cash assistance, and, second of all the new
20 entries, legal immigrants who come into the
21 country after August 22, 1996, who are not
22 eligible for food stamps and to some extent

1 for medical assistance.

2 So those are the two groups of
3 legal immigrants who are still affected in
4 Rhode Island by these changes. People who
5 enter the U.S. legally after August 22, 1996,
6 are not eligible, in general, for food
7 stamps, they are not eligible for cash
8 assistance, and they are not eligible for
9 medical assistance, except for pregnant women
10 and children regardless of their date of
11 entry.

12 I will agree with Linda also that
13 the new entries are the group of most
14 concern. I think, otherwise, Linda covered
15 everything I was going to say about the
16 public benefit program except for one issue.
17 I think there has been a lot of national
18 attention lately in view of the public charge
19 provisions related to INS and that is that
20 nationwide states are now getting into the
21 business of recovering medical assistance or
22 other public assistance benefits that have

1 been paid out.

2 Let me give you the scenario. A
3 pregnant woman gets medical assistance
4 benefits in the U.S, she's entitled to those
5 benefits. They pay for the cost of her
6 delivery and childbirth and whatever. And in
7 this scenario the husband, who is not
8 eligible, leaves the country and comes back
9 in. When he comes back in the INS says no,
10 you can't come into the country until you
11 repay us the medical assistance benefits that
12 we paid for your wife while she was pregnant.

13 Now that's something as I
14 understand it is a recent trend. The states
15 are starting to recover those benefits by
16 contacting INS and providing information of
17 who received medical assistance benefits and
18 how much those benefits were and then that's
19 how the INS helps recover the state debt,
20 supposedly. I saw this being covered
21 recently in a Spanish newspaper. It was a
22 newspaper out of L.A. indicating that being

1 an issue in California, and, as I understand
2 it, it's an issue among immigrants.

3 You have to remember that these are
4 lawfully paid benefits and there is no
5 question of fraud or overpayment or anything
6 else. We had recently, at Legal Services,
7 run into a hearing decision where the State
8 of Rhode Island collected benefits through
9 this mechanism, through INS, and recovered
10 medical assistance benefits that were legally
11 paid to the spouse in the situation.

12 We contacted the Department of
13 Human Services, and, as I understand it they
14 have been working on this issue. There was
15 some guidance from the federal government to
16 all the state Medicaid directors saying you
17 can't do this. First of all, there is the
18 issue of confidentiality, and, second of all,
19 you have no right to repayment in the absence
20 of fraud. So they have told me that they no
21 longer engage in this practice.

22 I understand that the Department of

1 Human Services is taking steps to reimburse
2 the families that -- I guess there are two or
3 three families that this happened to, from
4 what I understand. And DHS has taken the
5 steps in abiding by the instructions from the
6 federal government. At least in Rhode Island
7 that should be an issue that we need to work
8 on.

9 MS. ZIMMERING: What does Legal
10 Services do for people like this? Do you go
11 to the courtroom?

12 MS. BATH: Yes, among other things,
13 we represent people at agency hearings or in
14 court.

15 MS. ZIMMERING: How do they usually
16 get to you? Because people are reluctant to
17 go to facilities or organizations like yours.

18 MS. BATH: Well, we've been around
19 for a long time, and I think the word is out
20 that we are approachable and we're there and
21 available to answer questions, anything from
22 answering questions to full legal

1 representation and, of course, what
2 information is provided is confidential.

3 MS. ZIMMERING: Thank you. Any
4 questions?

5 MR. SERPA: How large is your
6 agency?

7 MS. BATH: I think we probably have
8 about 30 people on staff, just a rough
9 estimate. We have a Newport office that has
10 four or five people, and then we have a
11 Providence office that picks up the rest.

12 MR. SERPA: Historically, have you
13 seen an increase in the people coming in?

14 MS. BATH: That's a tough question.
15 One thing we have noticed is somewhat of a
16 decrease in the number of people who have
17 contacted us because of public benefit
18 problems since welfare reform. We've been
19 trying to track the number of calls that
20 we've been getting, and I think it's been
21 somewhat of a drop in the number of requests
22 for our services.

1 There's a great sense of
2 resignation among people that well, it's
3 welfare reform and this happened to me and
4 nothing can be done about it; I'm not going
5 to bother fighting it. There were a few
6 hearings on those questions and appeals made
7 when welfare reform started to come out.
8 Much of that was probably due because they
9 felt there was nothing that could be done,
10 but I think there are also many situations
11 where people just don't do anything about the
12 reduction in benefits.

13 Our sense in our office is there's
14 a general feeling of resignation. This is
15 just the way it has to be. My benefits were
16 cut. This is welfare reform and essentially
17 there is nothing that I can do about it. I
18 don't know if I really answered your
19 question, but in terms of the program, I
20 don't know the answer to that.

21 MR. KLAMKIN: I have a couple of
22 questions I wanted to ask you. One, I want

1 to get a sense, if you can provide us one, of
2 the atmospherics of going before these
3 agencies and carrying out appeals or
4 initiating claims. How well or poorly are
5 people received when they do go before, say,
6 a hearing officer? Do you have any concerns
7 that people's civil rights are being
8 violated?

9 MS. BATH: Well, I think once you
10 get to the actual formal hearing stage that
11 people are treated very well. It's a formal
12 setting and everyone's treated pretty much
13 similarly. I guess I would say that where I
14 think the problem arises is in the more
15 informal, undocumented kinds of contacts
16 where people might go in and say I don't
17 think this is right. Can I do something
18 about it, and they are told No, you're not
19 eligible. Don't bother.

20 MR. KLAMKIN: Even when people
21 first walk in the door?

22 MS. BATH: Well, maybe when walking

1 in the door or maybe walking in after a
2 determination or after receiving a notice
3 terminating their benefits and they might
4 come and say what is this or ask for
5 clarification or maybe even indicate that
6 they want to file on appeal. My sense is
7 from dealing with this over the past years,
8 there's a lot informal denial going on at the
9 federal, Social Security, welfare, and DHS
10 offices and people are told don't bother with
11 that, you are not eligible, and they just
12 leave.

13 Because that's an oral decision
14 about eligibility, there's no notice that
15 goes out, there's no appeal from that,
16 there's no documentation, even. We get told
17 many, many times from clients they were
18 orally informed that they should not bother
19 applying. I think to be fair in some cases
20 the workers might think that that's helpful
21 rather than questioning their immigration
22 status or whatever or requests for benefits.

1 They think they are helping the person out by
2 simply sending them away. I think in Social
3 Security, for instance, what we've seen is
4 someone going in to request benefits and they
5 don't take an actual application. They'll
6 just say oh, no. You're really not eligible.
7 You shouldn't apply, and they will be sent
8 away without an application being taken and
9 that means sent away without an actual denial
10 on the record. So I would say that the
11 problem is in the more informal denials, the
12 oral denials, rather than at the actual
13 hearing stage.

14 MR. KLAMKIN: Do you have any
15 concerns about the people who work for that
16 department or do you think it doesn't go that
17 deeply?

18 MS. BATH: Well, I suppose one
19 thing I didn't mention that's a problem at
20 both DHS and social security is the lack of
21 available interpreters and the lack of
22 notices in their languages. That's certainly

1 an issue that needs to be addressed at these
2 agencies. That's a real civil rights issue.
3 The oral denials, I think, is just across the
4 board. I see it less as a civil rights issue
5 and more of a process issue because I think
6 it's not limited to any certain groups of
7 people. I think both agencies do a lot of
8 work in terms of notifying these people in
9 their own language of their rights. I know
10 that notices are sent out in English, but on
11 the back of the page there is a multi-
12 language blurb that tells them this is an
13 important notice and requires their
14 attention.

15 MR. KLAMKIN: Do people frequently
16 walk in alone or do they go in with some help
17 or do they come to your agency only after the
18 fact?

19 MS. BATH: Usually they come to our
20 agency after the fact. I think it's fairly
21 common for people to come in with a family
22 member when coming to apply and that family

1 member or friend can be used as an
2 interpreter in some cases. Certainly,
3 there's many people who come to our office,
4 who have been to an agency, brings somebody
5 with them because they have been told before
6 there's nobody that speaks their language and
7 they have to come back and bring someone that
8 speaks their language. And this is a common
9 complaint.

10 MR. KLAMKIN: Is that a common or a
11 frequent complaint?

12 MS. BATH: Common enough. It's a
13 recurrent complaint, especially at Social
14 Security, I would say.

15 MR. KLAMKIN: Thank you.

16 MR. CHUN: What would be the main
17 problems your group handles for the legal
18 immigrant population prior to August 22,
19 1996?

20 MS. BATH: Basically we would
21 represent people on SSI, collecting SSI
22 benefits. We notify them if they are being

1 terminated. Food stamps, welfare, medical
2 assistance, some child support issues, some
3 veterans' benefits.

4 MR. CHUN: With respect to housing
5 issues, does the legislation provide for the
6 transition of the immigrant population and
7 subsidized housing? Have you come across
8 those problems?

9 MS. BATH: Well, I'm sure our
10 office has but that's part of the drawback of
11 having a compartmentalized system. I don't
12 deal with subsidized housing issues. They
13 have a separate unit for that. There's an
14 office that helps people who are getting
15 evicted or who have applied but got turned
16 down or was denied.

17 MR. CHUN: I don't know if you have
18 noticed but the Act does provide for the
19 reduction of benefits for post-secondary
20 education. What are your views regarding
21 those problems of immigrants applying for
22 post secondary-education benefits?

1 MS. BATH: That I'm not familiar
2 with. Linda, are you familiar with that?

3 MS. KATZ: Other than asking at the
4 higher education offices for legal immigrants
5 applying for assistance in terms of grants
6 and so forth, that might be something the
7 Committee wants to explore.

8 MR. CHUN: - Also, the Act would deny
9 a license, professional license or commercial
10 license, benefit to a legal immigrant. Do
11 you have any thoughts about that or have you
12 come across any of these problems?

13 MS. BATH: Well, again, I'll refer
14 this to Linda. I am not familiar with that.

15 MS. KATZ: My understanding is that
16 provision applies to people who are
17 nonqualified immigrants, undocumented. I
18 don't know how to get a handle on that issue.
19 I don't know -- again, maybe those workers
20 who deal with the immigrant population may
21 know of individuals who previously would have
22 been applying for professional licenses and

1 was denied access.

2 To pin down in terms of what the
3 scope of what the change will be in who was
4 coming to the door before for professional
5 licenses and who are now applying is hard to
6 say.

7 MR. LEE: I'd like to ask a
8 question about medical assistance. If one is
9 no longer eligible for medical assistance,
10 what's happening with those people in terms
11 of emergency care and so forth?

12 MS. BATH: That population is
13 entitled to emergency care for actual,
14 life-threatening situations and for obviously
15 labor and delivery.

16 MS. KATZ: We see that people who
17 don't have access to medical assistance
18 coverage receive services. People who are
19 undocumented were never entitled to medical
20 assistance. The loss of medical coverage has
21 really been for people coming in after August
22 22, 1996. The children are still eligible,

1 but elderly and disabled persons are not
2 eligible. And we don't have universal health
3 insurance, so there's a whole bunch of people
4 who are not eligible for medical coverage
5 whether they are citizens or not.

6 Again, it's a tracking issue. If a
7 new immigrant who has a serious problem goes
8 to the hospital expecting to get emergency
9 care, the hospitals may be able to get those
10 costs paid for them. I can't tell you the
11 number of people that we see qualified who
12 previously would have been covered by medical
13 assistance but are not now and those who are
14 undocumented and have never been covered.

15 MR. KLAMKIN: I don't know if you
16 have had any experience in taking these cases
17 down to the administrative level to the
18 courts in Rhode Island, but do you have any
19 feeling about how well or poorly the courts
20 are responding to these kinds of cases?

21 MS. BATH: I do have experience
22 representing people appealing from agency

1 decisions, not particularly related to an
2 issue of legal immigrant status, just your
3 general garden variety appeal.

4 MR. KLAMKIN: Have these Acts
5 played into any of those cases yet?

6 MS. BATH: One of the problems with
7 the 1996 federal legislation was that there
8 were limits placed on what people in the
9 programs can do. We're not allowed, for
10 instance, to bring any litigation challenging
11 any welfare reform provisions. We could not
12 sue or bring up an appeal, even a civil
13 rights appeal, on behalf of the client where
14 the issue was anything related to federal
15 welfare reform changes. So our hands have
16 been tied in terms of that.

17 Otherwise, I would say, just
18 speaking in terms of sensitivity to low
19 income issues and entitlement to benefits, I
20 think we've had mixed results. I think we do
21 fairly well, I would say, in Superior Court
22 and the State Supreme Court.

1 MS. ZIMMERING: Thank you. Sister
2 Marlene Laliberte.

3 SR. LALIBERTE: I would like to
4 thank you for inviting me here today. I'll
5 just tell you a little bit about the Genesis
6 Center, what we do, who we serve, and how the
7 Personal Responsibility and Work Opportunity
8 Reconciliation Act would affect the center.

9 The Genesis Center is a school and
10 support center for adult refugees and
11 immigrants and we provide English as a second
12 language, job skills, survival skills,
13 teaching skills, and job training. We also
14 have support services such as child care for
15 refugees and immigrants. We service a great
16 many Southeast Asians, Hispanics, and Eastern
17 Europeans.

18 Most of the people that we serve
19 are there to learn English and to move on to
20 work. Many of them have young children and
21 they are in our child care centers which
22 services mostly children of parents who are

1 on welfare. I think one of the things that
2 we see are people who are trying to learn
3 English. I think you've seen people and the
4 difficulties they have. We see a great
5 number of people who come here who are really
6 trying to learn English. We service a lot of
7 people who are very low in English and it
8 does take them a long time to learn.

9 .So to say they are going to move
10 from welfare to work in a very short time is
11 kind of unreasonable because employers would
12 not want them there unless they knew enough
13 English to be able to do the job properly.
14 We see a lot of people trying to get into
15 programs such as English as a Second
16 Language. There are not enough programs for
17 people who need to learn English. We have
18 maybe 100 to 150 people who would like to
19 learn English and would like to move on but
20 cannot do so.

21 One of the problems that we see is
22 the insufficient amount of classes for people

1 who really want to work and get off welfare
2 and better themselves. I think one of the
3 things also, as Linda had mentioned, is the
4 people who are new immigrants entering the
5 country and who have to wait five years in
6 order to be eligible for benefits and then
7 that is turned over to their sponsor's
8 income.

9 Many times we see people who are
10 trying to rely on their sponsor who doesn't
11 earn enough money to support their own family
12 never mind trying to support other families
13 who are maybe relatives. This becomes a
14 great difficulty. Even when immigrants have
15 sponsored their families and they have a job,
16 when they're filling out the application by
17 the time the people get to this country they
18 may no longer have a job or their status has
19 changed. That proves to be very difficult
20 and people start scrambling around trying to
21 help them and to get funding. I see that as
22 one of the major problems in this Welfare

1 Reform Act.

2 And as someone who runs an English
3 as a Second Language program, to be truthful,
4 we need more English as a Second Language
5 programs and it should be available to anyone
6 who needs it so that they can move on.

7 MS. ZIMMERING: How long is your
8 program? How much time do --

9 SR. LALIBERTE: Some people have
10 stayed as long as two years, but most of them
11 are in programs where they can only stay 14
12 weeks, 15 weeks. And to try to learn the
13 whole language in that time period, that's an
14 impossibility. We also have job training and
15 those we get grants from Providence/Cranston
16 Job Training and places like that. They are
17 only allowed 14, 15 weeks to learn English
18 and to do the job training. That isn't
19 enough time. And because they are low level,
20 it's harder for them to get a job and they
21 can't move on.

22 MS. ZIMMERING: Thank you.

1 Questions?

2 MS. MOY: When you train them in
3 English do you find that the most of the
4 immigrants stay in the area?

5 SR. LALIBERTE: That's a very hard
6 question. Even when they stay in the area,
7 they move frequently. They are very hard to
8 track because they move once or twice a year,
9 many of them. So to know if they are still
10 in the area is really difficult.

11 MR. SERPA: Do you offer
12 citizenship classes?

13 SR. LALIBERTE: Yes, we do.

14 MR. SERPA: Has there been an
15 increase in that?

16 SR. LALIBERTE: Yes, there has.
17 That's our major work. We worked with 77
18 people last year and this year it was
19 probably well in the 80s.

20 MR. LEE: What are your funding
21 sources for the ESL program?

22 SR. LALIBERTE: Most of our funding

1 is through grants. There's the Department of
2 Education grant, different organizations,
3 foundations, grants, funds. The Department
4 of Human Services has just come out with if
5 you have your program approved by them then
6 they would give you funding to teach. We
7 haven't really heard that that's in effect
8 yet.

9 MS. NOGUERA: I just want to go
10 back to Ms. Bath. When you said that public
11 charge is someone who is coming back into the
12 U.S. and they were stopped, what happens to
13 that person? How do immigration officers at
14 the entry port know that this individual used
15 public services before?

16 MS. BATH: I'm not sure of the
17 technology but I'm sure there is a
18 computerized system. I assume that states
19 provide information, provide names and
20 amounts of debt, and they must have some kind
21 of way of tracking by immigrant's name or by
22 spouse and plug it into the computer at

1 entry.

2 All I really know about it is what
3 I heard from a client and read in hearing
4 decisions which was they simply as soon as he
5 got there said Stop, you have a debt. You're
6 not coming in. You have a debt to pay first.
7 They will not allow them entry.

8 MS. KATZ: I think it's important
9 for the panel to know that in a program like
10 Rite Care -- for us to say a immigrant who
11 may be working at a \$35,000 a year job and
12 does not have coverage from their employer
13 and relies on the Rite Care program for a
14 pregnancy or for their children, that that
15 somehow affects their immigrant status. I
16 think we have a real serious civil rights
17 issue.

18 So in my mind we need to start
19 looking at how that assistance affects
20 people's ability to move from being an
21 immigrant to becoming a citizen. And one of
22 my recommendations would be that the DHS,

1 when training the human service worker, that
2 they understand exactly what the Personal
3 Responsibility Act means so there's not a
4 climate of hostility at the Department of
5 Human Services. People should be able to
6 come and ask questions and that the worker
7 understand what their goals are because I
8 think there's a lot of confusion on the part
9 of workers as well.

