

From: Wingo, Karen <Karen.Wingo@dss.sc.gov>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
Veldran, KatherineKatherineVeldran@gov.sc.gov
Date: 1/29/2016 2:58:35 PM
Subject: FW: S928 - Amended.doc

FYI

Karen Luchka Wingo
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From: Fulmer, Rachael [mailto:Rachael.Fulmer@rfa.sc.gov]
Sent: Friday, January 29, 2016 2:55 PM
To: Bray, William <William.BrayJr@dss.sc.gov>
Cc: Wingo, Karen <Karen.Wingo@dss.sc.gov>
Subject: RE: S928 - Amended.doc

Thank you for the clarification.



Rachael C. Fulmer | SC Revenue and Fiscal Affairs Office | Budget Development
Dennis Bldg. | 1000 Assembly St., Suite 447 | Columbia, SC 29201 | Phone: (803) 734-2266 | rachael.fulmer@rfa.sc.gov

From: Bray, William [mailto:William.BrayJr@dss.sc.gov]
Sent: Friday, January 29, 2016 11:59 AM
To: Fulmer, Rachael <Rachael.Fulmer@rfa.sc.gov>
Cc: Wingo, Karen <Karen.Wingo@dss.sc.gov>

Rachel,

SCDSS has not specifically reached out to our federal partners to ascertain what action, if any, would be taken against SCDSS if S.928 is passed in its current form. However, using the example of SNAP benefits and the grant DSS receives from the Food & Nutrition Services for the SNAP program, the basis for our statement is two-fold.

First, refugees are qualified immigrants under 7 C.F.R. §273.4 and, therefore, eligible to participate in the program. FNS has specifically included a provision on its website that addresses this issue: <http://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility>. If a Department denies services to qualifying applicants, the federal government can withhold administrative funding pursuant to 7 C.F.R. §276.4. Moreover, federal law and U.S. Department of Agriculture policy prohibit discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability. In particular, the Food Stamp Act provides that "[i]n certification of applicant households for the food stamp program, there shall be no discrimination by reason of race, sex, religious creed, national origin or political beliefs." 7 C.F.R. § 2020(c). Violation of the FNS non-discrimination provision also jeopardizes SCDSS funds.

Second, even though SCDSS has not received a communication on this subject from federal partners, including, FNS, our opinion that Section 1 of S.928 could jeopardize funds is predicated, in part, on the recent experience of Georgia. Late last year, Georgia announced that it would not accept applications for SNAP benefits from Syrian refugees. In response, the Food & Nutrition Service, sent a letter to Georgia advising the state that its actions were not in compliance with federal law. A copy of the letter is attached for your review.

Please let me know if you have any other questions regarding this matter.

All the best,
Karen

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Sent: Friday, January 29, 2016 8:58 AM
To: Bray, William <William.BrayJr@dss.sc.gov>
Cc: Wingo, Karen <Karen.Wingo@dss.sc.gov>
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Got your impact. On the third page you mentioned other federal grants which may be affected by this legislation. Is there something that the federal government has provided to DSS to indicate that is a possibility?



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From: Bray, William [<mailto:William.BrayJr@dss.sc.gov>]
Sent: Thursday, January 28, 2016 4:44 PM
To: Fulmer, Rachael <Rachael.Fulmer@rfa.sc.gov>
Cc: Wingo, Karen <Karen.Wingo@dss.sc.gov>
Subject: S928 - Amended.doc

Rachael

Attached is an amended fiscal impact statement for S.928. If you have any questions please call me.

Thanks, William

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