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## SENATE JOINT RESOLUTION NO. 125

Offered January 25, 1994

*Requesting the Secretary of Health and Human Resources to study the effects of illegal immigration on state programs and to examine the need for improvements in documentation for eligibility purposes.*

Patrons—Barry, Bell, Calhoun, Chichester, Colgan, Earley, Hawkins, Holland, C.A., Potts, Robb, Saslaw, Stolle, Stosch, Trumbo, Wampler and Woods

Referred to the Committee on Rules

WHEREAS, the United States is experiencing the largest wave of immigration since the turn of the century; and

WHEREAS, the federal government sets immigration policy and the number of legal newcomers who can be admitted each year and sets requirements for immigrants such as obtaining sponsorship and employable skills without which immigration could not occur; and

WHEREAS, while continuing to allow more newcomers to enter each year, the federal government has continued to renege on its accepted moral and legal obligation to reimburse the states for services provided; and

WHEREAS, the states must bear the increasing financial responsibility of assisting newcomers to settle and become self-sufficient; and

WHEREAS, in addition to the number of immigrants granted legal resident status, rapidly growing numbers of illegal aliens are entering the country; and

WHEREAS, these people enter the United States in numerous clandestine ways; and

WHEREAS, many illegal immigrants buy fraudulent documents which falsely authorize their participation in social programs; and

WHEREAS, some illegal aliens are also receiving services via judicial mandates, as in (i) the 1982 *Plyler v. Doe* decision declaring that undocumented children are entitled to equal protection under the law and therefore must be allowed to enroll in public education; (ii) the 1992 *Lewis v. Grinker* decision ruling that pregnant women in New York are eligible for prenatal care under Medicaid regardless of their immigration status; and (iii) federal law declaring children who are born in this country automatic citizens and therefore eligible for services; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Secretary of Health and Human Resources (i) determine the number and identity of unauthorized persons who receive benefits in the Commonwealth; (ii) develop a accurate method for reporting the cost of all services provided to unauthorized persons; and (iii) establish procedures for reporting all undocumented persons to the Immigration and Naturalization Services for deportation or for debt collection for the services they have illegally obtained.

The Office of the Secretary of Health and Human Resources shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the Secretary, upon request.

The Office of the Secretary shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

INTRODUCED

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