10 And this can be a broad thing that
11 ranges from making sure that information is
12 tracked when somebody asks for assistance and
13 are not eligible to maybe seeing that people
14 who have eligible family members get the
15 assistance that they need without family
16 members feeling insecure in coming in. I
17 think training to help the workers understand
18 what the law means and how they need to apply
19 it.

20 MR. KLAMKIN: Sister, thank you for
21 coming. I had an opportunity to tour your
22 facility about a year ago and I was very,

1 very impressed with it. I wanted to ask you,
2 we're seeing a trend perhaps in public
3 schools against English as a Second Language
4 instruction, is that a concern, do you think?

5 SR. LALIBERTE: Yes. We do work
6 very closely with the public schools. There
7 is a new public school that just opened in
8 the area, the Lima School, and they are doing
9 a two-way bilingual. They are teaching both
10 Spanish and English in every classroom. It's
11 kind of an experimental thing that seems to
12 be working. Definitely they should be
13 teaching English as a Second Language in
14 public schools.

15 MR. KLAMKIN: Do you feel that we
16 need to see more of it overall? I mean, are
17 there a lot of other facilities where ESL is
18 available?

19 SR. LALIBERTE: The Mayor has a
20 committee in Providence and they are
21 surveying to see exactly how much English is
22 given. Some programs give it twice a week in

1 the evening and it's only five or six hours
2 and that's very difficult for people to learn
3 English in that short time. There are other
4 support services that are needed to teach
5 skills and many agencies don't give those
6 support services. The people who attend
7 Genesis needs those kinds of services in
8 order to move on.

9 MR. KLAMKIN: What kinds of
10 services?

11 SR. LALIBERTE: Well, we do a lot
12 with health. We do a lot with nutrition. We
13 do a lot with survival skills. If you have a
14 child, what do you do when you're going to go
15 get a job? What are the alternatives that
16 you have? People new to the country have a
17 lot of things that they need to learn and
18 those services are what helps them to move
19 on, in addition to English as a Second
20 Language.

21 MR. KLAMKIN: Are there many other
22 agencies that offer the kind of child care

1 services that yours does?

2 SR. LALIBERTE: Progressive Latino
3 offers child care and I think that we are the
4 only two that offer it. There are other
5 child care centers that would take children
6 who are on welfare, but they are not located
7 in the same building.

8 MS. ZIMMERING: Thank you very
9 much.

10 MR. MOEUY: Do you know what kinds
11 of people go through your program? Such as a
12 breakdown of Southeast Asian people?

13 SR. LALIBERTE: How many Southeast
14 Asian people are there?

15 MR. MOEUY: Yes.

16 SR. LALIBERTE: Probably about 50
17 or 60 during the course of a year.

18 MS. ZIMMERING: Thank you very
19 much. Perhaps we can take a little break now
20 for about fifteen minutes. If you would come
21 back around 10:00, we will continue.

22 (Recess)

1 MS. ZIMMERING: I'd like to review
2 my focus, but it's not necessarily the
3 Committee's focus, but it's my focus, my
4 primary interest. As you go through your
5 presentation, which we really appreciate
6 having you here, if you could indicate at the
7 beginning, the middle or the end, anywhere in
8 the five to ten minute presentation, what
9 change you feel would be most productive in
10 being made at this point and what you think
11 the change should be.

12 If a change could be made, where do
13 you see it being most productive and what do
14 you think that change should be. Rather than
15 saying, "I think things should be changed,"
16 if you could tell us how you think it should
17 be changed, I would appreciate that. If we
18 could start with you, Ms. Martinez.

19 MS. MARTINEZ: Good morning and
20 thank you. Thank you for this opportunity.
21 It's really exciting to see that this
22 Advisory Commission is concerned about the

1 issues the Asian community faces,
2 particularly as it relates to welfare reform.
3 As I said before, I really -- I'm almost
4 positive that I speak on behalf of most of
5 the agencies that are here. I would like to
6 welcome all the Commissions to visit our
7 agencies, perhaps in the next 30 days, to
8 meet with some of the participants who are
9 really being affected by this.

10 My agency is open to possibly
11 having several focus groups helping to
12 coordinate some of these efforts and
13 hopefully help you guys get some of the
14 information that you would like to get. I'm
15 the Director of Progreso Latino. Progreso
16 Latino is a multi-service agency. Primarily,
17 we service the Latino community. We were
18 established in '78 as an agency to service
19 the Latino community.

20 What we have seen in the last five
21 years is an increase of other immigrants who
22 are coming to our agency seeking all kinds of

1 services. Some of the services that we
2 provide are day care centers, senior citizen
3 programs, health, education, and prevention
4 programs, such as lead prevention, HIV, AIDS,
5 tobacco prevention and control. We have an
6 after-school program for Latino youth ages 12
7 to 16 years old and we have a large component
8 of our adults in adult education programs,
9 ESL, citizenship, GED, job training.

10 A part of this component -- we
11 recently for the first time last year we got
12 some funding from the Department of Human
13 Services to provide educational programs for
14 people on welfare. Another program that we
15 provide is case management. Anything that
16 you can think of, sometimes because maybe we
17 take for granted the fact that we speak
18 English, but it could be a simple thing like
19 picking up the phone and making a phone call
20 for a client.

21 In many cases, a lot of our time is
22 utilized by people who are applying for

1 public assistance and the first step for them
2 is complete a welfare application. Those
3 people come to us because they don't have
4 anywhere else to go. The office, for
5 instance, welfare office, does not have the
6 personnel to assist some of these families in
7 filling out those forms.

8 Also, we assist in helping people
9 find housing, employment, schools, connecting
10 the families who are moving into Rhode Island
11 or into the cities where we are located,
12 placing their kids in school, bringing all
13 the documentations they need and many times
14 just working with a lot of the agencies who
15 are present here to refer families and
16 provide comprehensive services.

17 One of the concerns that we have
18 seen, although, as you heard from Linda and
19 Ms. Bath and Sister Marlene, I think they
20 have said a lot of things in terms of what we
21 have seen in Rhode Island. I think Rhode
22 Island has been a pioneer in terms of strides

1 in the effects of changes in welfare reform
2 as it relates to the immigrant community.

3 However, there's still of lot of gaps.

4 One of the things that I would like
5 to see coming from the Committee is, and I'm
6 not sure what's going to happen after the 30
7 days, I believe you're going to come up with
8 some recommendations, but one of the things
9 that you mentioned at the very beginning is
10 civil rights protection, citizenship for an
11 immigrant being a prerequisite for civil
12 rights protection.

13 What we're seeing right now with
14 this welfare reform, it's almost a
15 prerequisite in order for you to be eligible
16 for certain benefits or to be assisted.
17 Other than that, you're not entitled. When
18 we started seeing the changes of welfare
19 reform and we started seeing the families and
20 the people that were being targeted, it was
21 like everything was the basis of civil
22 rights. It was age discrimination, which was

1 the elderly. It was women, most of the
2 people on public assistance being females.
3 It was national origin, most of the people,
4 as you very well stated, are Latinos and
5 Southeast Asians. These are the people that
6 are the being affected.

7 One of the two biggest concerns
8 that I have is the effects that welfare
9 reform is going to have on the immigrant
10 community in the long run. For instance, one
11 of the biggest problems we have always had as
12 immigrants is poverty. Welfare reform is
13 causing a lot of our families to be in even
14 worse poverty situations than they were in
15 before.

16 Another concern that I have is
17 their children and the dropout rates. When
18 you look at the rates of Latinos dropping out
19 of school, my concern is that in five years
20 those figures may double or triple. And with
21 that, I want to tell you -- Linda and
22 everyone has spoke about the fact that new

1 families are not going to be eligible for
2 some of the benefits. What I'm afraid is
3 going to happen is a lot of the numbers that
4 we may see in the near future, it's kids who
5 are coming into the country already 15 and 16
6 years old looking for jobs because mom and
7 dad don't have enough income to support the
8 whole family. These kids are going to
9 eventually have to drop out and support the
10 whole family.

11 One of the other concerns that I
12 have relates to housing and somebody brought
13 up the issue of housing. I'm seeing citizen
14 children being punished because their parents
15 are not citizens. I think it unfair and
16 think it's saying we are second-class
17 citizens in this country.

18 Somebody asked the question of can
19 you find them families after they complete a
20 program? Immigrant families are usually a
21 very transient population. What we're seeing
22 is a lot of these families whose head of the

1 household, mom or dad, who may not be
2 citizens, they are not eligible for
3 subsidized housing anymore. So what we're
4 seeing is more families doubling up, children
5 living in situations that are not the most
6 healthy places to live in, sometimes even not
7 the best and most safe neighborhoods in this
8 state.

9 Moving from one place to another,
10 again, affecting the kids' education. If a
11 child is moving from one school to another in
12 a school year ten times, that is going to
13 have an impact on the learning ability of
14 that child. Eventually, that kid is going to
15 end up dropping out of school.

16 Those are just some of the concerns
17 that I have. Along with that is the whole
18 issue that, I think it was brought out by
19 Ms. Bath in terms of the access and the
20 public charge. I think there's a lot of
21 confusion, even among service providers, as
22 to what is public charge. What we are

1 seeing, at least in my agency, is a family
2 who has petitioned for their family members.
3 Families who are in the Dominican Republic,
4 Columbia, Peru, whatever country, and who
5 finally after waiting for five years, six
6 years, have a visa available for them and
7 just because that family member who is in
8 this state at the some point received any
9 type of public benefits, that family member
10 overseas is not being given a visa because
11 his family member up here has to repay the
12 state.

13 There's a confusion in terms of I
14 want to pay, who do I pay? It's the
15 Department of Human Services to my
16 understanding that are saying we don't want
17 the money. I mean, we're not asking for that
18 money. There's also some confusion, how can
19 I come up with \$7,000 and they don't
20 understand payment plans? If you were given
21 \$7,000 or \$10,000 worth of, let's say,
22 medical benefits, you have to pay that amount

1 of money all at once. Well, I can tell you
2 that, I don't know if any one of you have
3 \$10,000 in the bank, I certainly don't have
4 it and I think that among the immigrant
5 community who are working families and even
6 those who may have been on public assistance,
7 they certainly don't have not even \$5,000 in
8 the bank or they wouldn't be needing public
9 assistance services.

10 Along with that, because there's so
11 much confusion and misinformation, in terms
12 of setting up a safety net for the families
13 who were receiving public assistance or who
14 were receiving food stamps before and
15 provided a health service for any child under
16 the age of 18 regardless of their family
17 income, one of the things that we are seeing
18 in our agencies is a lot of these families
19 are not wanting to access those services.
20 They are afraid that if they apply for those
21 services today that tomorrow when they go and
22 petition for somebody or that tomorrow when

1 they -- there's even confusion in terms of
2 them being afraid when they go to apply for
3 their citizenship that they are going to be
4 denied that benefit.

5 There's a real big need to reach
6 out to people and I'm not sure if it needs to
7 come from the Department of Human Services or
8 maybe a body of your Commission, I'm not sure
9 who, to be honest with you. There's a lot of
10 confusion in the community and we are really
11 looking forward to have a population in the
12 21st century that is going to be ready to
13 have the kids ready to learn, having healthy
14 families and healthy communities and these
15 wonderful things that we see everywhere and
16 we need to start by making those services
17 accessible.

18 The immigrants are always going to
19 be behind. They are not going to be able to
20 access those services because they may not be
21 eligible for any of those services. Again, I
22 would like to emphasize some of the issues

1 that were brought up in terms of employment,
2 in terms of poor secondary education. Some
3 of things we are seeing with some of the
4 families who have been affected directly are
5 families who are already being pushed to go
6 to work.

7 As Sister Marlene mentioned, there
8 are some programs that allow a family or a
9 participant to be in an ESL program for a
10 year or for six months, but after that,
11 because their English skills are still so
12 low, one of the things that is happening with
13 a lot of these people is they are ending up
14 in temporary employment agencies. Because
15 their skills are so low, they are not finding
16 permanent employment.

17 These are families who are working
18 today. These are families who are going to a
19 temp agency on, say, Dexter Street in Central
20 Falls. They wake up at 5 o'clock in the
21 morning, go there and sit hoping that
22 somebody's going to call and say you're going

1 to go over to X-factory today.

2 And this is the kind of employment
3 opportunities we are providing some of those
4 women. It's not giving them enough
5 opportunity or enough training, period, to
6 really provide a very solid base for them to
7 move out of the system.

8 I'm just concerned with the five-
9 year bar, I don't know what's going to happen
10 after five years because, if they don't gain
11 enough skills in the next two years and again
12 Sister Marlene made it very clear, if you're
13 trying to learn another language, if you have
14 very low literacy skills in your language,
15 it's going to take longer for you to learn
16 English or any language in the respect that
17 you are going to come out with very strong
18 skills in less than a year is very
19 unrealistic. What was your question? I'm
20 sorry.

21 MS. ZIMMERING: If you could change
22 one thing about the law, at this point, that

1 you think would make the most difference,
2 what would it be?

3 MS. MARTINEZ: I think some of the
4 things that need to change if we really
5 wanted to have a very successful rate in five
6 years where a lot of these people would be
7 out of the system, I'm not saying
8 permanently, forever, but at least for a very
9 long period of time, is to expand the
10 educational period. I think that's the key.

11 We're moving into the 21st century,
12 into an economy that's no longer a
13 manufacturing economy. It's an economy that
14 requires more reading and writing and
15 thinking skills. We cannot compare the
16 immigrants of today with the immigrants at
17 the beginning of the century.

18 I remember when my father came
19 here. He was brought by a company to work in
20 textiles. And as a textile worker, he could
21 leave his company today and if he wanted to
22 work two jobs, which he had for a long period

1 of time, all he had to do was walk up the
2 street and say I work at such and such
3 company on the first shift. Do you have
4 anything on the second shift? Sure, you want
5 to start now?

6 We don't see that anymore. This is
7 not a manufacturing economy. Rather, these
8 people are relying on temporary employment
9 where you may be called in today and you may
10 not have a job for the rest of the week. So
11 I think that for this economy we need to
12 provide these people with very strong skills.

13 MS. ZIMMERING: Any other questions
14 from the panel? Anyone else? Okay. We'll
15 move right along. Thank you very much.
16 Mr. Shuey?

17 MR. SHUEY: Thank you. I see a lot
18 of colleagues: Olga and Dr. Lee in the
19 audience, Susan Sweet from the State of Rhode
20 Island, Linda Katz and a number of other
21 people from various agencies, U.S. Catholic
22 Conference, Ellen Steingold, Jewish Family

1 Services, a lot of folks that we work with
2 and have worked with.

3 Along with Patricia Martinez, I
4 have been concerned as an advocate in the
5 community about the impact of welfare reform
6 and the Personal Responsibility Act,
7 particularly for folks who haven't been here
8 long enough to have been deemed eligible for
9 Social Security benefits.

10 So the elderly was a real concern
11 for Patricia and Linda and others who have
12 worked extremely hard to do a couple of
13 things. One was to get our concerns in front
14 of particularly, the Senate of Rhode Island.
15 And I think Bernie Beadreau back there,
16 Executive Director of the Rhode Island
17 Community Food Bank, a lot of work was done
18 to get the local immigration centers where
19 folks were hungry and etc.

20 I think the state has come through
21 in a way that temporarily has kept the wolf
22 from the door. I'm a great cynic on the

1 subject of law. I don't really believe laws
2 are very -- you know, it's a crude tool, I
3 think. And I also feel, just because I'm
4 aware from being involved in human service
5 work for a long time, that people are people.
6 I think poor people are poor people whether
7 they were born here or not.

8 These distinctions in my mind
9 aren't very useful in the real world.
10 Nonetheless, the law that was passed -- in a
11 sense the people who were not yet U.S.
12 citizens were treated somehow differently.
13 That's not a very useful thing to do and
14 that's sort of something that I think is part
15 of where I'm coming from on this.

16 We, like Patricia and Joseph Lee
17 and like others here who are involved with
18 the immigrant community, we have been
19 involved in the immigrant community since
20 1921. In fact, we've been involved in
21 helping different groups of immigrants
22 assimilate, be it English instruction,

1 immigration law assistance. We have people
2 who are on our staff who are attorneys or
3 paralegals who represent people who are
4 claiming, say, political asylum. I think it
5 is really a response to a particular need in
6 the community of people's inability to afford
7 some high-powered legal assistance on
8 immigration matters.

9 The second thing we do at the
10 International Institute is to teach a lot of
11 English. Immigrants of whatever economic
12 background, and I must say the majority of
13 people coming in our doors are working; in
14 fact, their views on the subject of welfare
15 are interestingly often right at center. In
16 fact, I think, my interpretation of the
17 welfare law is that most Americans really
18 thought it was a good idea to hold people on
19 welfare's feet in the fire.

20 I'm not sure how I feel about it.
21 I think I was talking to an attorney this
22 morning who is a Harvard graduate, works at

1 one of the top legal firms in the state here.
2 I said to him, "How do you feel about welfare
3 reform?" And he said, "Well, there's a lot
4 of abuse in the Dominican community. There's
5 a lot of abuse in the Hispanic community."
6 And I said, "More than in the 'mainstream'
7 community?"

8 The truth is there is abuse of the
9 welfare system and we in advocacy don't talk
10 about that because it's not really a priority
11 for us and we don't think it's widespread.
12 But I think it's what's fueling certain
13 political decisions Clinton made. I think
14 what's interesting about this is, when you
15 have the exploitation of the system by
16 certain folks, the "undeserving poor"
17 combined with this disenfranchisement of
18 people who are not citizens, you say they are
19 not people who have been keeping their noses
20 clean and working hard. In fact, you
21 disenfranchise them and others. It really
22 does create some cynicism.

1 When this lawyer and I were talking
2 he said, "People are cynical in the immigrant
3 community about the system." I think that's
4 something that we shouldn't underestimate
5 when we talk about law changes because many
6 of these changes have some element of reality
7 that fuels them, but, in fact, the effect
8 ultimately create more cynicism and then
9 creates more hardship in the community.

10 I question a lot of the rhetoric of
11 the welfare reform and I think its borne out
12 by the people who have come into our
13 operation every day to learn English. I tend
14 to pretty much agree with what Linda Katz,
15 I'm sure, said. So even though I wasn't here
16 when she was talking, I'm sure that
17 everything she said was accurate.

18 I think that's true of a lot of
19 people who are here. So my concerns are with
20 the common sense problem with green card
21 holders from citizens doesn't make any sense
22 to me. The elderly, people who are really

1 beyond working age, what happens to them in
2 the Southeast Asian community, refugees, and
3 the Latino community is of concern also. And
4 lastly, I think we need to be concerned about
5 the cynicism that certain laws and the
6 reactions by people in the community to
7 launch interest.

