

NEW RULES CLARIFY WHICH WELFARE PROGRAMS IMMIGRANTS CAN APPLY FOR

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Body

Moving to dissipate confusion in immigrant communities, the Clinton administration issued rules yesterday clarifying which welfare programs legal immigrants can seek without fear of jeopardizing their immigration status.

The directives "provide clear and consistent guidance that health care and other critical services cannot be used to deny individuals admission to the United States or to bar legal permanent resident status, or as a basis for deportation," the White House said in a statement issued as President Clinton and Vice President Gore visited the Rio Grande Valley in Texas.

Immigrant advocates welcomed the action, saying that confusion had kept tens of thousands of noncitizens from applying for the taxpayer-funded health, nutrition and child-care programs for which they or their family members were eligible.

"We're very pleased about the announcement . . . because it addresses a major fear factor in U.S. immigrant communities today," said Cecilia Munoz, vice president of the National Council of La Raza. "Today's announcement doesn't change the law . . . but it clarifies it for the first time."

Enactment of sweeping federal welfare and immigration policy changes in 1996 did not directly affect noncitizens' eligibility for the noncash benefits in question, but it prompted heightened fear that accessing the assistance could jeopardize immigrants' naturalization or result in deportation.

For more than a century, the United States has held that being a "public charge" constitutes grounds for inadmissibility or, in rare cases, deportation. But until now, there had been no definition of the term, and the Immigration and Naturalization Service and the State Department had differing interpretations of what rises to the level of public charge.

The new rules, drafted over 18 months, drew criticism from Rep. Lamar Smith, head of the House Judiciary immigration subcommittee.

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"Americans believe that immigration policy should bring people to our country who will work hard and contribute, but these rules will increase the number of immigrants on welfare who will be able to bring in more immigrants to go on welfare and are an insult to all Americans - native-born and immigrant," the Texas Republican said.

Immigrant advocates deplored Smith's view.

"Lamar Smith seems to be taking the position that it's OK to scare [immigrants] out of programs they are eligible for," Munoz said.

Research has suggested that enrollment by eligible noncitizens in Medicaid and other safety-net programs is far lower than expected.

Urban Institute researchers, in a study issued in March, found that welfare use by noncitizen households plummeted 35 percent from 1994 to 1997 - more than double the 15 percent dip posted by citizen households.

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