



ICIRR ILLINOIS COALITION
FOR IMMIGRANT AND
REFUGEE RIGHTS

Public Policy Webinar: Immigration, Public Charge, and Food Security

April 10, 2018

TODAY'S PRESENTERS



ICIRR ILLINOIS COALITION
FOR IMMIGRANT AND
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TODAY'S AGENDA



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- 1. Federal Policy Updates**
 - A. Farm Bill
 - B. SNAP Threats
- 2. State Policy Updates**
 - A. College Hunger
 - B. Healthy Food Incentives Fund
 - C. Hunger Relief Tax Check-Off
- 3. Immigration & Public Charge**
 - A. What is Public Charge?
 - B. Public Charge Regulation Changes
 - C. Our Strategy



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LEGISLATIVE UPDATES: FEDERAL POLICY

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FEDERAL POLICY UPDATE: FARM BILL



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- Nutrition - \$756.43 billion
- Crop Insurance - \$89.83 billion
- Conservation - \$57.60 billion
- Commodity Programs - \$44.46 billion
- Trade - \$3.70 billion
- Misc. - \$2.30 billion
- Credit - \$2.24 billion
- Horticulture - \$1.76 billion
- Research and Extension - \$1.26 billion
- Energy - \$1.12 billion
- Rural Development - \$0.24 billion
- Forestry - \$0.01 billion

2014 US FARM BILL SPENDING

\$956.47 billion over 10 years

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FEDERAL POLICY UPDATE: FARM BILL TIMELINE



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1	Hearings and listening sessions in Washington, D.C., and across the country for Members of Congress to hear from the public.	Complete
2	The House Agriculture Committee drafts and passes a bill. The bill is considered by the full House, which debates the bill, considers amendments and votes.	Expected mid-April
3	The Senate Agriculture Committee also drafts and passes a bill, which is considered and voted on by the full Senate.	Possibly in April 2018
4	A conference committee allows the House and Senate to come together on a compromise version of the bill.	Current law expires 9.30.18 but the last several Farm Bills have gone past deadline
5	Final bill passed by House and Senate.	
6	Signed into law (or vetoed) by the President .	

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FEDERAL POLICY UPDATE: FARM BILL



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Expires every
5 years

September
30, 2018

- **Negotiations** between Republicans and Democrats are ongoing.
- Democrats have opposed the stricter work requirements for **SNAP recipients**.
- The “**America’s Harvest Box**” proposal does not appear to be part of the Farm Bill proposal.
- A Farm Bill could drop this week, with the House Agriculture Committee planning to mark up the bill on **April 18**.

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FEDERAL POLICY UPDATE: FARM BILL



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FEDERAL POLICY UPDATE: FEDERAL BUDGET



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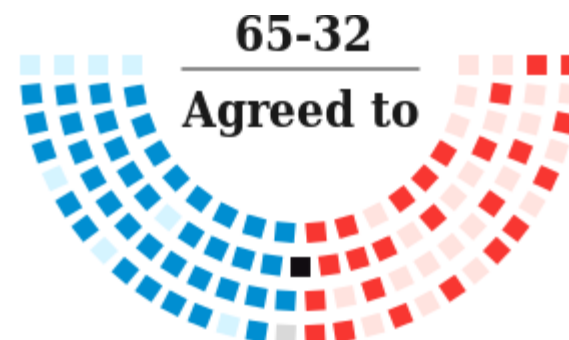
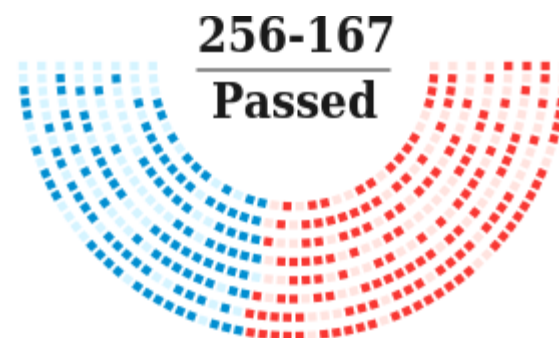
The **Consolidated Appropriations Act of 2018** to fund the federal government through September 30, 2018.

Level funding for mandatory federal nutrition programs.

Modest increases in **TEFAP storage** and distribution funding at \$64.4 million and **Summer EBT Grants** at \$28 million, a \$5 million increase for both.

President Trump signed the \$1.3 trillion spending measure.

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LEGISLATIVE UPDATES: STATE POLICY

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STATE POLICY UPDATE: COLLEGE STUDENT HUNGER



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Legislation (SB 351): This bill will ensure SNAP eligibility for low-income adults pursuing a “Perkins Pathway” career and technical education (CTE) certificate or degree at a community college.

Potential Impact: Over 40,000 students could become eligible for SNAP in Illinois.

Last year Governor Rauner issued an amendatory veto of the bill.
Bill was reintroduced in veto session but came up 1-day short for a final reading.

Current status: SB 351 carried over from 2017 as a shell bill. The Illinois Department of Human Services (IDHS) has proposed rule changes to implement this eligibility, and the Illinois Student Assistant Commission (ISAC) has indicated they will notify students of eligibility.

If passed, it will make it the law in Illinois and much more difficult to repeal or change.