8 So those are just some things I
9 wanted to say. You know, and many of the
10 concerns that Patricia articulated, education
11 and training programs. Most of the female
12 Latinos who are engaged in the programs have
13 been on public assistance for some time, are
14 very concerned about going to work because
15 they have very little experience with jobs
16 where English is, in fact, a requirement.
17 You know, I think the more time they can
18 spend learning English to say nothing of the
19 cultural norms of the work place -- you know,
20 nobody wants to hear that your kid is sick.
21 Nobody wants to hear about that in the work
22 place, particularly with these low-status,

1 low-paying jobs. And I think people
2 sometimes who have been on public assistance
3 where, you know, social workers are, you
4 know, bleeding heart liberals, they don't
5 always find that in the work place. I think
6 these are the realities that many of us take
7 for granted and I think the immigrant
8 refugee, foreign born community, really, in
9 my judgment, have the same obstacles as
10 native born poor people with the cultural
11 overlay. That's the end of my monologue
12 here.

13 MS. ZIMMERING: How long do you
14 think, in your experience, does it take for
15 someone to become reasonably literate in
16 English, that is, read, write, and speak
17 English?

18 MR. SHUEY: That's a good question,
19 Ms. Zimmering. I am not sure there's an easy
20 answer. Needless to say, what we found in
21 terms of achievement and, you know, sort of
22 ducks taking to water, if you're, in fact,

1 already literate in several languages, you
2 move through pretty rapidly and you can move
3 into the mainstream.

4 I think for folks who really have
5 had little time in the classroom it can take
6 years, it can take their whole lifetime. I
7 think, in fact, beyond a certain age it's
8 probably not a highly -- you know, there is a
9 sort of classic conflict between economic
10 needs of our economy and the citizenship
11 issue and the issue of participation in the
12 culture.

13 In many ways there are two worlds,
14 the business world at work and there's the
15 world of education. I think a short answer
16 is the function of the person's educational
17 background and probably class background to
18 some extent. Some of the most intelligent and
19 most incredible people are in fact illiterate
20 and we need to understand that if we're
21 talking about a pluralistic society that
22 people with low skills can be extraordinary

1 contributors to our culture and our economy.

2 But the literacy issue, given that
3 it's so much more important than it was, say,
4 when Patricia's dad was in his prime -- maybe
5 he's still in his prime, I don't know; my dad
6 thinks he is -- I think to some extent,
7 obviously, without the literacy skills you
8 really are hampered. And I don't mean to say
9 that we think they are going to compete for
10 high tech jobs against college graduates.
11 That's just not going to happen.

12 MS. ZIMMERING: Are there any other
13 questions from the panel?

14 MR. MOEUY: I think learning and
15 speaking English depends on the educational
16 backgrounds of those people from Southeast
17 Asia. Most of them come here without
18 education. They can't read or write, so it
19 takes them a long time. They aren't going to
20 learn English fast, but they are holding down
21 jobs and are productive.

22 MR. SHUEY: Sure. I mean, you're

1 right. It's a lifetime thing. And I think
2 many people are very productive, working two
3 jobs and in jobs where they aren't required
4 to speak perfect English and they can do
5 quite well, thank you. And I think that's
6 something to be remembered that, in fact, the
7 bulk of the immigrants are in fact surviving
8 quite well and I think we need to remember
9 that.

10 And I think, certainly, what I find
11 at the Institute is, when I'm talking to my
12 students, I've been teaching a class this
13 year for the first time in quite a while and
14 issues like welfare are very controversial to
15 people who work in factories for a living,
16 and I think people underestimate the
17 complexity here of this that, in fact,
18 there's a lot of sympathy among Americans of
19 all classes towards welfare reform. That's
20 why Clinton was able to get away with it.

21 And I think for us in the community
22 is how do we -- I don't think this is going

1 to be revoked or rescinded. So the question
2 is how do you sort of work with it in a way
3 that helps more people than it hurts. I
4 think that's really a challenge for us and I
5 think if you're for people then it helps. I
6 think that what you're saying is that many
7 Cambodians have done very well and they
8 probably will never read the *New York Times*
9 or the *Providence Journal*. Maybe that fact
10 -- does that matter to most of them?

11 And you have to remember, what
12 about their kids? I think the issue is the
13 children, your children, to what extent are
14 they going to be able to get mainstreamed and
15 to really compete with mainstream people and
16 I think that's the question. I think that is
17 a reality the immigrant experiences. They
18 make an enormous sacrifice coming here,
19 refugee or immigrant, and refugees, of
20 course, are not here by choice. They are
21 here because otherwise they'd be dead.

22 And I think the Cambodian community

1 has adjusted so well and that the fact it
2 doesn't have more problems is sort of
3 extraordinary. It has nothing to do with
4 laws.

5 Then, again, my skepticism about
6 the legal impact of law is a function -- I'm
7 a non-lawyer, I have to say, and I'm sure
8 there are plenty of lawyers who feel
9 otherwise, but I think it's important to keep
10 in mind the whole spectrum of the community
11 here.

12 MR. KLAMKIN: You talked about the,
13 I think you called it, "common sense problem"
14 of separating out people. I mean, where do
15 you think this takes us in the future? I
16 mean, does this establish a separate class of
17 citizens, a new second class or third class?

18 MR. SHUEY: Well, technically you
19 have to have your green card and it can be
20 taken away at any time. That's never
21 happened, but I think when we go out in the
22 community and we're working with Progresso

1 Latino and with Genesis School and with
2 several other groups to promote citizenship,
3 some of the funding is actually coming from
4 the state, and I think part of why the
5 Governor found the money for this was just
6 this question of people who are not citizens
7 and we need to promote it so that they won't
8 lose benefits, which has been a screwed up
9 motive from my point of view.

10 But, I think, it did sort of put
11 people's feet to the fire on this. But, I
12 think, you know, maybe people are already
13 second class citizens because they are not
14 citizens but that they don't know it or may
15 not even be aware of it because nobody has
16 ever tried to take their green card away.

17 But in a way this is like, you
18 thought you were here under same footing as
19 everybody else. You work hard, you save your
20 money, you buy a house. It's an interesting
21 question and I'm not sure I know the answer
22 to that, but I think the second class

1 citizenship thing is a very interesting
2 phrase because there are plenty of second
3 class citizens who have U.S. passports, you
4 know, but I think to the extent there is a
5 relationship between, you know -- it is a
6 green card issued by the immigration service
7 and it can be taken away at any time and
8 that's a fact.

9 But the fact that it's never
10 happened -- but now people say wow, this is a
11 possibility, in a sense and the benefit piece
12 is part of what I think has pulled the rug
13 out from people. In terms of a nightmare
14 scenario, it's certainly something to
15 consider.

16 MS. SOUM: My name is Molly Soum
17 and I'm from the Department of Human
18 Services. I just want to add to the mental
19 aspect of this. All of the Cambodians have
20 been mentally abused by Pol Pot. It's very
21 hard for them to learn a second language.

22 (The following written

1 statement by Molly Soum was
2 entered into the record: "I
3 have a couple of concerns
4 about the senior Cambodian.
5 First of all, we were abused
6 mentally, physically and
7 emotionally by Pol Pot. Many
8 of us were affected by this
9 Act. Pol Pot has tortured and
10 manipulated so bad that we
11 have lost our sense of memory
12 and families. I have been
13 teaching (volunteer) the
14 Cambodian community for almost
15 a year. It's very hard to see
16 and hear from my students that
17 keep saying that they will
18 never remember the questions
19 and answers on the tests
20 because they have no memories
21 besides having Pol Pot on
22 their minds all the time.")

1 MR. SHUEY: One of the things about
2 citizenship, if I may, I think elderly people
3 -- we were talking to Senator Reed and one of
4 our practitioners said that, you know,
5 elderly people in particular when we talk
6 about Pol Pot here and these elderly people
7 maybe didn't see their families starve to
8 death and suffer some in this extraordinary
9 way that the Cambodians have.

10 Any older, elderly person has a
11 heck of a time with English and if you have
12 that as a requirement for citizenship, it
13 makes things harder. And then there's the
14 content -- these folks are never going to
15 become citizens unless some sort of -- you
16 know, at a certain age you need to have some
17 requirements waived and as the director of
18 our program mentioned that is something
19 Senators should be aware of.

20 And I think it's true that the
21 Cambodians are a special case. No one, I
22 think, when we are talking about a particular

1 population, it's easy to generalize, but in
2 fact each group is quite different.
3 Cambodians are not citizens, they are
4 refugees, and why they have ended here is a
5 complicated matter, but, I think they have.
6 And, certainly, as the DHS worker here said,
7 this is not a group to whom generalizations
8 apply.

9 MS. ZIMMERING: Could I ask you to
10 hold your questions? We'll take questions
11 from the group after then panel's finished
12 and questions now from the members. I hate
13 to ask you to do that.

14 MR. KLAMKIN: Is there not a
15 distinction in the law between refugees or
16 political asylum and immigration?

17 MR. SHUEY: Yes, certainly there
18 is.

19 MR. KLAMKIN: Is that observed?

20 MR. SHUEY: Well, I think there's
21 some concern about this with respect to this
22 Personal Responsibility Act and, in fact,

1 refugees who have not been here the required
2 amount of time, would they be part of the SSI
3 cuts? And the word in the community was that
4 they would possibly lose their benefits, so
5 it was a real concern. And if these refugees
6 have not become citizens because of the
7 language or whatever, then, technically, for
8 benefits and noncitizens don't get SSI
9 benefits, I mean you have a problem. The
10 Cambodians would definitely be affected by
11 this.

12 MR. SERPA: Just to follow up with
13 that. Is that provision at the end of seven
14 years from the time they entered that their
15 benefits would expire, the refugees?

16 MR. SHUEY: That's really a huge
17 issue. I think it's really an issue with the
18 elderly.

19 MS. ZIMMERING: Joseph Lee, please?

20 MR. LEE: Thank you. Good
21 afternoon. To the lady and gentleman from
22 Washington, D.C., I say welcome to Rhode

1 Island. My name is Joseph Lee, and I'm with
2 the Socio-economic Center for Southeast
3 Asians. Our agency is a coalition of the
4 poor coming from Southeast Asia. The agency
5 was formed in 1987. We are much ahead of the
6 system for the benefit of our people. I can
7 speak four different languages, and, as you
8 know, Cambodian people speak completely
9 different languages, but we are working for a
10 common language and that is English.

11 We have many different programs
12 from gang prevention to drug prevention, to
13 services for the elderly, Progresso Latino,
14 and the Genesis Center. We serve the
15 elderly. We have tobacco control projects
16 and we serve mothers with children from six
17 to thirteen years old. We work with mothers
18 who have children from birth to three years
19 old. We have substance abuse prevention. We
20 provided services to victims of domestic
21 violence.

22 I'm here to today to talk about the

1 impact of the Personal Responsibility and the
2 Work Opportunity and Reconciliation Act. In
3 my opinion, the immigrants' benefits should
4 not have been cut from the outset because
5 they are here legally. They work, they pay
6 taxes and they should be entitled to receive
7 help when they need it.

8 Fortunately, I would like to thank
9 our lawmakers, I mean the Senate and the
10 House in Washington D.C. for restoring some
11 of those benefits. I would also like to
12 thank our state legislators from the
13 government to pick up the food stamps for the
14 people who lost their benefits. Without
15 their benefits I believe that we are impaired
16 because many people rely on the help and
17 assistance, especially the elderly.

18 We came here as refugees as Bill
19 just said. We had no choice. We had to run
20 away from communism after the war in Vietnam.
21 The refugees who came here, there are many
22 soldiers who fought together with the

1 American soldiers. With them according to
2 what I talked to them about, they have a
3 feeling they have been abandoned a second
4 time. The first time after the war in
5 Vietnam. We should have won that war, but
6 for some reason the American troops run away,
7 left them alone.

8 They could not live with the
9 communists, they had to run away. And now
10 say, you know, you're an immigrant you are
11 not citizen, cut you off. They have a
12 feeling as people who were ex-soldiers how
13 they were abandoned again. The second time
14 that they got that feeling. The other thing
15 I talk to Mr. Silver is how can I find
16 something that would impact after they
17 receive food stamps and the food program
18 benefits are restored? There are some people
19 who were denied because of SSI disability and
20 are denied because they say their health
21 improved, that is questionable to me.

22 Now another problem was that the

1 people who have been working and for some
2 reason they've been laid off. After
3 employment benefits runs out, they cannot
4 find a job and no help. So there's a problem
5 right there. To us we said they are people
6 who are too old to find jobs but too young to
7 receive SSI.

8 So if we have the chance we have to
9 think about how to help these people at least
10 with medical assistance which they work and
11 they pay taxes, now they have been laid off
12 and after their benefits run out, they cannot
13 find jobs because for many English is one of
14 the reasons. And as opinions have been
15 expressed, it takes a lifetime for people to
16 learn English.

17 Now we can come from another
18 country and the level of adjustments to the
19 new society are different. Some people can
20 adjust in a few years, other people may take
21 ten years, other people may take twenty
22 years. But we say it only takes five years

1 and during these five years they are under
2 the pressure of looking for jobs. They have
3 no free time to learn English.

4 In our agency we only offer
5 vocational English as a Second Language in
6 Woonsocket. We teach our people English and
7 we make sure that their English is fair
8 enough for them so they are not going to be
9 laid off. I remember when I first came here
10 in 1931, luckily I spoke English. But at
11 that time they are trying to train our
12 refugees for a short time to learn English,
13 three months to six months. I opposed that.
14 If you train people for three months before
15 they go to a job, they come to back to
16 welfare again and especially if they do not
17 have medical benefits, they are not going to
18 work. Not because they don't want to work,
19 they are very hard working people, but they
20 are scared of losing their health benefits.

21 Now, you have to work a full-time
22 job, learn English, go home and take care of

1 children. Now, when they came here there is
2 no hope for the first generation. Their hope
3 is for the second generation, that the second
4 generation would grow up with adequate level
5 of English skills so they become good
6 citizens.

7 Also, another problem is when we're
8 talking about this kind of immigrant we say
9 when the time comes you become a permanent
10 resident and maybe become a U.S. citizen.
11 Especially when the law passed in August 22,
12 1996, a lot of movement happened in this
13 country, especially in reference to radio
14 talk shows and in my opinion in northern
15 Rhode Island, the talk shows in northern
16 Rhode Island.

17 I would suggest that the Commission
18 should set up a special committee to monitor
19 the radio talk shows because they can be very
20 hateful. You have to have a monitor for
21 maybe six months to a year, you will hear
22 what they are saying that immigrants, they

1 came here to receive welfare. They try to
2 come here to receive benefits. We don't need
3 them, that kind of talk. Especially in my
4 position, I point to the north of Rhode
5 Island. I ask that you please monitor those
6 talk shows.

7 Also, learning English to our
8 people, Cambodian, is very difficult,
9 especially for the Cambodian. They have
10 their own script and now in order for them to
11 learn English they have to start from the
12 beginning. It's very, very difficult and
13 very, very hard. Now, in our people you will
14 find that we have what's called a
15 post-traumatic syndrome from our country, but
16 they are here now. So it distracts them from
17 learning English.

18 So what I'm saying is I suggest you
19 should form a special committee to monitor
20 the radio talk shows that can really affect
21 public opinion with regards to immigrants and
22 refugees. The immigrants from Southeast Asia

1 are now no longer refugees become but
2 considered immigrants. It is very hard for
3 us to become U.S. citizens. It's not that
4 they don't want to. They want to, but the
5 process takes too long.

6 Lately, I talked to Mr. Silva and
7 we talk about the number of immigrants who
8 came here after August 22, 1996. What is the
9 number? I don't know because they are
10 sponsored by their relatives and they don't
11 usually come to us but we know of some. The
12 most difficulty we have with benefits is the
13 medical assistance. They don't care about
14 food stamps, they can take of the food, but
15 they worry about medical assistance. We
16 should help especially at least with medical
17 assistance. That's what we're asking for.

18 Last Friday I had a staff meeting
19 and one of my staff told me there was an old
20 woman, Cambodian, that had to go back to
21 Cambodia after living here for almost a year
22 because her children could not be able to

1 support her. The mother did not want to see
2 the children have a hard time, so rather than
3 break their hearts decided to move back to
4 Cambodia. I would like to answer any
5 questions from the Committee.

6 MS. MOY: Thank you, Mr. Lee.
7 Concerning your disparaging remarks on the
8 radio shows, have you approached the station
9 managers either as an organization or support
10 group?

11 MR. LEE: I think we want to attack
12 the problem tactfully. We don't want to be
13 aggressive. We don't want to stir up
14 problems. We don't want to make it worse
15 than it is and stir up more hate.

16 MS. MARTINEZ: I think one of the
17 things that we did do last year, I think some
18 of the members of the coalition were invited
19 to be on some of these talk shows; however,
20 it was only like one or two personal
21 presentations versus 365 days a year where
22 you hear these attacks.

1 If I could just add something that
2 maybe relates to your question. This
3 Committee seems like a very impressive
4 Committee to me and my understanding is
5 you're all from Rhode Island, correct, except
6 for the two Washington staff members? I
7 think one of the things that could change is
8 if you as members of this Advisory Commission
9 could join forces with us and with some of
10 the people in terms of educating the general
11 population in terms of -- for instance the
12 role that you play and how this in a way is a
13 violation of their civil rights. And just in
14 your daily travels, to talk to your
15 colleagues and some of the people that you
16 deal with on a daily basis and bring them to
17 realize that the immigrant community is not
18 getting off the plane or off the boat and is
19 not going to the welfare office the following
20 day and applying for benefits.

21 And, unfortunately, it's a set of
22 myths has really brought all the

1 anti-immigrant sentiment that we see across
2 the nation and we're seeing it here in Rhode
3 Island as well.

4 MS. ZIMMERING: My understand is,
5 to answer your questions, and I would like
6 some feedback from the Washington people in
7 particularly, that we can speak as
8 individuals or members of other groups, but
9 we are really not allowed to speak for the
10 U.S. Commission; is that correct Fernando?

11 MR. SERPA: That's correct. You
12 can lobby and advocate as a private citizen.
13 As a Committee itself you can represent the
14 Committee in your official capacity and meet
15 with other groups.

