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March 22, 2023

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue S.W.
Washington, D.C. 20250

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3017 7th St. S.W.
Washington, D.C. 20528

Secretary Vilsack and Secretary Mayorkas,

I write to you today to express my concern that the United States Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) is being utilized by unintended illegal alien recipients when we have American citizens who are in need.

President Biden has failed to protect our national security by allowing upwards of five million illegal migrants¹ to cross our southern border since taking office. As the process of writing the 2023 Farm Bill is underway, we must ensure that we prioritize the needs of our own citizens and that non-citizens are not taking advantage of our system.

On April 28, 2022 during a House Agriculture Nutrition, Oversight, and Department Operations subcommittee hearing I asked USDA Deputy Under Secretary for Food, Nutrition, and Consumer Services Stacy Dean how many non-American citizens, asylum seeking individuals, and immigrant children are currently receiving SNAP benefits. She was unable to provide me with an answer but assured that she would follow up with that information, my office has yet to receive any sort of correspondence.

On June 8, 2022 I asked Connecticut Department of Social Services SNAP Program Administration Manager Daniel R. Giacomini during a House Agriculture Nutrition, Oversight, and Department Operations subcommittee hearing if there were means of tracking the number of non-Americans receiving SNAP benefits. He responded that they track the number that apply but did not say how many receive these benefits.

¹ <https://www.prnewswire.com/news-releases/fair-analysis-4-9-million-illegal-aliens-have-crossed-our-borders-since-president-biden-took-office-301606980.html>

Currently there are 11 exceptions that would provide illegal border crossers immediate access to SNAP benefits, allowing them to circumvent the five-year waiting period legal immigrants must wait to enroll in U.S. welfare programs.

These exceptions are:

1. Qualified alien children under 18 years old
2. Refugees admitted under section 207 of INA (includes victims of severe forms of trafficking)
3. Victims of Trafficking under the Trafficking Victims Protection Act of 2000
4. Asylees under Section 208 of the Immigration and Nationality Act (INA)
5. Deportation withheld under 243(h) or 241(b)(3) of INA
6. Amerasian immigrants under 584 of the Foreign Operations, Export Financing and Related Programs Appropriations Act
7. Cuban or Haitian entrants as defined in 501(e) of the Refugee Education Assistance Act of 1980
8. Iraqi and Afghan special immigrants under Section 101(a)(27) of the INA
9. Certain American Indians born abroad
10. Members of Hmong or Highland Laotian tribes, legally living in the U.S., that helped the U.S. military during the Vietnam era, and their spouses or surviving spouses and unmarried dependent children
11. Elderly individuals born on or before August 22nd, 1931 and who lawfully resided in the U.S. on August 22nd, 1996

President Biden stopped the enforcement of former President Trump's Public Charge Rule in March of 2021, which denied migrants' entrance into the U.S. if they possessed the potential to need government welfare assistance. This has enticed even more migrants to flood our southern border.

We must collect the facts to create strong policies that will ensure that SNAP is being utilized to serve the needs of the American people.

I request that you provide answers to the following questions by March 31, 2023.

Questions for the United States Department of Agriculture:

- How many Americans are currently enrolled in SNAP benefits?
- How many non-American citizens are currently enrolled in SNAP benefits?
 - a) How many non-American citizens enrolled in SNAP benefits are minors?
 - b) How many non-American citizens enrolled in SNAP benefits are claiming asylum seeking status?
 - c) How many non-American citizens began immediately receiving SNAP benefits based on the other nine exceptions listed above?
- Are there means of tracking the number of non-American citizens who immediately receive SNAP benefits upon arriving in the United States to ensure there is not wide-spread fraud and abuse? If no, why not?

- What is the annual cost to the SNAP benefits program for non-citizens who are seeking asylum?

Questions for the United States Department of Homeland Security:

- How many migrants crossing the southern border are minors?
- What percentage of border crossers claim they are seeking asylum?
- What is the total number of asylum seekers currently awaiting adjudication?
- What is the average wait time for adjudication for asylum seekers?
- What percentage of those seeking asylum are granted asylum?

As the Biden Administration has failed to protect the safety of Americans from illegal migrants crossing our border, we must ensure that these individuals are not cheating the system to receive welfare benefits that should be prioritized for our own citizens.

Sincerely, •



Scott DesJarlais, M.D.
Member of Congress