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HOUSE JOINT RESOLUTION NO. 246

House Amendments in [] — February 8, 1996

Requesting the Departments of Social Services [~~and~~ ,] Education [, Medical Assistance Services and Mental Health, Mental Retardation and Substance Abuse Services] to develop a protocol for purposes of inquiry about the citizenship or immigration status of clients or students.

Patron—Grayson

Referred to Committee on Rules

WHEREAS, Virginia, like so many other states, has experienced an influx of immigrants in recent years which has had a great impact on the schools and social programs operating in the Commonwealth; and

WHEREAS, the Commonwealth ranks tenth in the nation for numbers of foreign-born settling within our boundaries, placing it only behind such states as New York, California, and Texas; and

WHEREAS, the federal government has continued to pull back from its responsibilities to provide a "safety net" for these immigrants who have come to our shores under federal guidelines, thereby exposing the states to the liability of providing necessary services for those in need; and

WHEREAS, even with heightened awareness and additional border patrols, the incidence of aliens entering the country illegally continues to worsen; and

WHEREAS, the budgetary constraints being felt by all states in these tough economic times only increases the need of the states to spend their dollars wisely through intensive planning; and

WHEREAS, most schools do not collect such information since the courts have held that children are entitled to an education regardless of status; and

WHEREAS, social services agencies, for some benefit programs, currently must verify the citizenship status of applicants, but this requirement does not cover all client services; and

WHEREAS, it is difficult to plan for state services, especially social programs and education, without knowing the needs of the total populace; and

WHEREAS, the knowledge of special needs of the immigrant population would enable the state to furnish the federal government with accurate statistics and provide a basis for requesting reimbursement for some of the services provided, many for which the federal government has accepted responsibility in the past; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Departments of Social Services [~~and~~ ,] Education [, Medical Assistance Services and Mental Health, Mental Retardation and Substance Abuse Services be requested to] develop a protocol which will enable them, to the extent of current law, to inquire as to the citizenship or immigration status of clients and students when they apply for services. The Departments shall also develop a method of collecting this information in a centralized location so as to be available to state officials to use when necessary for purposes of requesting reimbursement from the federal government and for planning for programs and budgets.

[The Departments shall complete their work in time to submit their findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.]

ENGROSSED

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