16 MR. LEE: One more thing I would
17 like to add. We don't come to here to
18 receive benefits. Our people work hard.
19 They go to find jobs everywhere, even for \$5,
20 they don't care. They go to work up to the
21 point where other people could not find jobs
22 and they go back to the \$5 jobs and say they

1 took all the jobs from us.

2 MR. KLAMKIN: I have a question
3 with regards to a general rising of
4 anti-immigrant sentiment and if we're seeing
5 them manifested in violence against an
6 immigrant in Rhode Island, by say, assaults
7 or violence against immigrants?

8 MS. MARTINEZ: My first reaction is
9 not physical violence, but I can tell you
10 that, as least as an agency, Progreso Latino
11 paid dearly when we were working during the
12 rallies that we had the last year because we
13 were very involved. Every single morning we
14 were coming into our agency and finding all
15 kinds of messages in our voice mail, "You
16 Spics, you come into this country and you are
17 the problem with this country. It's you guys
18 and people like your agency that's the
19 problem."

20 All kinds of vulgar language. "Get
21 out of this country," and "You are the ones
22 that's creating the problems." So physical,

1 no, but in terms of that kind of hatred we as
2 an agency has seen it. The kids are seeing
3 it in their schools. Perhaps some of the
4 people that work with kids could testify to
5 the fact that we have seen kids whose parents
6 had last year testified whether it was at a
7 hearing and their name may happen to be in
8 the paper the following day and they say,
9 "Mom, why did you do that. I don't want my
10 friends to know that we are on welfare." So
11 these kinds of things we have seen.

12 MR. SHUEY: I mean, to me talk
13 radio is like, you have time for this stuff.
14 I mean, give me a break here. It's really
15 not something that's acceptable unless people
16 think they are not going to be affected by
17 it. In terms of the law, what else can you
18 do about it. This is a country where you can
19 say anything. Even if your opinion is worth
20 nothing, you can still say it. That's both
21 the beauty and the horror of America. I'd
22 like to compare it with Radio Rwanda where

1 they are not just talking about how evil they
2 are, but, like when to go get them and
3 organizing the neighborhood to go kill them.
4 That's the kind of thing that we are
5 blessedly free of in this country or hate
6 radio.

7 But anybody with an ounce of
8 sophistication takes that literally.
9 Obviously, you're brown or yellow; you know,
10 or black, then you learn to develop
11 strategies to deal with this stuff. In fact
12 at the Institute I must say one of the most
13 useful things we try to do in our English
14 classes is to help people develop strategies
15 for this stuff because racism is very much
16 part of our culture. I mean it's a cross-
17 cultural experience. You're probably going
18 to experience more racism here than you did
19 in, say, Cambodia.

20 Although one could question -- it
21 raises some sort of universal thing, any
22 culture, there's some kind of racist

1 behavior. It may not be precisely skin
2 color, it's other stuff. And I think, in
3 fact, somehow it's human hate. I hate to say
4 that because one does have to resist it in
5 public forums, but I think in private law
6 there's some pretty strong stuff here.

7 This is a tough issue and I think
8 racism is really a big fundamental issue in
9 all human -- I mean, the other thing I just
10 wanted say, the biggest three things when you
11 talk to people in our classes, people come
12 over here with racist views. These are the
13 kinds of things that are kind of universal
14 among people in our English classes. I don't
15 think you can sort of -- I don't want to
16 argue that immigrants are holier than the
17 rest of us. I doubt that's true, but
18 certainly they should be treated no
19 differently.

20 That's, I think, what we are
21 talking about here is why when you talk about
22 poor people do you separate out immigrants.

1 That's the common sense problem I have. You
2 know, I just don't get that.

3 MR. KLAMKIN: Along the lines of
4 talk radio, do I understand you to say that
5 in northern Rhode Island one or both radio
6 stations has a policy to inflame and
7 instigate people to ---- immigrants? I mean,
8 is that going too far? I mean, just by the
9 way the talk shows engaged their callers, I
10 mean --

11 MR. LEE: When you hear how they
12 talk about the people, you immediately feel a
13 hate with the people they mention. When our
14 people go to apply for a job, the best jobs
15 are probably not available, but they call
16 them dead beats and there is nothing that you
17 can do. In my work I put myself into the
18 people who live here hundred years. In
19 reality, I have hate for these people right
20 there. So my presentation today is not to
21 talk about racism or hatred, but my
22 presentation to you is to present how hard

1 our people has to work to become a U.S.
2 citizen because, in order to be recognized,
3 we came here originally as refugees, and as
4 time passes the process takes a long time.

5 It's not easy. Don't try to say
6 the program is successful by placing pressure
7 on the people. Now the impact, yes, without
8 assistance our people have a very, very
9 difficult time in this country and with this
10 culture. And they, at the same time, raise
11 their children with the hope that the second
12 generation will be very important members of
13 this society.

14 MR. KLAMKIN: But all of this
15 doesn't help. All of this makes it more
16 difficult --

17 MR. LEE: Difficult for us, also,
18 but we need help and we lose that help. It
19 is difficult and the difficult process of
20 becoming a citizen is not recognized and is
21 not easy because of obstacles.

22 MS. ZIMMERING: Are there anymore

1 questions?

2 MR. KLAMKIN: I want to go back to
3 Ms. Martinez. One of the things we heard
4 from the earlier panels was talk about what
5 would be required to reimburse the government
6 for their medical assistance or other forms
7 of assistance. I thought in one of the
8 earlier panels somebody mentioned that this
9 was changed in some way or that this had been
10 reversed in some way. Is that not the case
11 or do you know?

12 MS. MARTINEZ: I'm not sure. I
13 stepped out for a minute, so maybe it was at
14 that point when you heard somebody refer to
15 it. The cases that we have seen in our
16 office is people who have petitioned, as I
17 mentioned, for relatives a long time ago and
18 have waited all these years and finally
19 because that person may have applied at some
20 point for any type of services are now -- in
21 order for that relative to be given a visa
22 abroad, they are asking that the person makes

1 some kind of arrangement with the agency in
2 the state where they are residing before the
3 relative is given a visa abroad.

4 What I think I heard Ms. Bath say
5 was that she has seen cases where when the
6 person is coming, meaning at the port of
7 entry in Miami or New York or whatever. We
8 haven't seen those cases. The ones that we
9 have seen are the ones as the person goes to
10 the embassy abroad. That's when they are
11 asking that. They would not be getting a
12 visa until they have some type of proof that
13 the relative who has petitioned for them has
14 paid the state.

15 MR. KLAMKIN: Do you see that as a
16 significant bar to immigration?

17 MS. MARTINEZ: I do. As I said,
18 one of the concerns that I have because
19 people are hearing some of those issues, the
20 ones that are here, some of the elderly that
21 may be eligible for something or even the
22 children who are eligible for Rite Care or

1 even child cares services, even though child
2 services are a state service, those families
3 don't even want to go near the welfare
4 department because unfortunately you apply
5 for these benefits at the welfare department
6 and they are just afraid that if they utilize
7 any of the services that at some point in the
8 future they may be denied.

9 MS. ZIMMERING: Thank you very much
10 for coming. You were very helpful. Do we
11 have Ms. Carrera, Ms. Steingold,
12 Mr. Beadreau? Well, then we'll go back. Is
13 Ms. Schmidt here yet? Maybe if we just wait
14 a moment. Could we start with you?

15 MR. BEADREAU: I'm Bernie Beadreau
16 and I am the Executive Director of the Rhode
17 Island Community Food Bank and have been
18 Executive Director for about two and a half
19 years. I have a few comments about the
20 impact of the Personal Responsibility Act on
21 legal immigrants in Rhode Island.

22 About a year ago when the

1 Governor's budget came out it had some money
2 in the budget for ESL and citizenship classes
3 and also money in the budget for food
4 assistance, about \$250,000 for food
5 assistance for legal immigrants. We joined
6 with different groups to eliminate childhood
7 poverty and to basically start a campaign to
8 get a message to the Governor and the state
9 legislature that that would certainly not be
10 enough money to take of the human need that
11 we were going to be seeing and had already
12 begun to see in our food pantries and soup
13 kitchens, 150 of which are members of the
14 Rhode Island Community Food Banks stretching
15 from Woonsocket to Westerly to New Bedford
16 and beyond New Bedford into Southeastern
17 Massachusetts.

18 We over the course of about six
19 weeks generated about 3200 signatures,
20 petitions to the state legislature, that was
21 coincident with the Senate Finance Committee
22 passing a bill to reinstate a food stamp bill

1 that would be would be a state food stamp
2 funded bill, probably only the second or
3 third state in the country to do so. We
4 lobbied very hard. We pushed and we were
5 especially successful. The House of
6 Representatives passed the bill, it was in
7 the budget, and Rhode Island became one of
8 the few states in the country to have a state
9 funded food stamp bill. Not only did we fund
10 that, but the Department of Human Services
11 food stamp program again, thankfully,
12 implemented that program in record time.

13 So while other states in the
14 country had a noticeable impact instead of
15 the many immigrants coming to food pantries,
16 really running out of the food, here in Rhode
17 Island we had minimized that because of the
18 campaign we launched and because of the fast
19 action of the state food stamp program to
20 implement that program. Depending on what
21 the President does or is successful with his
22 budget or not, he will have commit that

1 program again, at some level, anyway.

2 So our recommendations to this
3 Committee are going to be probably to keep
4 the food stamp program going for legal
5 immigrants. What the food bank had done, in
6 addition to that, was to gear up an emergency
7 food distribution program starting in
8 September. We purchased over two hundred
9 fifty thousand dollars worth of food at
10 wholesale prices and through about eight key
11 food pantries and organizations that were
12 located in high impact areas where there are
13 a lot of legal immigrants and we distributed
14 food.

15 What we found was that our food
16 pantry system was ill-equipped to take on a
17 huge influx of people who was limited in
18 English-speaking ability. People who were
19 foreign to the whole food charity system
20 which in and of itself was a process. People
21 had to register, they had to wait in line,
22 and they'd get handed a bag of food, quite

1 different than going to the supermarket to
2 buy your own food.

3 People that our food pantry system
4 now reaches number about 75,000 people in the
5 region. Most of them have been in our food
6 pantry system for over a year. It was
7 difficult for them to get started, and every
8 person I have ever talked to who has been
9 part of a food pantry program said it was a
10 long process of swallowing their pride, being
11 less concerned about their own dignity and
12 being concerned about their children, and
13 accepting the charity. And that's an aspect
14 of the system that I would really like to
15 change..

16 I don't think people should have to
17 trade in their dignity in order to get a bag
18 of food which I believe is a basic human
19 right. So the new population of legal
20 immigrants find that process just as
21 difficult. What we found was that
22 organizations that had a real presence of

1 people of color running the organization were
2 far more successful in reaching out to the
3 legal immigrants.

4 The Cape Verdian American Community
5 Organization in Pawtucket is the classic
6 example. By November they had been serving
7 516 households a month, not only Cape
8 Verdians, but they had reached out to all
9 Blackstone Valley. They put ads in the
10 newspaper and there was a real difference
11 between how they were able to reach out to
12 the immigrant community and how other food
13 pantries, typically staffed by volunteers who
14 are white, who were retired, who could not
15 deal with the language barriers, and that
16 alone was a huge problem.

17 A lot of people were not well
18 served by some of our pantries because of the
19 barriers that were inherent. One impact on
20 us is that we could not really instantly get
21 food to people. The point we made before we
22 started that was it was far better to have a

1 food stamp program where people can buy food
2 on their own time and making their own
3 choices about what they are going to eat and
4 choice of foods is a big issue, too.

5 Culturally, different foods we were
6 ill equipped to handle. That was a big
7 impact on the food bank. We worked with some
8 of those problems. I don't recommend that
9 food pantry systems and food banking is
10 remotely close to an alternative to food
11 stamps or income assistance, so I will
12 continue to advocate for income assistance
13 type programs.

14 But I would have to say that the
15 impact of this law has been to put many more
16 legal immigrants at risk of hunger and
17 suffering from hunger. Right now there are
18 more hungry legal immigrants in Rhode Island
19 than there were a year ago. We know this
20 because people are denying themselves the
21 access to the food that we have waiting in
22 the food pantry. They are afraid of the

1 process, and, if you think about it, if you'd
2 been put out there as the problem in our
3 society, that's what welfare reform did. It
4 was like poor people are the reason why we
5 have trouble in our country. And add to that
6 people feeling that legal immigrants are
7 doubly reasonable for our problems in
8 society, they do feel threatened in
9 situations where some parts of the community
10 want to reach out and help them.

11 All of the familiar talk shows, the
12 message coming from the Congress of the
13 United States is saying no, you have to
14 change; you're part of our problem. So it
15 shouldn't be any surprise that we can't
16 attract more legal immigrants to our food
17 pantries. It's a difficult process.

18 So the Congress and the President's
19 initiative here to kind of reform welfare has
20 made many more people hungry in this country.
21 More children are hungry and this flies in
22 the face of these issues, the limited issues,

1 and about the economy being low unemployment.

2 There's another America out there.
3 They are the long term unemployed. Those are
4 the people Patricia Martinez's references
5 have been in regards to manufacturing jobs.
6 Just here in Rhode Island there's been a loss
7 of 36,000 manufacturing jobs in ten years.
8 That's a lot of income. That's a lot of jobs
9 there that did not require higher skills.
10 Again, they've been replaced, most of them by
11 service sector jobs requiring literacy and
12 higher level skills.

13 So anyway, that's what I'd like to
14 say about the impact of the law. It should
15 absolutely be changed. And I think Congress
16 should issue an apology to the legal
17 immigrants of the United States.

18 MR. ZIMMERING: Thank you. Do you
19 make a distinction when they come in that
20 they have to indicate that they are legal
21 immigrants?

22 MR. BEADREAU: No, our food

1 pantries really have not been willing to do
2 that. Sometimes that information is offered,
3 but that would send some people right out the
4 door.

5 MR. KLAMKIN: Mr. Beadreau, how
6 many pantries are there and how does that
7 work?

8 MR. BEADREAU: We have 150 in Rhode
9 Island and southeastern Massachusetts.
10 There's a food bank located in West Warwick.
11 These food pantries come to West Warwick,
12 they load up their cars and vans once a week
13 with food, and they go off. Last year we
14 distributed 4 million pounds of food. That
15 was a 43 percent increase other the year
16 before and a 66 percent increase over '95.
17 Our contact is increased hundreds.

18 MR. KLAMKIN: Do you attribute that
19 to these changes in the law?

20 MR. BEADREAU: No, that trend was
21 in place before the changes in the law. So
22 legal immigrants being pushed out the

1 assistance adds to that already what I call a
2 severe trend, really, people that are
3 deepening in poverty that are not counted in
4 the unemployment statistics or anywhere, for
5 that matter. Half of the people that have
6 left welfare in this country are still
7 unemployed.

8 MR. SHOLES: The population we just
9 heard of, and I just want to get a handle on
10 this, what percentage would you say are legal
11 immigrants and what percentage are citizens?

12 MR. BEADREAU: Well, we searched
13 recent statistics that we have and they
14 indicate that -- I have those numbers in my
15 head -- it's 17 percent that we serve people
16 with color, meaning African American, Latino,
17 etc. What percentage of those folks, I
18 really couldn't venture a guess. I think
19 there are about twelve thousand in this
20 state. Really, I can't guess. Cape Verdian
21 Community Development, for example, had 516
22 families in November immigrants.

1 MR. SHOLES: Do you make a
2 distinction between the legal immigrant and
3 the citizen when the person applies for food?

4 MR. BEADREAU: Not at all. The
5 only requirement that people indicate that
6 they are in need of food and they will get
7 food. We ask them to prove their residence,
8 that they have address, that kind of thing.

9 MR. SHOLES: What type of funding
10 do you get from the state and the federal
11 government?

12 MR. BEADREAU: Our total budget is
13 about a million dollars. We get routinely
14 about \$37,000 from the state and no federal
15 money. Last year we got an extra \$250,000
16 towards purchasing this food.

17 MR. KLAMKIN: Has anybody from the
18 federal government asked you to keep track of
19 the immigrant population that you service?

20 MR. BEADREAU: Yes. We worked it
21 out with the food stamp program and the
22 Department of Human Services to try to keep

1 track of that. I do have statistics back in
2 the office where each of our pantries have
3 estimated the number of people that are legal
4 immigrants, and I didn't compile that for
5 today.

6 When I compiled that in early
7 November, it was about 1200 people, 1200
8 households from the beginning of September
9 for two months, September and October, were
10 1200 households. And I know that the numbers
11 have increased since then.

12 MR. SHOLES: What would you say
13 would be the average stay for a family in the
14 food pantry program?

15 MR. BEADREAU: Sixty-nine percent
16 of the people that get food from the pantry
17 system right now have been doing that for
18 more than a year. That really speaks of the
19 longtime problem of poverty that's really
20 meant to be short term help for people.

21 MR. SHOLES: Mrs. Zimmering asked a
22 question earlier in the presentation as to

1 what recommendation would you make to change
2 one thing in this program, I mean, in these
3 new Acts that would make life better for the
4 population that you serve? What would you
5 do?

6 MR. BEADREAU: I would refund and
7 put the money back in for the food stamp
8 program and make no distinction between legal
9 immigrants and citizens. I would put a
10 package together that would put a lot of
11 money into job retraining and education so
12 that it's not welfare to work, but it's
13 welfare to training to work.

14 MR. SHOLES: Thank you.

15 MS. ZIMMERING: Thank you very
16 much.

17 MR. KLAMKIN: I just want to
18 understand. Your funding, at least on a
19 state level, is not connected in any way to
20 food stamp funding?

21 MR. BEADREAU: No, it isn't, not at
22 all. Most of our money comes from direct

1 mail solicitations and foundation grants. We
2 have about 18,000 donors now, people who give
3 us \$25 or \$50 a year.

4 MR. KLAMKIN: But, as far as state
5 or federal funding, it's not in the food
6 stamps --

7 MR. BEADREAU: No, it isn't.

8 MR. KLAMKIN: You're not charging
9 people for the food?

10 MR. BEADREAU: No, people are not
11 charged or required to pay for the food they
12 get.

13 MR. KLAMKIN: When you talk about
14 making changes to the food stamps program,
15 just so I have an understanding of this, the
16 funding for food stamps is contingent on an
17 annual appropriation from the general
18 assembly?

19 MR. BEADREAU: I think Linda can
20 answer that better than I could.

21 MS. KATZ: There's statutory
22 authorizations from the food stamp program,

1 so the state would have to repeal the
2 authorizations.

