

105TH CONGRESS
1ST SESSION

H. R. 1445

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for continued eligibility for supplemental security income and food stamps with regard to certain classifications of aliens.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1997

Mr. KING (for himself and Mrs. MCCARTHY of New York) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for continued eligibility for supplemental security income and food stamps with regard to certain classifications of aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Legal Im-
5 migrants Act of 1997”.

1 **SEC. 2. CONTINUED ELIGIBILITY OF CERTAIN ALIENS FOR**
2 **SUPPLEMENTAL SECURITY INCOME AND**
3 **FOOD STAMPS.**

4 (a) IN GENERAL.—Section 402(a)(2) of the Personal
5 Responsibility and Work Opportunity Reconciliation Act
6 of 1996 (8 U.S.C. 1612(a)(2)) is amended—

7 (1) by striking subparagraph (A) and inserting
8 the following:

9 “(A) REFUGEES AND ASYLEES.—

10 “(i) REFUGEES LAWFULLY PRESENT
11 ON DATE OF ENACTMENT.—Paragraph (1)
12 shall not apply to an alien who was admit-
13 ted to the United States as a refugee
14 under section 207 of the Immigration and
15 Nationality Act on or before the date of
16 enactment of this Act.

17 “(ii) TIME-LIMITED EXCEPTION FOR
18 OTHER REFUGEES AND ASYLEES.—Para-
19 graph (1) shall not apply to an alien until
20 5 years after the date—

21 “(I) an alien is granted asylum
22 under section 208 of such Act;

23 “(II) an alien’s deportation is
24 withheld under section 243(h) of such
25 Act (as in effect immediately before
26 enactment of section 307 of division C

1 of Public Law 104–208) or section
2 241(b)(3) of such Act (as amended by
3 section 305(a) of division C of Public
4 Law 104–208); or

5 “(III) an alien who is not de-
6 scribed in clause (i) is admitted to the
7 United States as a refugee under sec-
8 tion 207 of the Immigration and Na-
9 tionality Act.”; and

10 (2) by striking subparagraph (D) and inserting
11 the following:

12 “(D) ALIENS CURRENTLY RECEIVING SSI
13 AND FOOD STAMPS.—Paragraph (1) shall not
14 apply to an alien who—

15 “(i) lawfully entered and is lawfully
16 residing in the United States as of the
17 date of enactment of this Act; and

18 “(ii) is receiving benefits under any
19 specified Federal program described in
20 paragraph (3) as of such date.”.

21 (b) NOTICE AND REDETERMINATION.—The Commis-
22 sioner of Social Security, in the case of the specified Fed-
23 eral program described in section 402(a)(3)(A) of such
24 Act (8 U.S.C. 1612(a)(3)(A)), and the State agency, in
25 the case of the specified Federal program defined in sec-

tion 402(a)(3)(B) of such Act (8 U.S.C. 1612(a)(3)(B)), shall notify any individual described in section 402(a)(2)(D) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)), as amended by subsection (a), who, on or after August 22, 1996, has been determined to be ineligible for such specified Federal program solely on the basis of the application of section 402 of such Act (8 U.S.C. 1612), as in effect on the day before the date of enactment of this Act, that the individual's eligibility for such program shall be redetermined, and shall conduct such redetermination in a timely manner. Any benefits that such an individual should have received during the period beginning on August 22, 1996, and ending on the date of the redetermination shall be restored to that individual.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) take effect as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612).

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