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United States Senate

COMMITTEE ON THE BUDGET

WASHINGTON, DC 20510-6100

March 15, 2013

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Dear Secretary Vilsack:

Thank you for your latest letter regarding the USDA-Mexico SNAP partnership. While we may have policy disagreements about how best to help those in need and protect the public interest, there can be no denying that the public is entitled to transparent information about how their tax dollars are being spent.

As you may know, the Senate is scheduled next week to vote on the budget resolution. To assist Senators in their work on the budget, and as well as work on future government funding measures, it would be helpful to have certain additional details about the food stamp program as well as the 14 other nutrition-support programs administered by USDA.

1. In cumulative dollar terms, how much is spent on *all* of USDA's means-tested nutrition support programs for non-citizens?
2. Given what USDA knows about changes in eligibility between 2010 and 2012 and the information you provided about program participation rates, I am interested in learning more about the number of Americans who are currently eligible for food stamps. You stated that 75 percent of SNAP-eligible individuals received the benefit in 2010. With almost one in six Americans currently receiving food stamps, do you estimate that the participation rate is still roughly 75 percent? In other words, are one in four Americans currently eligible for food stamp benefits?
3. You emphasized that food stamp eligibility "has never been extended" to illegal aliens. However, as you know, illegal immigrants *can* apply for food stamp benefits on behalf of eligible members of their households. To the extent that illegal immigrants do not have to expend their own resources to purchase food on behalf of others, they obviously benefit from that taxpayer-funded assistance. Does your Department have any estimates of total SNAP benefits provided to households headed by an illegal immigrant on behalf of eligible dependents?

4. Conversely, with respect to legal immigrants whose households include illegal immigrants, does your Department have any way to verify that every dependent an applicant claims is eligible to receive food stamp benefits?

Regarding the federal law that prohibits admission of immigrants deemed likely to become welfare reliant, your letter confirms that the Departments "responsible for making public charge determinations... have defined public charge as applying to those non-citizens who have or are likely to become primarily dependent on government for assistance, as demonstrated by either (i) the receipt of public cash assistance for income maintenance or (ii) institutionalization for long-term care at government expense." However, as the Congressional Research Service reported last fall, direct cash assistance comprises only a fraction of total means-tested financial assistance to low-income individuals.

In other words, according to the standards you referenced, immigrants can access 85 percent of the welfare state and still not be deemed public charges. You may also be interested to know that even this eviscerated standard is not enforced: Homeland Security astonishingly confirmed that, through August of 2012, they failed to identify a single non-citizen immigrant in the United States who was turned away as a public charge.

The public charge law originated because Congress intended that immigrants not come to the United States if they were likely to become welfare dependent. Yet a report by the Center for Immigration Studies found that "36 percent of immigrant-headed households used at least one major welfare program (primarily food assistance and Medicaid)" in 2010.

5. In order to better understand the fiscal impact of the failure to enforce the public charge standard, please provide an estimate of the total amount spent on SNAP and other USDA-administered benefits for immigrant-headed households, to include both citizen and non-citizen immigrants.

Thank you for your continued attention and responses.

Very truly yours,



Jeff Sessions
Ranking Member