3 MR. KLAMKIN: Thank you.

4 MR. BEADREAU: Thank you.

5 MS. CARRERA: Good afternoon. My
6 name is Estella Carrera. I work at Proyecto
7 Esperanza in Central Falls. We realize that
8 people need assistance such as medical
9 assistance including medication. We have
10 many programs. We provide services to help
11 immigrants receive rental assistance and
12 medical services. We have a youth program in
13 the afternoon dealing with youth substance
14 abuse prevention and alcohol prevention
15 program. We work closely with the
16 immigration office to provide people with
17 immigration services, especially with
18 citizenship papers and we have classes in
19 ESL. I.

20 Have been working with Ms. Sweet
21 from the Department of Human Services and I
22 would like to say thank you to her. We have

1 been providing Rhode Island assistance for
2 maybe 27 years. Maybe at this point you want
3 listen to all the statistics, but I was
4 thinking about what I would talk about this
5 morning and maybe telling you about my own
6 experience as an immigrant in this country.

7 I come to this country in 1979.
8 After five months of being in Rhode Island,
9 we had a fire in our apartment and we lost
10 everything. I have two children and people
11 say Department Human Service, they can help
12 you. I went there with my two kids. At that
13 time Jennifer was almost a year and my son
14 was 14 months. At that time I was here only
15 for a few months. Of course, they don't help
16 me with anything. Nobody explained that to
17 me and I still don't understand that even
18 after 19 years.

19 Because Jennifer was born in this
20 country they were able get me health
21 assistance for Jennifer. Nobody spoke
22 Hispanic at that office. But it's been 19

1 years and now we're seeing old people coming
2 to my office and crying because you have to
3 be an American citizen and you have to learn
4 our language and she tried and she went to
5 classes in the afternoon and she couldn't
6 pass the test. She failed the test. She
7 tried to again, but it's so hard for her.

8 That's why it's so hard for many
9 people. The old folks, if you look at the
10 old folks, not many people love old people.
11 The old folks they are grumpy, they smell,
12 they are sick, who wants the old folks? And
13 many times I saw people in my office I said,
14 "My God. If something doesn't change they
15 will have a hard time." Now I am gray and
16 realize the hardships of the elderly
17 population.

18 Education is the key. It's
19 different now than it was 20 years ago. Many
20 factories are closed. Now the people want
21 computer skills, communication skills, and
22 other new techniques. That's why I think

1 education is the key.

2 MS. NOGUERA: You say that you
3 provide rental, utilities, and medical
4 assistance to the community. Have you seen
5 an increase in persons who are immigrants
6 coming to you to receive these services?

7 MS. CARRERA: Yes, especially for
8 medication. Many people go now for
9 medication because you have to pay for the
10 medication. Say you are 75, you get sick,
11 and the little money you have, you have to
12 pay the rent. You prefer to have a home, you
13 don't want to be homeless anymore, and so
14 they don't get the medication.

15 Rental assistance in Central Falls,
16 the area I am located, if you ask somebody,
17 there are now absentee landlords and they
18 increase the rents one hundred percent. Now,
19 apartments, of course, the people from
20 Washington say, "Oh, come on. That's cheap."
21 But it's different in Rhode Island. For an
22 apartment with only one bedroom you can pay

1 easily \$475, and I have to say that's a lot
2 of money for them and the children. They go
3 to bed without food because some of the
4 people they have only that lunch, that school
5 lunch program.

6 I am talking about people who work
7 for the minimum wage. They bring home \$190 a
8 week. You have two or three children.
9 There's no way you can survive in this world
10 now and they are too proud to go and ask for
11 that kind of assistance.

12 MR. KLAMKIN: Mr. Beadreau, who
13 preceded you, talked about the stigma in
14 going and revealing themselves to food
15 pantries. How do you cope with that?

16 MS. CARRERA: Food, and especially
17 in the United States and I myself think, "Oh,
18 my God. That's important, everybody must
19 have food." To come to an agency for a bag
20 of food as opposed to being able to go to the
21 market and buy what you want as with the food
22 stamp program, it's a small community

1 environment and everybody knows everybody and
2 everything. And, like you said, it's a
3 stigma. They have to go to a food bank and
4 get their food. It's not easy.

5 MS. ZIMMERING: Thank you. I think
6 we'll take a lunch break now, but I would
7 like to tell you that later this afternoon we
8 expect representatives from both state and
9 federal offices here. So, if you would like
10 to stay or come back and hear what they have
11 to say in regards to alleviating some of
12 these problems, we would be delighted to have
13 you. We will break now and come back at 2
14 o'clock.

15 (Whereupon, at 12:50 p.m., a
16 luncheon recess was taken.)
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22

1 public questions and comments. Also I would
2 ask if any of you have prepared statements or
3 other written materials that you you'd like
4 to share with the Committee to please give
5 them to either Fernando Serpa or to that
6 gentleman sitting in the back. I would like
7 to turn the panel over to Mr. Hilton who is
8 the moderator.

9 MR. HILTON: Thank you,
10 Mr. Chairman. The first speaker is Susan
11 Sweet. And is Dr. Simon here? And Barbara
12 Raynor?

13 MS. SWEET: I'd like to begin by
14 really setting forth the kinds of programs in
15 Rhode Island and federally that have modified
16 the original Personal Responsibility Act
17 which I often refer to as ----.

18 Welfare reform, because as we heard
19 this morning there are some people that would
20 question whether in fact that that was truly
21 welfare reform. First of all, the state had
22 options that it had to select, first of all,

1 whether or not they would have legal
2 immigrants eligible for medical assistance
3 and temporary assistance to needy families.
4 Also, Rhode Island had special conditions in
5 that we already had a state welfare law
6 called the Family Independence Act. Rhode
7 Island opted to take both of those options to
8 cover legal and qualified immigrants for both
9 medical assistance and for cash assistance to
10 needy families.

11 The second thing that this state
12 opted to do is to authorize and fund a food
13 stamp program that was state funded; that is,
14 you'd qualify for the same number or same
15 amount of food benefits. The process and
16 eligibility would be exactly the same, but,
17 if you were no longer eligible because of the
18 passage of the law you would then be eligible
19 for the state food stamp program.

20 The third thing was cash assistance
21 for elderly disabled persons who at that
22 point would be taken off SSI. The State

1 passed an authorization with funding for
2 anyone who is elderly or disabled and who
3 would be taken off of SSI. The standard
4 would be \$200 a month for anyone living in
5 the community and \$40 a month for someone who
6 was institutionalized.

7 It turned out, because of federal
8 legislation that passed, the Balanced Budget
9 Act in 1997, that, in fact, those funds were
10 not needed. What happened was the federal
11 government had chosen to opt to retain pay
12 for those people who were in the country and
13 receiving SSI, so we haven't yet come to the
14 point where the state money had to be used;
15 however, I should point out that there's a
16 gap in the safety net, if you will, in that
17 those people who were not receiving still
18 were not eligible. And so that's a gap in
19 the services currently.

20 Also, the state passed a bill that
21 medical assistance, regardless of not being
22 able to participate in the federal funding,

1 would be eligible if the person were in the
2 country before 8/22/96 and in the state
3 before 7/1/97. Also, noncitizens' children
4 would be covered under Rite Start, which
5 provides a comprehensive medical service for
6 children and for pregnant women. Prenatal,
7 delivery and post-partum services would also
8 be covered for any lawfully admitted
9 resident.

10 Rite Start was also made available
11 if the child was in the country after
12 8/22/96, and in the state before 7/1/97. We
13 also funded a citizenship initiative which
14 funded 13 community agencies for citizenship
15 classes which included ESL. And in fact, the
16 speakers who were here this morning, most of
17 them, I think all of them, did receive funds
18 from the Department of Human Services to fund
19 citizenship classes. That was in the amount
20 \$389,000 last year. And also it provided of
21 that \$389,000, \$59,000 to partially fund a
22 new organization called The Citizenship

1 Collaborative, which is really part of a
2 partnership receiving National Foundation
3 funds as well as receiving money from the
4 Department of Human Service.

5 And what happens, we hope, is to
6 standardized and bring the level of
7 citizenship classes up to a standard across
8 the state so that even when moving from one
9 state to another they would be able to
10 continue to receive citizenship services at
11 the same quality. In addition, Bernie
12 Beadreau had pointed out that they did
13 provide \$250,000 to the food bank for
14 particular assistance, in addition to their
15 outpatient services to the legal immigrant,
16 which was less problematic after the passage
17 of the state-funded food stamp program, which
18 I should point out was up and running in
19 September.

20 The legislature had passed the
21 program in July and the state funded food
22 stamp program was up and running in September

1 and really we stopped cutting people off food
2 stamps and just kept them on as citizens in
3 the state food stamp program, so it was less
4 traumatic and less difficult for people.

5 All that being said, however, I do
6 want to point out that certainly the passage
7 of ---- even ameliorated by the federal
8 actions taken since then, which in a sense
9 modified or appealed some of that. And very
10 positive actions taken by the state still do
11 not abrogate the fact that certainly there
12 are numbers of immigrants who have been hurt
13 and certainly that has created a different
14 way of looking at citizens versus those legal
15 immigrants who are not citizens and that
16 continues to remain to be a problem. So with
17 that I would be happy to take any questions
18 or to address some of my colleagues.

19 MR. HILTON: What is one of the
20 single most problems you feel you have with
21 the Act and what would you suggest as a way
22 to remedy it?

1 MS. SWEET: It's going to be very
2 hard for me to give you a single answer. Let
3 me say that there remains outstanding a
4 number of issues. One is that as low-income
5 older people over 65 those who are immigrants
6 and not qualified under the very specific
7 rules of ----. There is no provision as of
8 now to have those people on some sort of
9 assistance for the aged. There is some
10 provision for disabled, but I am particularly
11 concerned about the aged.

12 Also, there appears to be some
13 attempt by the President's budget to address
14 that, but at this point covering not only
15 disabled but aged immigrants that are legal,
16 the same as we are doing for citizens, I
17 think would be a major remedy that needs to
18 be done.

19 The five-year ban is also so
20 complete in terms of not having people be
21 eligible for benefits for five years
22 regardless of their change in circumstance I

1 think needs to be modified to include
2 circumstances. And then certainly the food
3 stamp program which on the federal level I
4 think needs to be changed so that once again
5 legal, permanent residents and citizens have
6 the protection and the same respect under the
7 laws. Those, I think, are the most
8 problematic things right now.

9 MR. HILTON: Any members have any
10 questions?

11 MR. SHOLES: I'd like to ask you a
12 few questions relating to the number of
13 people in these population groups. You
14 indicated that one of the problems is the low
15 income immigrant group that turned 65 that
16 won't be entitled to financial assistance
17 from the government. Could you put a handle
18 on that number?

19 MS. SWEET: I would be very happy
20 to put a handle on that number and this is a
21 number that's going to grow yearly. We were
22 fortunate in that the federal government had

1 grandfathered to those persons who had been
2 receiving benefits as 8/22/96. But what's
3 going to happen is there is going to be a
4 small number in Rhode Island, perhaps five or
5 six hundred a year. That number is going to
6 grow as more people become 65, are low income
7 and can't receive Social Security.

8 At this point there is another
9 small number, perhaps three percent of the
10 current immigrants who are 65 and over who
11 will no longer be eligible after 9/30/98
12 unless Congress changes that. So in terms of
13 numbers, I would say it's probably less than
14 a thousand this year, but it will continue to
15 grow.

16 MR. SHOLES: These people are
17 barred from collecting Social Security,
18 supplemental Social Security, I think, under
19 the Act even though they've been paying
20 taxes. They are also barred from collecting
21 Social Security benefits.

22 MS. SWEET: Most of these people

1 would be eligible if they have a sufficient
2 work history, to collect Social Security
3 benefits but not SSI.

4 MR. SHOLES: I just want
5 clarification. So under the Act this really
6 doesn't affect their Social Security
7 benefits?

8 MS. SWEET: No, it doesn't.

9 MR. SHOLES: Then you indicated
10 that you want to change the five-year ban.
11 If Congress doesn't change the five-year ban
12 and eliminate it, what do you think would be
13 the minimum number of years you put on that
14 so this would eliminate this?

15 MS. SWEET: Rather than putting a
16 different number on it I would rather allow
17 for circumstances under which the five-year
18 ban would not apply so there could be some
19 flexibility. I think it's not realistic to
20 say that in all cases it's five years or
21 three years or two years. You could have a
22 situation where a person could lose their

1 job, burned out of their home or through no
2 fault of their own have a terrible illness,
3 and I think there needs to be provisions for
4 the human condition in any time period.

5 MR. SHOLES: My last question
6 pertains to the housing assistance. The Act
7 says that you shouldn't look to the
8 government to speed up the transition of the
9 legal immigrant from the assisted housing
10 program. So my question is what is the state
11 doing in that regard to help those
12 individuals?

13 MS. SWEET: First of all, I should
14 say that I'm not aware of anything the state
15 is doing to help out those individuals. And
16 also I should point out that a legal
17 immigrant, as well as the citizens of the
18 U.S. born and naturalized, there's not a lot
19 of options for housing.

20 You have a certain amount of
21 subsidized housing and it has not
22 traditionally at this point other than when

1 it first began in the last 20 years, there
2 has been situations where families could not
3 easily go from subsidized housing to the free
4 market because the expense is so great. And
5 if they are working at not even minimum wage,
6 but even double the minimum wage and have a
7 family, it's very difficult for them to go
8 from subsidized housing to somewhere you
9 might have to pay four, five hundred dollars
10 a month, etc. So I think we have a problem
11 of affordable, decent housing across the
12 board.

13 MR. SHOLES: It's also a double
14 whammy for those people who are collecting
15 SSI because they are the ones who live in
16 subsidized housing. Then, when they are
17 removed from the SSI program, they also lose
18 their subsidized housing.

19 MS. SWEET: If they have no income,
20 there's no way that they could make that
21 transition to the free market.

22 MR. KLAMKIN: Ms. Sweet, what

1 becomes of people who are turning 65 and are
2 no longer eligible for benefits?

3 MS. SWEET: What happens to people
4 who turn 65 or are disabled, are low income,
5 and would have therefore qualified for SSI?
6 I don't think we know. It's very much like
7 what happens to all of the people who left
8 the welfare roll. You explain to some of
9 them who have been able to achieve a certain
10 level of economic independence and have jobs
11 but that certainly doesn't account for all of
12 the changes in the numbers.

13 Many people like you know live with
14 families who have to take the additional
15 burden of supporting them without any help
16 whatsoever. Some of those people had been in
17 the country, had worked, perhaps are ill and
18 fulfill the level of disability required by
19 SSI.

20 I mean, we can always point to the
21 fact that the community has absorbed them in
22 some way. We all also know a lot of older

1 people actually left this country and went
2 back to their countries of origin even though
3 in many cases they have no families left
4 there to go back to.

5 MR. KLAMKIN: Are you prohibited
6 from offering any services to these people?

7 MS. SWEET: No, there are certain
8 services that are available to folks
9 regardless of their immigrant status. Some
10 of those are provided by food banks, by
11 nonprofit agencies that provide services and
12 perhaps goods and assistance, health centers.

13 The Department of Elderly Affairs
14 has, for example, jobs for people over 55 and
15 helps them get subsidized employment. They
16 have Rhode Island Family Assistance to the
17 Elderly Program, which is open to everybody
18 regardless of immigrant status or citizenship
19 status. That pays 60 percent of the cost of
20 the number of prescription drugs used to
21 treat chronic illnesses. The senior centers
22 and meal sites are open to everyone

1 regardless of immigrant status or citizenship
2 status. And there a number of programs that
3 are not limited to citizens.

4 The problem is no cash assistance
5 in the form of either SSI, and then medical
6 assistance is limited, especially for people
7 who have recently come to this country and
8 don't fit either the child or the pregnant
9 woman profile.

10 MR. LEE: Am I correct in thinking
11 that in an earlier period whether or not you
12 were eligible for SSI you could get general
13 public assistance?

14 MS. SWEET: There was a program
15 many years ago called Aid to the Aged, Blind
16 and Disabled. That program was essentially
17 phased out when SSI came in. When SSI came
18 in, it took over all of those people who were
19 either aged, blind or disabled, totally state
20 funded and really the SSI program is a
21 combination of state and federal funds.

22 So what happen was the Aged, Blind

1 and Disabled program of Rhode Island went
2 away. In the meantime, general public
3 assistance, as we used to know it, which
4 would help anyone who was low income and in
5 need of that help, has been whittled down to
6 a very temporary assistance under very rigid
7 circumstances, so you really have no program
8 to take up that slack.

9 The closest thing was the
10 legislation that passed last year that would
11 have kicked the people off SSI, but again I
12 should point out that those people who were
13 not currently receiving SSI but become aged
14 in that they reached their 65th birthday and
15 at this point have no recourse for any type
16 of cash assistance.

17 MR. LEE: Is there any discussion
18 of proposed legislation to remedy this?

19 MS. SWEET: My understanding is
20 that within the last week, very recently,
21 legislation has been introduced in the House
22 and Senate in the State House and the State

1 Senate that would provide for those people
2 that are achieving their 65th birthday and
3 would be eligible economically for SSI. I
4 haven't seen it nor has the Department of
5 Humans Services or DEA. I can't comment on
6 that or take a position on that other than
7 knowing that we recognize there is a gap in
8 those services.

9 MS. ZIMMERING: I just have a brief
10 question, Susan. Everyone here this morning
11 has mentioned the elderly and the weaknesses
12 in those provisions. I haven't heard anyone
13 mention children. Are the children being
14 pretty well taken care of at this point?

15 MS. SWEET: Well, the children are
16 right now because of the mixture of state and
17 federal changes and help. They are in a
18 better position. I'm not saying that it's
19 perfect. First of all, let me address the
20 issue of documented persons. We never really
21 talked about that very much.

22 Undocumented persons are not

1 eligible for much. They never really were.
2 Basically, they are eligible for emergency
3 services, emergency medical services, really.
4 The children in this state, because Rite Care
5 and Rite Start are for legal immigrants, are
6 covered, as well as pregnant women are
7 covered. We made that specific choice to go
8 further than the current state law and the
9 federal law allows. So, except for these
10 cases, very new immigrants and undocumented
11 immigrants, it's not as pressing a problem at
12 is this point.

13 MR. KLAMKIN: If I might put to
14 you, Ms. Sweet, have you had any notable
15 effect on your agency when you operate as a
16 result of these laws taken place?

