

105TH CONGRESS
1ST SESSION

S. 392

To provide an exception to the restrictions on eligibility for public benefits
for certain legal aliens.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1997

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To provide an exception to the restrictions on eligibility for
public benefits for certain legal 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. EXCEPTION TO ELIGIBILITY RESTRICTIONS**

4 **FOR PUBLIC BENEFITS FOR CERTAIN LEGAL**

5 **ALIENS.**

6 (a) IN GENERAL.—Subtitle A of title V of the Illegal
7 Immigration Reform and Immigrant Responsibility Act of
8 1996 (Public Law 104–208; 110 Stat. 3009–1772) is
9 amended by adding at the end the following:

1 **“SEC. 511. EXCEPTION FOR CERTAIN LEGAL ALIENS.**

2 “(a) IN GENERAL.—Notwithstanding any other pro-
 3 vision of law, an alien who was lawfully present in the
 4 United States on August 22, 1996, and who lawfully re-
 5 sides in a State, is age 65 or older, is disabled and/or
 6 blind, as determined under paragraph (2) and/or (3) of
 7 section 1614(a) of the Social Security Act (42 U.S.C.
 8 1382c(a)), whose family is incapable of support, and who
 9 can demonstrate that he or she has no other sufficient
 10 means of support other than that provided under the pro-
 11 gram described in subsection (b), shall be eligible to re-
 12 ceive benefits under such program.

13 “(b) PROGRAM DESCRIBED.—The program described
 14 in this subsection is the program described in section
 15 402(a)(3)(A) of the Personal Responsibility and Work Op-
 16 portunity Reconciliation Act of 1996 (8 U.S.C.
 17 1612(a)(3)(A)).”.

18 (b) EFFECTIVE DATE.—The amendment made by
 19 subsection (a) takes effect as if included in the enactment
 20 of subtitle A of title V of the Illegal Immigration Reform
 21 and Immigrant Responsibility Act of 1996 (Public Law
 22 104–208; 110 Stat. 3009–1772).

23 (c) NOTICE AND REDETERMINATION.—The Commis-
 24 sioner of Social Security shall, not later than 30 days after

1 the date of enactment of this Act, notify an individual de-
2 scribed in section 511(a) of the Illegal Immigration Re-
3 form and Immigrant Responsibility Act of 1996 (as added
4 by this Act) and who, as of such date, has been redeter-
5 mined to be ineligible for the program described in section
6 511(b) of the Illegal Immigration Reform and Immigrant
7 Responsibility Act of 1996 (as so added), that the individ-
8 ual's eligibility for such program shall be redetermined
9 again, and shall conduct such redetermination in a timely
10 manner.

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