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Illinois Hunger Relief Tax Checkoff (SB 2868)

SB 2868 amends the Illinois Income Tax Act by creating a Hunger Relief Fund tax checkoff. This would allow Illinois state income tax filers to allocate all or a portion of their tax refund to provide an additional funding source for **Illinois' hunger relief efforts by supporting food banks.**

The bill was introduced by State Senator Don Harmon and it had its first reading on February 14th. It passed the Revenue committee on March 1st and **now awaits passage by the full Senate.**

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Healthy Local Food Incentives Fund (HB 4568 & SB 2588)

The law provides double-value coupon incentives to SNAP participants to access **fresh fruits & vegetables** at farmers markets.

The Fund (public act 099-0928) calls for a **\$500,000 state investment to support “Double Value Coupon Programs,”** creating affordable access to healthy food at farmers markets and other direct producer-to-consumer venues for Supplemental Nutrition Assistance Program (SNAP) recipients.

The Fund has the potential to reach **2 million SNAP users.**

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IMMIGRATION POLICY & PUBLIC CHARGE

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Programs Coordinator

Illinois Coalition for Immigrant and Refugee Rights

WHAT IS PUBLIC CHARGE?



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- Public Charge is an immigration law concept.
 - As one of the requirements for getting “legal permanent residence” (*LPR*) status (“*green cards*”) in the U.S., an applicant must prove that he/she is “not” likely to become primarily dependent on the government for subsistence.





- Current law (*most recent guidance in 1999*): public charge = receiving government cash assistance, or living in government-paid long-term care (*e.g. nursing home*)
- Cash assistance = SSI, TANF, local general assistance
- But can respond with “affidavit of support” from sponsor (*sponsor makes income available to applicant for green card/LPR*)
- And final decision must look at “totality of circumstances” (*past vs. current vs. future situation; age, family, health status, employment, etc.*)

PUBLIC CHARGE DETERMINATION



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Inadmissibility based on the public charge ground is determined by the totality of the circumstances. A United States Citizenship and Immigration Services (*USCIS*) officer must consider the following factors when making a public charge determination:

Age

Resources

Health

Financial status

Family status

Education and skills

Assets

For more info, please visit: <https://www.uscis.gov/greencard/public-charge>

PUBLIC CHARGE DETERMINATION



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**U.S. Citizenship &
Immigration
Services**

Presence or absence of a single factor cannot be the sole criteria for determining inadmissibility as a public charge.

For more info, please visit: <https://www.uscis.gov/greencard/public-charge>



- Public charge exclusion does NOT apply to:
 - Refugees
 - Asylees (individuals granted asylum),
 - Women using domestic violence/human trafficking applications for green cards,
 - Other specific exceptions
- Public charge always an issue, but rarely used to deny green cards
- Public charge exclusion does NOT apply to applicants for U.S. citizenship (“naturalization”)



THE LAW HAS NOT CHANGED!



Step 1: Department of Homeland Security (DHS) has to publish a *proposed regulation (a draft has been leaked; could be published in the next few weeks)* and send it to the Office of Management and Budget (OMB).

Step 2: there will be 30-60 days to send public comments on the proposed regulation

Step 3: DHS has to respond to the public comments (does not mean they will consider/change proposed regulation) and publish a *final regulation*

CURRENT LAW vs. PROPOSED REGULATIONS



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Current Law

- Cash assistance programs including TANF, SSI, GA
- Institutionalization for short- and long-term care at government expense

Proposed New Regulation

- Cash assistance programs (including TANF, SSI, GA)
- Institutionalization for short- and long-term care at government expense
- ACA/Obamacare (federal subsidies/ tax credits)
- Food Stamps (SNAP program)
- All Kids, Moms & Babies and other Medicaid programs
- Women, Infants and Children (WIC)
- Housing assistance
- LIHEAP energy benefits
- Head Start
- Supplemental Security Income (SSI)

THINGS TO KEEP IN MIND



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- Nothing has changed (*as of today*)
- The public charge exclusion is specific to individuals seeking to adjust their status or obtain a green card
- The proposed regulations do not change the ELIGIBILITY requirements for any government program



- Immigrants are **exercising caution** and are **distrustful** of government programs
- Ethnic media is reporting that use of **WIC, SNAP, Head Start**, etc. can make it impossible to obtain a green card
- Immigration lawyers are urging caution and encouraging participants to both un-enroll from these programs and eliminate all records of prior receipt of benefits

EFFECT OF THE LEAKED DRAFT IN THE COMMUNITY



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*A client from HANA Center returned her **SNAP** and **Medicaid** card a few weeks ago due to the leaked draft on public charge. Even though the client and her two children (7 and 8 years old) are LPRs, and would not be affected by this change.*

OUR PROPOSED STRATEGY



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- Provide education/communications to staff and case managers of immigrant serving organizations:
 - No change in the law/continue using programs if you need them
- Collect stories of individuals affected by the draft regulations
- Submit hundreds of unique comments from all health and human service organizations in Illinois (*including housing, early childhood, education, etc.*)

RESOURCES



ICIRR: <http://www.icirr.org/our-work/details/18/immigrant-family-resource-program>

NILC: <https://www.nilc.org/issues/economic-support/public-charge-changes-to-fam/>

CLASP: <https://www.clasp.org/>



ACTIONS YOU CAN TAKE!



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ACTION ALERT

Tell your Member of Congress –
Don't increase hunger!

Sign-up to be a Champion Advocate!

<https://www.chicagosfoodbank.org/advocacy>

**4 DAYS LEFT TO REGISTER FOR 2018
HUNGER SUMMIT & LOBBY DAY!**

<https://2018hungersummit.eventbrite.com>

SAVE THE DATE: The 33rd Annual Hunger Walk
takes place on **September 8, 2018.**



2018 Hunger Summit and Lobby Day
May 8-9, 2018 | Springfield, IL



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THANK YOU!