17 MS. SWEET: Well, first of all, I
18 should tell you that it has made a
19 complicated situation much more complicated.
20 The state and federal, particularly federal,
21 assistance laws, both medical assistance and
22 it used to be AFDC, it's now Tanif, it's

1 elaborate to begin with.

2 I just want to point out that a
3 suggestion, which was a good one, of training
4 our Department of Human Service workers is
5 actually ongoing and has been ongoing, but it
6 is very complicated because everything has
7 changed, there are many more exclusions, and
8 many more -- for instance, a worker has to
9 learn and understand the laws and it's very
10 difficult because it changes every few
11 months.

12 So I'm afraid it's made it much
13 more difficult on the DHS worker and
14 therefore much more complicated and
15 problematic for the client who may walk in
16 not knowing whether they qualify or if they
17 should even walk in and ask if they qualify.
18 So, as much training as we can give, it still
19 won't be enough.

20 MR. KLAMKIN: You were here earlier
21 so you heard some of the issues that came up
22 such as tracking people who are denied or

1 told informally they should not perhaps even
2 bother to apply. I mean, is that realistic
3 to start to track that or more closely
4 monitor that?

5 MS. SWEET: I think it's realistic
6 to track the numbers of anyone who makes an
7 application and how many are approved or
8 denied.

9 MR. KLAMKIN: Do you have any
10 figures along those lines that you could
11 provide the Committee?

12 MS. SWEET: I don't at this time,
13 but we could get those. This, again, which I
14 think has been mentioned, there maybe first
15 of all people who choose not to go because
16 they are not sure others that might go in and
17 the worker might say don't even bother
18 applying. You are not eligible.

19 That may or may not be correct,
20 and, even if it is correct, it prevents us
21 from tracking how many people applied and
22 were not eligible. So you have this vast

1 number out there that either didn't apply or
2 came and made inquiries but didn't make out
3 paper work.

4 MR. KLAMKIN: What about
5 translation services? Has that been a
6 problem?

7 MS. SWEET: It's always a problem
8 but it's less of a problem than it used to be
9 a number of years ago. The department does
10 have a number of people in the field and
11 translators who speak Spanish, Southeast
12 Asian languages, a number other languages.
13 You are also going to get people that might
14 walk in and have a language that they do not
15 have on board a translator to translate. But
16 we also have access to other agencies that
17 will translate. It's not perfect but better
18 than it used to be.

19 MR. KLAMKIN: Do you have or could
20 you state what portion of your budget goes to
21 administration or goes to provide services?

22 MS. SWEET: I'm not prepared to

1 really give you those figures.

2 MR. KLAMKIN: Is that a fair
3 comparison, say, perhaps between states or,
4 you know, trying to assess whether you're
5 providing assistance at a good level?

6 MS. SWEET: Do you mean the ratio
7 between administration and benefits? I know
8 the ratio of that would be very small in
9 terms of administration versus benefits.
10 There are certain caps except certain other
11 programs don't have caps if they are a state
12 funded one.

13 The majority of the budget of DHS
14 goes to benefits. You also have to look at
15 administration or personnel and field work
16 and those interviewing folks and deciding
17 whether they are eligible and putting them
18 through the process. It depends on if you
19 narrow that to administration being managers,
20 or are we talking about personnel that are
21 delivering these services.

22 MR. SERPA: Could you obtain for

1 us, unless you know offhand, a breakdown of
2 your staff racially, how many Hispanic you
3 have or --

4 MS. SWEET: I don't have that
5 information.

6 MR. HILTON: Are there any other
7 questions?

8 MS. NOGUERA: In your programs for
9 elderly affairs and the elderly you have in
10 the medication program and meal sites if any
11 reference has been made to allow the persons
12 any type of assistance to come in and if you
13 have anybody there that speak languages other
14 than English, if there has been any outreach
15 for these people on medication that they
16 receive the medication when their case load
17 increases because of some of the cuts?

18 MS. SWEET: In terms of the Rhode
19 Island Pharmaceutical Assistance to the
20 Elderly Program, there has been outreach with
21 a number of community groups; for example,
22 Westminster Senior Center has been doing

1 outreach basically on the medication programs
2 and we have a number of other folks doing
3 that.

4 The Gray Panthers had a grant from
5 the Department of Elderly Affairs to deal
6 with a number of different ethnic groups
7 through community groups. We have not been
8 very successful in that regard. Also, your
9 point about the meal sites, very few meal
10 sites have people there who speak languages
11 other than English, and that's something that
12 definitely needs to be improved.

13 I would agree with you that in
14 terms of elderly services there has been less
15 progress in making sure that the services on
16 a statewide basis are acceptable and
17 accessible to immigrants and folks who don't
18 speak or understand English very well.
19 That's an area that we're going to be
20 concentrating on this year very strongly in
21 order to bring that up to a level where
22 people will feel welcome to use those

1 services.

2 MR. HILTON: Are there any other
3 questions? Dr. Simon.

4 DR. SIMON: Good afternoon. My
5 name is Dr. Peter Simon and I am an Assistant
6 Medical Director for the Division of Family
7 Health of the Rhode Island Department of
8 Health. Our function is really to develop
9 assessment information and health policy and
10 assure that the systems are in place that
11 provide access to both preventative,
12 curative, as well as rehabilitation services
13 for the community.

14 In some ways we have resources that
15 hopefully supplement the community based on
16 the organization's ability to deliver these
17 services and fill the gaps created by these
18 overlapping and rapidly changing
19 entitlements, federal as well as state. Many
20 of our programs do not require legal status
21 to be documented for participation; for
22 instance, the immunization program that we

1 run.

2 They all pretty much ignore the
3 infant or the family's legal status to
4 participate in these programs. They are
5 transparent if they are an immigrant with the
6 health care industry. Most of what the
7 department is here to do is to provide a
8 surveillance system, the ability to diagnose
9 at the community level when there are systems
10 problems, and to answer the question of what
11 the implications are going to be when
12 reducing access to financial assistance
13 through medical assistance, federal finance,
14 Medicaid, Title 19, or the federal welfare
15 program.

16 We see most of the impact falling
17 upon families with young children. Questions
18 about the impacts on child health and family
19 health probably are of a concern for the
20 Department of Health. One of the immediate
21 effects that we are going to feel to many
22 children who become eligible for some of our

1 entitlement programs like WIC or early
2 intervention programs are going to be
3 requiring more and more state funded
4 components of their care plans since their
5 entitlements to federal subsidies are lost
6 through the legislation.

7 And in the case of early
8 intervention, which deals with infants and
9 toddlers authorized under our federal special
10 education law idea, we will probably see an
11 increasing number of services having to be
12 financed by your state appropriations without
13 the ability to leverage Medicaid federal
14 participation or receive Medicaid financing
15 through eligibility through SSI so that the
16 programs that we have that we have we will
17 probably see impacts on the children who are
18 served by entitlement programs.

19 As I said before, the ones that the
20 programs that we served all kids in Rhode
21 Island regardless of income, regardless of
22 immigrant status, we probably will not see

1 much of an impact because, again, those
2 activities are essentially covered by state
3 appropriations, state and federal
4 appropriations, without the requirement for
5 determination of legal status.

6 We are concerned that, if this
7 issue of eligibility and access to services
8 gets any more confusing, then the communities
9 that are most recently arrived in Rhode
10 Island are going to be confused and
11 frustrated because of the difficulties in
12 finding out accurate information. But I
13 think the comments about training of our
14 eligibility staff as well as an outreach
15 effort that is culturally competent is
16 probably going to be the most important
17 approach that Rhode Island, both in our
18 agency as well as all human services, is
19 going to have as a challenge because people
20 are easily confused.

21 Many surveillance systems that we
22 have indicate that we have harder and harder

1 times facing families in communities like
2 Central Falls, Pawtucket, Providence,
3 Woonsocket, where we know resettlement from
4 outside of Rhode Island is most concentrated.
5 We know we're having more and more difficulty
6 engaging families with infants and young
7 children in our programs. We think, although
8 we haven't completed it, we have just begun
9 an assessment in Woonsocket for us to
10 understand where these gaps, myths, and
11 misinformation are coming from. But we are
12 seeing an increasing resistance to
13 participate in some of the public health
14 programs for women and families. Many people
15 have speculated that it's become very
16 confusing and families are not just sure what
17 will happen if they participate. And again
18 I'd be glad to answer any questions.

19 MR. KLAMKIN: Are you under any
20 obligations to keep reports or
21 documentations?

22 DR. SIMON: To my knowledge there

1 are no public health requirements through any
2 of the programs that are funded in the
3 Department of Health that require that. Its
4 perception on the part of the community is
5 often somewhat different than what the
6 reality is. Our information suggests that
7 there's a lot of myths and misinformation
8 that's scaring these people about seeking
9 assistance from even community based
10 organizations that are clearly not government
11 entities.

12 MR. KLAMKIN: I recognize there are
13 cultural taboos associated with this, but is
14 there much of a degree of taking advantage of
15 the number of programs and services
16 increasing or is that not a factor do you
17 think?

18 DR. SIMON: Substance abuse
19 treatment is probably the only service
20 component that we would have information
21 about access and I don't have any information
22 about substance abuse treatment access within

1 the resettlement communities in Rhode Island.

2 MR. KLAMKIN: There's no state
3 support of mental health services for
4 immigrants or --

5 DR. SIMON: There are special
6 mental health services for immigrants funded
7 by the Department of Mental Health
8 Retardation and Hospitals and the Department
9 of Children, Youth and Families. But mental
10 health services coming from the state level
11 may come through other than from the
12 Department of Health.

13 We have substance abuse in our
14 early intervention program which deals with
15 behavior issues and self-help problems which
16 are often mitigated by a family substance
17 abuse. So there are some -- obviously,
18 again, some concern that the loss of these
19 entitlements is going to make it more
20 difficult to serve a family of a child who is
21 eligible for early intervention if there are
22 mental issues that are again substance

1 programs that can't be served.

2 MR. HILTON: Are there any other
3 questions?

4 MR. SERPA: We heard this morning
5 about legislation in which immigrants or
6 their family members are asked to pay back
7 health care costs before they enter or
8 re-enter the country. Is that under your
9 agency or department?

10 MR. SIMON: I'm not sure I
11 understand what actually is happening. Can
12 you give me an example?

13 MR. SERPA: We heard that a woman
14 coming into this country, an immigrant coming
15 to this country, has a baby and has been
16 given health care through Medicaid. Her
17 husband goes back to his country and comes
18 back and applies for visa to come back and he
19 is told by embassy personnel that he can't
20 come back until he pays the health care costs
21 that are outstanding.

22 MR. SIMON: I am not aware of that.

1 MS. SWEET: DHS would be the one
2 contacted. In fact, that did happen a few
3 times. What happens is generally the person
4 is to seeking to re-enter the country or
5 enter the country who has a family member
6 already here who has applied to sponsor them.
7 The person either has been here or seeking to
8 bring someone in has used benefits and is
9 questioned about that, generally at the
10 embassy, in order to issue a visa for that
11 person to re-enter or for that person to come
12 in.

13 We have been contacted a number of
14 times by the person themselves, not the staff
15 member of the embassy, not anyone from
16 immigration, but by the person who was the
17 recipient to say I have to pay this back or I
18 can't get a visa. Three times we did make
19 available the amount of money that that
20 person had used in benefits. We don't ask
21 for the money back. This is so they can get
22 a visa for themselves or their family member.

1 However, this problem that's come
2 up around the around the country and
3 evidently in some states, their Department of
4 Human Service are stationing people even at
5 places to get that funding. They are still
6 issuing guidelines on it and we are in the
7 process of returning these funds to, I think,
8 three cases. But I wanted to emphasize the
9 size of the problem is not with any agency in
10 the state. The problem is that this person
11 is told they must repay benefits in order to
12 become eligible. And it doesn't happen every
13 day, but it is happening from time to time.

14 MR. KLAMKIN: Is there any sense of
15 why or is there some inconsistency in the
16 ---- law?

17 MS. SWEET: Overall, I think since
18 the passage of the new immigration laws and
19 ---- and the emphasis on people's immigrant
20 status and public benefits, I think that
21 there is more of a jealous feeling of
22 safeguarding public benefits on the part of

1 some people that are issuing visas. I'm not
2 sure it's across the board.

3 MS. TANCREDI: Well, speaking about
4 the issue of public charges, who is someone
5 is not eligible to come into the country if
6 they would be a public charge. And, as you
7 know, many people probably live in the United
8 States illegally and when they go back to get
9 their immigrant visa they are questioned
10 about if they had received any benefits.

11 It is not the State Department or
12 the Immigration Service's responsibility to
13 have someone repay back any money that they
14 have received, but they do have to prove to
15 us that they will not become a public charge.
16 And I know this is an issue that, to be
17 honest with you, I know there's new things on
18 this but I haven't read all of it.

19 The issue with the Welfare Reform
20 Act and the other immigration law that was
21 passed recently, I should say that we're
22 trying to make sure that people are

1 accountable for what they are going to do
2 when they file the affidavit of support
3 because there was no way to enforce that this
4 person would actually be responsible for them
5 if they receive some assistance.

6 Now there is a new form and new law
7 in effect that will make the people who has
8 filed the affidavit be responsible. So I
9 think we've seen some overzealous people ask
10 for them, but that's not within our
11 jurisdiction, really, to make them pay back
12 any kind of benefits they might have
13 received.

14 MR. KLAMKIN: Just so I understand.
15 You said that the state has reimbursed people
16 who made those payments?

17 MS. SWEET: We're in the process of
18 doing that with those three cases. In fact,
19 in one case they reimbursed the state and
20 then, when they got back to the country, they
21 put a stop order on that payment, so actually
22 there was no transaction.

1 In the other two cases, we are in
2 the process of paying those people back in
3 accordance with the new finance agency. New
4 guidelines are coming out. They are just
5 beginning to address this problem. And we
6 are in the middle of it, and now we're trying
7 to respond to whatever is considered
8 appropriate.

9 MS. NOGUERA: You said that it's
10 harder to engage families, particularly in
11 the communities you mentioned, Central Falls,
12 Pawtucket and Providence, with infants and
13 small children. In hearing about the public
14 charge statements that Ms. Sweet and Ms.
15 Tancredi had made, one, could it be that the
16 possibility exists that they heard about this
17 and they don't want to participate in any
18 governmental programs and two, these lack of
19 engagements of families are some of the
20 problems because of that?

21 MR. SIMON: True. We're not Los
22 Angeles County, thank God. Three children

1 have died from measles and several other
2 children who have lifelong disabilities,
3 hearing loss and mental retardation, because
4 of a measles outbreak. And our measles
5 immunization rates in Rhode Island have been
6 close to a hundred percent for the past the
7 few years. I've just receive preliminary
8 information from the National Immunization
9 Survey that our immunization rates are
10 falling.

11 And, again, I'm concerned that this
12 disengagement or reluctance to participate in
13 our programs may lead the community to evolve
14 into various outbreaks of disease. And
15 bacteria and viruses don't discriminate
16 against people with legal status. They are
17 equal opportunity agents. These are the
18 ultimate concerns of the health agencies that
19 we are supposed to be here protecting and
20 promoting health in the community. And we
21 see a threat, a potential threat, if we don't
22 continue to maintain high levels of

1 participation in some of those community wide
2 programs to prevent or detect early diseases
3 that have public health significance.

4 MR. HILTON: Any other questions?
5 Thank you, Doctor.

6 MS. TANCREDI: As an immigration
7 service, the agency that is responsible for
8 the naturalization of its citizens, we have
9 been greatly affected by the Welfare Reform
10 Act. The numbers of people who are applying
11 for naturalization have increased
12 dramatically in recent years.

13 Just a few statistics here. In
14 fiscal year '95, 3,428 people applied for
15 citizenship in Rhode Island. The Providence
16 INS Office is within the jurisdiction of the
17 State of Rhode Island. In fiscal year '96,
18 we received 3,239, and in fiscal year '97, we
19 received 5,832. In these same years we've
20 been able to swear in as citizens in '95 it
21 was 1,535, in '96 it was 2,862, and in '97 it
22 was 3,163.

1 Currently, the processing time to
2 become a U.S. citizen is about ten to twelve
3 months. There are many reasons for this
4 extended period that it takes to become a
5 citizen. One is because there are more
6 people applying, and the other is that the
7 immigration service in recent years
8 instituted new quality procedures in our
9 naturalization processing which does lengthen
10 the time.

11 It's put in place to preserve the
12 integrity and to make sure that people who
13 are becoming citizens are entitled to become
14 citizens. Normally, applications for
15 naturalization are processed pretty much from
16 the day they are received at the INS office.
17 We do entertain requests by people who are
18 affected by some compelling reason to
19 expedite applications. If someone wishes to
20 be given expedited processing of the
21 citizenship application, they would have to
22 make a written request to the officer in

1 change and explain the reasons needed for
2 consideration. And we will consider these on
3 a case-by-case basis, taking into account our
4 work load and resources available.

5 Obviously, if people wanted to
6 continue their benefits they could become
7 U.S. citizens. The process before coming
8 through naturalization, there are certain
9 provisions that have to be passed in order
10 for them to become a citizen and many people
11 find it difficult to qualify. I could go
12 over the whole procedure for you, but the
13 basic thing is that the person who wants to
14 become a U.S. citizen has to be a permanent
15 resident for five years, they have to be
16 eighteen years of age or older, they have to
17 reside, before filing the application, in the
18 United States for five years and during that
19 period have to have to have been present in
20 the U.S.

21 You couldn't leave. You have to
22 show that you've been at least here half the

1 time. During that same five year period, you
2 have to show that you are a person of moral
3 character and that you adhered to the
4 principles of the Constitution. Also, the
5 requirements under the Act require that you
6 be able to read, write, speak and understand
7 English and that you have a fundamental
8 knowledge of U.S. history and government.

9 The law does allow certain
10 exceptions for certain groups. If you are 50
11 years of age or 20 years of residence or 55
12 years of age and 15 years of residence, you
13 are eligible to take the test for
14 citizenship, but you will be tested in your
15 native language. You don't have to qualify
16 under the English but still have to show that
17 you have an understanding of U.S. history and
18 government. If you're 65 years of age and 20
19 years of residence, your test given on
20 history and government is limited to 25
21 questions that could be asked. Usually, it's
22 just a few questions.

1 Also, recently there was passed a
2 disability exception which really has nothing
3 to do with the Welfare Reform Act. This law
4 was passed in 1984. The regulations came out
5 just about the time that this Act was passed.
6 So I think people interpret that this was put
7 into play so that people would be able to
8 apply for citizenship who wouldn't be
9 eligible previously. And the disability
10 exception applies to people have a medically
11 determined mental or physical impairment
12 which has lasted for more than a year or will
13 last for a year.

14 If you can prove that, you would be
15 exempt from the English and history
16 requirement. To apply for that benefit, you
17 have to have a form issued by the service,
18 completed by a medical doctor or a clinical
19 psychologist and you submit with that with
20 your application and we in turn make a
21 decision whether you qualify for a disability
22 exception.

1 It's important also to stress that,
2 even if you if qualify for the disability
3 exception, all people that applied for
4 naturalization are required to take an oath
5 of allegiance to the United States. And they
6 must understand the meaning of that oath.
7 So, even if you might qualify for disability,
8 if you do not understand the meaning of the
9 oath, you would not be eligible for
10 naturalization. That's about it. If you
11 have any questions, I'll be glad to answer
12 them.

13 MR. HILTON: Does anyone have a
14 question for Ms. Tancredi?

15 MR. SHOLES: Under the Act, what
16 additional requirements are there for a
17 person to become an American citizen?

18 MS. TANCREDI: There have been no
19 changes. As I said, there's been a few
20 exceptions about the English requirement.
21 The most recent change was the 65 years of
22 age and then 20 and this disability exception

1 that's been in effect about a year now.

2 MR. SHOLES: Now, I notice in the
3 Act that the local government can prohibit
4 persons permitted to withhold information
5 concerning the legal immigrant to the INS.
6 Has there been a problem on the reporting of
7 that information to your service?

8 MS. TANCREDI: There has been no
9 provision in the law that would require
10 people, that I know, to tell us who is here
11 illegally because that's what you're talking
12 about. Am I understanding you correctly?

13 MR. SHOLES: I understand that in
14 the City of New York, specifically, by
15 executive order the mayor prohibited the
16 agencies or city departments from reporting
17 to the INS anything about illegal immigrants
18 unless the person committed a crime. I would
19 take it that there's an inference that this
20 Act requires that agencies will report to the
21 INS concerning the activities of illegal
22 immigrants. I'm just curious as to what this

1 is all about.

2 MS. TANCREDI: As far I know, there
3 has nothing in place where we would make it
4 mandatory for all agencies to tell us if a
5 person is here and if they are here
6 illegally. If, in the pursuit of one
7 investigation or something, we ask an agency
8 if this person is here and they have records,
9 we will do that. As far as I know, we are
10 not requesting anyone to tell us who is here
11 illegally.

12 MR. SHOLES: Are there any
13 requirements? I know the Act doesn't
14 specifically say that, but I don't know
15 whether there would be rules and regulations
16 to promulgate that?

17 MS. TANCREDI: There might be in
18 the future, but I am not aware of any
19 regulations in effect right now.

20 MR. SHOLES: There are no
21 regulations or rules that require the state
22 agencies to report to the INS those

1 immigrants that are qualified --

2 MS. TANCREDI: No. There are no
3 regulations that I know of that have been
4 published. I know it might be addressed in
5 the Act, but sometimes it takes a little
6 longer for it to become a regulation.

7 MS. ZIMMERING: I have a very brief
8 question. In the disability exception, is
9 there a residency requirement?

10 MS. TANCREDI: The disability
11 exception would be the same for anybody that
12 qualifies. You'd still have to qualify and
13 have five years residency.

14 MR. MOEUY: I just have a few
15 questions regarding if the person come to
16 United States and is a parolee, how long does
17 it takes to become a citizen in this country?

18 MS. TANCREDI: Well, to qualify for
19 citizenship you first must be a lawful
20 permanent resident. A parolee is not a
21 lawful permanent resident. I know for Asians
22 recently that have come in, they don't

1 qualify to come in as a refugee. They have
2 paroled certain people in for an indefinite
3 period basically because there is a relative
4 already in the United States that might
5 already filed for them to come in as an
6 immigrant.

7 This is a very complicated
8 procedure and there is no visa number
9 available for them. So what they have done
10 is allowed them to come in here and they have
11 to wait until there is a visa number
12 available for them to become lawful,
13 permanent resident. Only when they become a
14 lawful and permanent resident do they start
15 accruing time to become a citizen.

16 MR. MOEUY: So that's what a
17 parolee is?

18 MS. TANCREDI: Well, a parolee is a
19 status that we allow them to come even though
20 they really don't fit in any other categories
21 that we have in the law for emergency
22 situations or some extenuating circumstances.

1 MR. MOEUY: Do you know how long
2 they have to wait?

3 MS. TANCREDI: Well, it could be
4 years. Sometimes, you know, there is a
5 brother who will be petitioning for a brother
6 and they'll have to wait seven, eight years
7 for a visa number to become available.

8 MR. KLAMKIN: You talked about the
9 increase in applications and so forth, have
10 you been able to accommodate that?

11 MS. TANCREDI: It's been difficult
12 in my office. As I said, the Welfare Reform
13 Act has been one of the reasons there has
14 been an increase in citizenship applications.
15 Also, right around this time, there was a
16 legalization provision which gave amnesty to
17 groups of people back in the beginning of the
18 '90s. They are also all becoming eligible
19 for citizenship at this time. We've seen
20 quite a dramatic increase.

21 And, as I said, also, recently they
22 put the these new quality procedures in which

1 they are very lengthy in securing security
2 checks to make sure that no one who has a
3 criminal record that is filing to become a
4 citizen will become one. So this has been
5 quite a task to try to handle the new
6 procedures to use and then to handle the many
7 more applications we've been getting. We're
8 in the process of trying to get more help
9 right now for officers to do the
10 interviewing. The service is going to set up
11 what's called "Application Service Centers"
12 where applicants will go get their
13 fingerprints taken. There are many new
14 regulations and policies being put into play
15 right through immigration services. This has
16 an effect on how fast you can process these
17 applications..

18 MR. KLAMKIN: How big of an
19 operation do you have?

20 MS. TANCREDI: The INS is a full
21 benefit service office. There are about 35
22 employees at this point for examination

1 staff, which is the staff that would handle
2 the people applying for citizenship. We
3 currently have two full-time and one
4 part-time persons. I have another person
5 that's been out on extended leave, so we've
6 had to fill in and it's been a difficult
7 time.

8 MR. KLAMKIN: I don't know if you
9 were here this morning, but we heard a number
10 of people from various community agencies
11 talk about how the immigrants view coming to
12 INS or coming to DHS as a somewhat daunting
13 experience. Is that a fair characterization,
14 do you think?

15 MS. TANCREDI: Well, I think if
16 people are not aware of what goes on at the
17 Immigration Service, they might be
18 intimidated, but anybody can come into the
19 information room and request information.
20 This is an agency. We have officers. If you
21 want to inquire about what benefits you seek,
22 you have to visit the office or call us. We

1 try to be as accommodating and professional
2 when dealing with people as possible.

3 MR. SIMON: My experience is it's
4 not so much the destination that's the
5 problem, it's the whole path and process and
6 difficulty negotiating for transportation,
7 child care, release time from work. To get
8 into a welfare office or any federal agency
9 you have to go during work hours. Financial,
10 shelter, food, and security being the primary
11 concern for the people, they can't leave work
12 and miss that much time. They will lose
13 their jobs.

14 In the six years that I worked with
15 lot of Asian families trying to get good
16 maternal child health services for about
17 1,600 families in Providence, it wasn't so
18 much that the big buildings or the uncertain
19 eligibility questions, all this stuff that we
20 would take for granted, it was they don't
21 want to risk losing what they already have.

22 MR. KLAMKIN: As far as translation

1 services, is that a problem to provide?

2 MS. TANCREDI: If somebody's going
3 to come in for an interview for benefits we
4 should provide an interpreter. If somebody
5 comes just for information, we'll try to
6 accommodate them. Usually they bring someone
7 with them or we have people in the office
8 that we could help with translation a few
9 languages.

10 MR. HILTON: Are there any other
11 questions?

12 MS. NOGUERA: You mentioned that
13 you have expedited services for someone to
14 become a citizen right away. How many
15 persons have used that? And also the second
16 question that I have is that you take the
17 persons who are 50 years old and here 20
18 years or 55 years old and here 15, they can
19 take the examination in their own language.
20 Is there any part of the examination done in
21 English even though the questions maybe asked
22 in Spanish?

1 MS. TANCREDI: No, if someone
2 qualifies for the exception which means they
3 would not be tested on the English
4 requirement, they can have an interpreter
5 with them. Part of the examination is to go
6 over the application, and they can have an
7 interpreter with them. We will go over every
8 question, but the interpreter can translate.

9 MS. NOGUERA: Of the persons who go
10 to you, you say in '95 you took 3,000
11 applications and swore in 1,100 and in '96,
12 2,800 and then '97, could you tell us the
13 reason why there is difference in the numbers
14 of persons being sworn in? Are there any
15 particular reasons that come to you?

16 MS. TANCREDI: Well, as I said, the
17 numbers I gave you for applications are
18 people that applied. It's not people that
19 did not qualify. It also would be that the
20 applications have just not been finalized
21 within the fiscal year that they were
22 actually sworn in as U.S. citizens.

1 MS. NOGUERA: Can you give the
2 committee those numbers --

3 MS. TANCREDI: How many were
4 denied?

5 MS. NOGUERA: Right.

6 MS. TANCREDI: Yes, I could.

7 MS. ZIMMERING: I have a logistics
8 question and I'll be very brief. I know that
9 it is much more convenient for someone to
10 work nine to five, but are there any
11 provisions for occasionally having evening or
12 Saturday hours for agencies such as yours?

13 MS. TANCREDI: There is no
14 provision that I know for this office that's
15 going to be staying open other than regular
16 office hours. There is an information line
17 available by telephone at immigration that is
18 available I think for an extended period of
19 time.

20 MS. ZIMMERING: Has that ever been
21 taken under consideration?

22 MS. TANCREDI: As I brought up, we

1 have these applications service centers which
2 are really going to take fingerprints and
3 such. These are going to be operating on
4 extended hours.

5 MR. HILTON: Are there any other
6 questions?

7 MR. SHOLES: Just a couple of
8 questions. Rhode Island isn't New York or
9 Los Angeles but I do notice that there is
10 international flights landing at Green
11 Airport. Is this a port of entry for
12 immigrants into this state?

13 MS. TANCREDI: Rhode Island is a
14 port of entry on the books, it's a port of
15 entry. People come here and we have a big
16 shipping industry here. There are many ships
17 that come in. We are what's called a Class A
18 port which means we will process people for
19 entry into the United States. In fact,
20 usually at Green Airport there are a bunch of
21 smaller airports in the state that we will go
22 out to if there's a flight coming in.

1 Whether you are talking about whether there
2 are that many flights, there really aren't.

3 MR. SHOLES: Last year how many
4 people did you process? I'm not talking
5 about those people that come in for a quick
6 visit. I'm more interested in those people
7 who intend to stay in this country.

8 MS. TANCREDI: I don't have those
9 statistics available to me. They are in a
10 book that is published that will tell me what
11 state they put down as intended residence.
12 I'm sorry. I don't have that information
13 with me.

14 MR. SHOLES: The other information
15 we are looking for is to try to get a handle
16 on the number of immigrants in this country,
17 at least through numbers that are maintained
18 by your department. Do you have that data
19 available?

20 MS. TANCREDI: We published a book,
21 in fact. The latest one finished was 1996.
22 That has tables in it of all these numbers.

1 MR. SHOLES: That would be great if
2 you could provide that.

3 MR. MOEUY: Do you have the number
4 of people that passed the testing
5 requirements to become a citizen?

6 MS. TANCREDI: The number of people
7 who passed would be the number of people we
8 swore in as citizens for a fiscal year. Last
9 year we swore in as new citizens 3,163.

10 MR. MOEUY: Do you know the number
11 of Asians, Hispanics, etc?

12 MS. TANCREDI: Yes, this book that
13 I was talking about, that does have that, but
14 unfortunately some statistics are kept but
15 not by state. I know there are tables for
16 different nationalities. I'll make the book
17 available to you.

18 MR. KLAMKIN: I wonder if people
19 have claimed disability exception and tried
20 to use that as a excuse to stay or has there
21 otherwise been in a increase in the anxiety
22 level?

1 MS. TANCREDI: I think we're seeing
2 people that are applying for citizenship that
3 normally would not have applied for U.S.
4 citizenship.

5 MS. NOGUERA: What do you mean by
6 that? Can you explain?

7 MS. TANCREDI: I think they find it
8 very difficult to meet the requirements for
9 citizenship and normally they probably would
10 not have applied.

11 MR. HILTON: Are there any other
12 questions?

13 MR. LEE: If you had one thing to
14 change, what would that be to make your life
15 easier?

16 MS. TANCREDI: Well, it would make
17 my life easier if I had sufficient staff to
18 accommodate all these people that are
19 requesting citizenship. That's my goal, to
20 shorten this lengthy time that they have to
21 wait.

22 MR. LEE: Any procedural changes

1 that you --

2 MS. TANCREDI: There are things
3 that are in process right now, but
4 unfortunately this seems like a very long
5 time to me. We do have quite a large
6 population of noncitizens, but in comparison
7 to other states in this country we're not
8 that bad. I know in other states the time
9 lapses are like two years, but I'm trying
10 bring it down to a reasonable time period.

11 MS. NOGUERA: Can you tell us a
12 little about deeming and who is going to be
13 responsible for deeming, who's going to set
14 up the policies for deeming, deeming meaning
15 provisions that are supposed to be applied to
16 persons who are come into the United States?

17 MS. TANCREDI: Like the affidavit
18 of support?

19 MS. NOGUERA: Right. Who's going
20 to be ultimately responsible for carrying out
21 that policy?

22 MS. TANCREDI: Well, carrying out

1 the policy, there is an application that has
2 to be submitted that we will determine
3 whether the benefit petitioner has met the
4 requirements and that they can show that they
5 can afford whether to petition for anyone.
6 Beyond that, to be honest with you, I don't
7 think we would get into that at this point,
8 so I'm not really prepared to answer anything
9 more than that. We are responsible for
10 adjudicating the affidavit of support in
11 connection with the application. I am not
12 familiar with the term "deeming."

13 MR. KLAMKIN: Deeming speaks to,
14 and correct me if I am wrong, whether an
15 applicant's sponsor's income goes toward the
16 overall income that an applicant can show --

17 MS. TANCREDI: We will make that
18 determination from the application. We have
19 a formula that we have to use.

20 MR. HILTON: At this time we will
21 take a short recess.

22 (Recess)

1 MR. LEE: Let's reconvene. Last
2 but not least we have with us today
3 statements from the Rhode Island State and
4 Congressional delegations. David Sholes will
5 moderate this panel.

6 MR. SHOLES: Thank you very much,
7 Mr. Chairman. There are a number of people
8 who have been contacted and I'd like to call
9 upon the representatives or aides from the
10 following: Members of Congressional
11 Delegation, John Chaffee's office, Jack
12 Reed's office, Bob Weygand's office, and
13 Patrick Kennedy's office. There's a table
14 right up here.

15 Just feel free to come on up. If
16 there are any representatives from the State
17 Senate or the State House of Representatives?
18 Is there anyone from the House? Thank you
19 for coming. Perhaps you could just identify
20 yourself and proceed?

21 MS. HERRINGTON: My name is Marlene
22 Herrington. I'm from Senator John Chaffee's

1 office. Basically, we were asked here today
2 to discuss what efforts we've made in the
3 past year and a half to eliminate some
4 adverse effects of the '96 legislation, in
5 addition to what effort we plan on making for
6 the coming year.

7 Senator Chaffee, although
8 supportive of the overall welfare format,
9 stated when it came out that he was very much
10 against some of the impacts this legislation
11 would have. He stated he would work for the
12 next term to eliminate some of the adverse
13 effects. I think in the past year he has
14 done just that. In April he formed State
15 Bipartisan Coalition Centers to introduce
16 various Immigrant Acts on legislation to
17 restore efforts to provide these benefits,
18 such as SSI, for local immigrants.
19 Throughout the summer and into the early fall
20 he worked to make sure the budget did include
21 these provisions.

22 Unfortunately, food stamps was

1 eliminated from the final budget, but SSI was
2 restored to immigrants receiving SSI at the
3 time and future immigrants who became
4 disabled in the future after August '96. And
5 with regard to food stamps, although the
6 Senator did try through this legislation to
7 get the food stamp program re-enacted, he was
8 unsuccessful.

9 But he has, in working with the
10 administration, introduced a bill to bring
11 food stamps back to the legal immigrant. He
12 looks forward to working with the
13 administration on that. He realizes that
14 when he introduced it, along with the other
15 senators, that it was an uphill fight and
16 that President Clinton will have a battle
17 ahead of him to get food stamps re-enacted,
18 as well as the Medicaid program also, which
19 the President has also proposed restoring.
20 He's looking forward to working with the
21 administration to help get legal immigrants
22 the rights they deserve.

1 I don't really want to speak too
2 much on his behalf. He's not here and I
3 can't really answer anything, but I can
4 answer any questions on what he plans on
5 doing and what he has done.

6 MR. SHOLES: Does the committee
7 have any questions?

8 MS. ZIMMERING: You have been here,
9 as I noticed, off and on during most of the
10 day. One of the things that we have heard
11 today is that one of the real hardships is to
12 elderly who are now disqualified from
13 receiving assistance. You heard all the
14 testimony. And if you take this back to
15 Senator Chaffee and then maybe some
16 accommodations can be included in some of
17 these bills being proposed.

18 MS. HERRINGTON: I believe that the
19 President's proposal does address the
20 elderly. His recent budget proposal
21 addresses the issues of individuals over the
22 age of 65. Senator Chaffee plans on working

1 on that and seeing what work we can do on
2 that. That was just recently thrown on the
3 table last week, I think, and it's still a
4 little early to discuss it.

5 Obviously, Senator Chaffee is very
6 supportive of the elderly in the community.
7 As you know, he is 75 years old right now and
8 he is definitely supportive of anything that
9 impacts adversely on elderly immigrants due
10 to these adverse effects.

11 MS. ZIMMERING: Thank you.

12 MR. SHOLES: Any other questions?

13 MR. LABONTE: My name Christopher
14 Labonte. I work for Congressman Weygand and
15 he couldn't be here today. Congressman
16 Weygand feels very much like Senator Chaffee
17 regarding benefits to legal immigrants and
18 also with how the Senator felt about the
19 passage of the Welfare Reform Act. The
20 Congressman stated publicly before that he
21 was already against the Act because of some
22 of the harsh provisions.

1 Unfortunately, he was not in
2 Congress at the time, but now that he's there
3 he's been working hard with the
4 administration and his congressional
5 colleagues to restore some of the benefits
6 which were lost in the Welfare Reform Act.

7 Last year he worked with the
8 President and pledged to work on restoring
9 some of the benefits. And in his first year
10 as Congressman he worked on the budget
11 committee and supported many efforts of the
12 budget committee and throughout the budgetary
13 restoration process to restore some of the
14 benefits, mainly SSI and some Medicaid
15 benefits to immigrants. The Congressman will
16 continue to work with the administration and
17 a lot of his colleagues on our side and with
18 the Senate to restore those benefits.

19 This year there's so many other
20 benefit that need to be restored; namely food
21 stamp benefits for legal immigrants. The
22 President's budget submitted proposes to

1 restore food stamps for immigrant families
2 with children, which is a very crucial
3 benefit that we'd be restoring and the
4 Congressman was pleased to see that.

5 For the elderly and disabled,
6 benefits would be restored to qualified
7 aliens who were here prior to the enactment
8 of the Welfare Reform Act. And any child who
9 comes into the country following the
10 enactment wouldn't be barred for five years
11 from any federal health benefits as if they
12 were here prior to the enactment. States do
13 have the option to provide benefits, so that
14 is very important.

15 Also, a piece in the budget which
16 is presumptive Medicaid benefits for women
17 and children, the Congressman will be looking
18 at that very closely as the budget process
19 continues. Like I said, the Congressman
20 looks forward to working with the
21 administration and his colleagues in the both
22 the House and the Senate in restoring the

1 food stamp benefits that are especially
2 important to those families with children.
3 So on behalf of the Congressman who, like I
4 said, has been working hard as he was last
5 session in restoring the benefits which he
6 thought were too harsh when they were taken
7 away.

8 MR. SHOLES: Any questions from the
9 Committee?

10 MR. KLAMKIN: We heard earlier
11 about the restoration of food stamp benefits
12 here on the state level. Were there none of
13 the kind of qualifications that you just
14 enumerated for food stamp benefits?

15 MR. LABONTE: I believe states can
16 use either 10, 20 or Title XX money to
17 provide food stamps for legal immigrants.
18 I'm not entirely sure, but I think the state
19 did have the option in Rhode Island, but
20 that's just an option the states have, but
21 are by no means required to do that.

22 MR. KLAMKIN: Have there been any

1 cost estimates --

2 MR. LABONTE: I have the numbers
3 somewhere. We can get those numbers for you
4 if you would like those for the record.

5 MS. HERRINGTON: The food stamp
6 benefits were at a cost of 2.43 billion over
7 five years and Medicaid to women and children
8 costs 230 million for five years.

9 MS. NOGUERA: I have a concern and
10 my concern is that, and you can take this
11 back to your Congressmen and Senators, the
12 law is somehow misleading because, even
13 though a person will not be eligible -- legal
14 immigrants, persons who come here after
15 8/22/96 -- for five years and after a year
16 the affidavit of support kicks in and people
17 are very confused because if you read the
18 guidelines for persons who qualify for
19 assistance in the fourth quarter, you have to
20 have worked at least ten years and then there
21 are all the layers of accessibility for some
22 services, what are the Congressmen and

1 Senators in the State of Rhode Island doing
2 as it relates to the affidavit of support
3 because immigrant families make very little
4 money and to put a burden upon them to
5 support another family who entered in the
6 United States would be very tough. What are
7 the Congressmen and Senators doing with this?

8 MR. LABONTE: I will certainly
9 present the Congressman with that issue. I
10 will definitely get that answer to you
11 regarding that particular issue.

12 MS. HERRINGTON: The way that the
13 affidavit of support came about was what we
14 had assumed was that the joint affidavit was
15 going to be filed and that that would make up
16 for the fact that that would be filed for
17 other individuals. I think they weren't,
18 again sort of speaking on my own behalf, I
19 think that maybe they weren't thinking that
20 the joint affidavit would be a family.

21 Like now, you said, many families
22 together, combined, won't make enough money

1 for the affidavit to be valid, but I think
2 that's something that will be looked at this
3 year. At least, I will mention it to the
4 Senator.

5 MR. SHOLES: It's been brought to
6 my attention that a representative from
7 Senator Jack Reed's office is here. Please
8 step forward. You can take the third chair.

9 MS. CONSUEGRA: Good afternoon. My
10 name is Norelys Consuegra, and I deal with
11 people who have immigration issues for the
12 Senator. The Senator could not be with us
13 today, but he has sent me to represent him
14 and he has submitted a statement.

15 As you know, Senator Reed did some
16 work regarding the Personal Responsibility
17 and Work Opportunity Act because he believes
18 that an important first step towards reform
19 is to help these people move from dependency
20 to work. Even though this legislation was
21 not perfect, the Senator believed that the
22 passage of this law was an extremely

1 difficult process for members of Congress and
2 the President.

3 It called for sweeping changes that
4 affected the lives of many. He expressed
5 concerns about the federal components of the
6 law which denied legal immigrants access to
7 SSI, food stamps and other services. He
8 believes we should work to reform our
9 nation's welfare system without targeting one
10 specific group, which is women and children
11 and legal immigrants.

12 In 1996, the Senator stated that he
13 would work on this issue and the promise has
14 been kept. Last year, the Senator worked on
15 legislation to help restore SSI and Medicaid
16 benefits for legal immigrants. He has
17 supported amendments offered by Senator
18 Dubbin to help restore food stamps to legal
19 immigrants under the age of eighteen. While
20 this amendment failed, the Senator continued
21 to support efforts by joining with several of
22 his colleagues to endorse the restoration of

1 food stamp benefits to foreign born legal
2 immigrants.

3 He also worked to find funding for
4 several other vital nutrition programs this
5 year. In response, he has proposed that the
6 budget call for the restoration of food stamp
7 eligibility for certain legal immigrants
8 which will restore the benefits. This issue
9 will be brought up in the next session in
10 December. This budget roughly will restore
11 the benefits of approximately 73,000
12 immigrants in the year 1999.

13 Senator Reed does not believe that
14 in future these immigrants who pay taxes
15 should be prohibited from receiving federal
16 benefits. He looks forward to working with
17 you on these issues and he appreciates all
18 your efforts on behalf of the legal
19 immigrants in Rhode Island.

20 MR. SHOLES: Does anyone have any
21 questions?

22 MR. LEE: I would like to ask a

1 question that all of you or any of you could
2 answer. I want ask a question about the
3 restoration of SSI for low-income immigrants,
4 legal immigrants who turn 65 after 1996, or
5 immigrants over 65 who have entered since
6 1996, and whether that group of immigrants is
7 going to be considered in this upcoming
8 legislation and if you know of any discussion
9 of that particular group of people.

10 MS. CONSUEGRA: You're referring to
11 immigrants that came in after August 22, 1996
12 and over the age of 65?

13 MR. LEE: Right.

14 MS. CONSUEGRA: Well, as far as the
15 information that I know, people are required
16 to submit the affidavit of support, and my
17 experience has been as of August of 1996 that
18 everyone has asked for a level of income for
19 families. I just want to make reference to
20 the earlier question about the affidavit of
21 support and the regulations for the affidavit
22 of support.

1 You are responsible for your
2 immigrant family coming over for ten years
3 and that legality expires if the sponsor dies
4 or moves out of the United States. In the
5 case that people after five years, which is
6 the requirement not to receive SSI benefits,
7 the programs are available for you in case
8 your sponsor, something happens to your
9 sponsor, whether they passed or move away,
10 the state or federal agency can provide
11 assistance to the people. I think that's
12 what you're asking.

13 The other issue is marriages. If
14 you bring your wife over or your husband you
15 are responsible for that person for ten
16 years. Divorce does not stop the fact that
17 you have to support your spouse. You're
18 still responsible for ten years even though
19 the marriage has dissolved.

20 MR. SHOLES: Any other questions?

21 MR. KLAMKIN: You say you deal with
22 people who have immigration issues --

1 MS. CONSUEGRA: Immigration issues
2 for the Senator.

3 MR. KLAMKIN: Are you aware of any
4 information received by the centers or
5 departments, specifically in terms of the
6 civil rights aspects of the law and the way
7 people are being treated when they do make
8 application and come face to face and ask the
9 center for benefits?

10 MS. CONSUEGRA: I have not been
11 informed where an applicant was ever denied
12 for a benefit based on the race or
13 nationality or gender of the applicant.
14 Usually the people that come through our
15 office are people seeking information on the
16 laws or any type of courtesy that the Senator
17 can provide. I don't know if we have ever
18 received any information where an applicant
19 was denied based on discrimination.

20 MS. HERRINGTON: We deal with many
21 of the same issues, and, no, I haven't heard
22 of this, as far as immigration issues are

1 concerned. If I did, obviously, that's sort
2 of part of my job to work with the
3 immigration service to try to figure out what
4 may have happened, but I haven't heard of
5 anything specific.

6 MS. ZIMMERING: One of the issues
7 is that sometimes there are not enough people
8 who are fluent in the language of the
9 applicant to interpret so that applicants
10 have a difficult time understanding exactly
11 what they are supposed to do and when they
12 are supposed to do it and how they are
13 supposed to do it. They are not always
14 treated maybe as courteously as they could be
15 under the circumstances or having an
16 interpreter provided for them.

17 MR. LABONTE: Congressman Weygand
18 feels all applicants should be treated the
19 same no matter what language they speak.

20 MS. ZIMMERING: But we have
21 heard --

22 MR. LABONTE: I would encourage

1 anybody from the state to contact our office
2 if they feel their civil rights have been
3 violated.

4 MR. SHOLES: Before I ask a
5 question, is there anyone here from the State
6 Senate or State House of Representatives?

7 MS. NEWELL: Deborah Newell,
8 Internship Consortium. I'm from the Senate,
9 but I just started there and feel as though
10 I'm not informed enough to speak on their
11 behalf.

12 MR. LEE: Two issues kept coming up
13 this morning. Service providers often return
14 to the question of training, ESL programs,
15 and sufficiency of ESL programs to meet the
16 needs in Rhode Island, and training, job
17 training and for it to have realistic
18 expectations in this whole process of going
19 from welfare to work. The time allowed for
20 that, five years, really was not realistic
21 for certain immigrants, particularly those of
22 whom language was a real serious obstacle and

1 then the other issue was training, both in
2 getting training programs and ESL programs
3 that are sufficient. Is there discussion
4 that you know of or any legislation pending
5 that might deal with those issues?

6 MR. LABONTE: Again, the budget was
7 just submitted last week, so obviously we
8 will be looking for funding for those
9 programs. Members of the budget committee,
10 I'm sure they did make sure that adequate
11 funds are available for those sort of
12 programs.

13 MS. HERRINGTON: One of the things,
14 I think, that I definitely did see from this
15 morning's session that I definitely will
16 bring back to the Senator's attention is what
17 Joseph Lee had mentioned about the length of
18 time between being taught English and trained
19 well enough to, one, go out and get a job
20 and, two, get enough money to sponsor a
21 family. That is definitely one of the issues
22 that were discussed pretty thoroughly this

1 morning and it is something that I will bring
2 back to the Senator's attention.

3 MS. CONSUEGRA: Unfortunately I
4 wasn't here this morning. I was at a prior
5 engagement, but recently the Senator and I
6 have spoken about ESL programs around the
7 state. I come from an immigrant family. I
8 was born here, but I had to learn English, so
9 I do know how important it is for ESL classes
10 to be efficient for people, especially when
11 you come to a country and you don't know what
12 the laws are and you have to learn not only
13 how to say your name properly, where you live
14 or your phone number, but you also have to
15 learn how to operate a computer, especially
16 for jobs in the state.

17 The Senator is fully aware of that.
18 I will make sure that I reinforce that issue
19 that was discussed today.

20 MR. SHOLES: I have a few
21 questions. Since you work in the
22 Congressional Delegation's Offices and you

1 are uniquely aware of what type of
2 legislation is introduced into both the House
3 and the Senate regarding this issue, and I
4 know that the Senators and the
5 Representatives in this state have great
6 interest in the adverse impact of this Act.
7 I'm just curious as to what type of
8 legislation other Representatives and other
9 Senators throughout the state have introduced
10 in this term to this soften the impact of
11 this legislation.

12 MR. LABONTE: There have been over
13 3,000 bills filed in the House. I know we
14 were ones to sponsor acts that would restore
15 all of the benefits that belonged to the
16 immigrants during the Welfare Reform Act.
17 Also, along with that, I'd like to mention,
18 with regard to SSI and Medicaid eligibility,
19 the passing of the Rhode Island Balanced
20 Budget Act, and, again, portions of that
21 legislation were included in that.

22 There's Hunger as a Cure Act which

1 would restore food stamps benefits which was
2 introduced by Representative Jim Walsh, I
3 believe, of New York. There's thousands of
4 pieces of legislation filed. I wish I knew
5 them all off the top of my head, it would
6 make my job a lot easier. There's a lot of
7 legislation being proposed out there, and
8 failing to mention them now is probably not
9 fair to them, but --

10 MR. SHOLES: When President Clinton
11 signed the bills into law he issued some
12 directives to his departments to soften the
13 impact, as least with respect to
14 naturalization and food stamps. Are you
15 aware of any other directives the President
16 has issued ameliorate the impact --

17 MR. LABONTE: As far as
18 administrative remedies?

19 MR. SHOLES: Yes.

20 MR. LABONTE: Other than working
21 with Congress to restore some of the
22 benefits, I can't think any off of the top of

1 my head. I know he did direct the Cabinet
2 Secretaries to make sure that the provisions
3 would be carried out as gently as possible.
4 As far as any administration or executive
5 order, I can't recall any within the past
6 year.

7 MR. SHOLES: And I think Steve had
8 asked you questions of whether the
9 Congressional Delegations felt that were
10 violation from a civil rights point of view
11 with respect to this Act. I just want to
12 take it from a different point of view in
13 reference to this Act. Has any of the
14 citizens or noncitizens of this state, in
15 asking for services or help from your various
16 offices, ever complained about a perceived
17 violation of the Civil Rights Acts such as
18 discrimination because of racial, ethnic or
19 national origin?

20 MS. CONSUEGRA: The only thing that
21 I'm aware of is that many of the people that
22 call our office can't speak English. I don't

1 know who at the administration work at the
2 front desk when you first walk in, but I do
3 know a lot of them have trouble in expressing
4 what concerns that they have or even filling
5 out an application, but that's the only thing
6 that I am aware of that. You don't get what
7 you're looking for because you don't speak
8 English.

9 MS. HERRINGTON: I think that was
10 also expressed by June from U.S. Immigration
11 when she said that would be the one thing
12 that she would like to see changed would be
13 the amount of caseworkers we have employed
14 who are fluent in other languages. The
15 number of languages out there is immense. In
16 order to take applications from people with
17 all these languages in one organization is
18 difficult for the amount of staff immigration
19 has right now. It's pretty impossible at
20 this point and June's wish list for more
21 employees will address that, hopefully.

22 MR. KLAMKIN: I'd like to mention

1 that there isn't a department or federal
2 agency in Rhode Island that doesn't ask for
3 additional staff or help. I can imagine what
4 sort of insecurity they have in calling a
5 Congressional office when they might not
6 think somebody there speaks their language.
7 I don't know if it's the fact we're not
8 hearing from them or they are not out there
9 or if maybe we're not hearing about them
10 because they may be frightened to be
11 contacted. So it's our job to let them know
12 they can call our offices.

13 MR. SHOLES: Any further questions?

14 MS. ZIMMERING: I would just like
15 to make one comment. While you're doing the
16 budget, another few million dollars for the
17 U.S. Commission on Civil Rights would be very
18 welcome.

19 MR. SHOLES: I want to thank you
20 very much for taking the time to come here
21 today and speak for the civil rights of legal
22 immigrants.

1 MR. LEE: Are there any other
2 people who would like to speak to the
3 Committee?

4 MS. SILVIA: Kristen Silva, R.I.
5 Senate Policy Office. I just have one
6 question for you. I brought a question that
7 has been brought up to my attention over and
8 over again. We keep talking about the
9 welfare recipient and I hope that someone
10 here can clarify what incentives are there to
11 a welfare recipient in actually getting their
12 citizenship. Does that affect their benefits
13 in any way? Can someone clarify that for me?

14 MS. NOGUERA: I think that becoming
15 a citizen you would be able to accept all
16 those kinds of jobs that you may not be able
17 to accept if you're not a citizen. I think
18 that would be one incentive to provide to
19 somebody who is thinking of becoming a
20 citizen. I think it is a myth that they want
21 to remain a legal immigrant because they
22 receive assistance.

1 We have heard today that only five
2 percent are receiving public assistance. So
3 I think that it is an incentive for someone
4 to become a citizen in order to receive
5 benefits. For somebody who was receiving
6 benefits and wants to continue receiving,
7 that's a different case, but not because
8 citizens can receive public assistance. I
9 don't think there is a need for that.

10 MS. SILVIA: I think the issue is
11 raised because of frequent public opinion or,
12 I don't know, we called them myths, and I'm
13 just wondering how we go about clarifying
14 some of these myths and, as was mentioned
15 earlier, put out by some of those radio talk
16 shows. It may be that something is said and
17 misprinted in the news and that sends a
18 message that these people are different. I'm
19 just wondering how we can be better advocates
20 for this population group.

21 MS. ZIMMERING: Only about three
22 percent of immigrants are welfare recipients,

1 which is a very low number. It's probably
2 lower than the number of citizens who are
3 welfare recipients. So there really is a
4 myth that immigrants receive an undue share
5 or come to this country in order to receive
6 welfare benefits.

7 There may be a few, but there are a
8 few who do everything in all walks of life.
9 The purpose is really so that they would be
10 eligible for all of the things that citizens
11 of this country are eligible for, especially
12 for their children.

13 MR. LEE: Are there any other
14 comments or questions? We can adjourn.

15 Thank you.

16 (Whereupon, at 4:10 p.m., the
17 PROCEEDINGS were adjourned.)

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C E R T I F I C A T E

I, Kim M. Desmarais, hereby certify that the foregoing is a true and accurate and complete transcript of my notes taken at the above-entitled hearing.

IN WITNESS WHEREOF I have hereunto set my hand this 16th day of February, 1998.

KIM M. DESMARAIS,
Notary Public/Certified Shorthand Reporter
My Commission Expires: November 4, 2001