

# National Social Welfare Assembly

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National Social Welfare Assembly, What They  
Say about Residence Laws

## WHAT THEY SAY ABOUT RESIDENCE LAWS

Statements of National Organizations and Leaders

Third Edition  
May, 1959

*File:*  
Ad Hoc Committee on Residence Laws

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Mrs. Savilla Millis Simons, Chairman



FOREWORD

In our increasingly mobile society, in which people frequently move back and forth across state and county boundaries, residence requirements for essential public services are a source of increasing confusion, inefficiency and hardship.

A growing interest has been evidenced in the removal of such requirements. Many organizations and groups are working to modify state and local residence restrictions. The Ad Hoc Committee on Residence Laws of the National Social Welfare Assembly, organized first in 1957 and reconstituted in 1958, includes in its membership representatives of 38 national organizations.

Modification of existing provisions, either through federal or state legislation, or some combination of the two, can be obtained only through the efforts of groups to promote understanding by the local community, by citizen leaders, public officials and representatives in the Congress and State Legislatures, of the effects of these restrictions on the administration of health and welfare services and how they deprive American citizens of public benefits to which they are otherwise entitled.

This revision of "What They Say About Residence Laws," issued first in 1957 and again in 1958, contains an impressive body of testimony in support of action to change or remove residence requirements. The Ad Hoc Committee on Residence Laws is issuing this revision in the belief that it will be helpful to national and local groups working to remove outmoded limitations on the provision of essential public services to people who need and are otherwise eligible for them.

SAVILLA MILLIS SIMONS  
Chairman, Ad Hoc Committee on  
Residence Laws, National  
Social Welfare Assembly  
General Director, National  
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WHAT THEY SAY ABOUT RESIDENCE LAWS

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

"The purpose of the social security programs is the prevention of destitution. This is a nationwide goal. To this end the Federal Government administers the old-age, survivors, and disability insurance program and provides grants-in-aid to States to help support additional programs, including public assistance. In the fiscal year ended June 30, 1958, the Federal Government supplied 56.4 percent of the funds expended for assistance payments to needy people.

"Residence requirements reflect a concern of the States, especially of those which anticipate heavy in-migration and consequent disproportionate cost if they cared for nonresidents for whom they traditionally have assumed no responsibility. Where the Federal Government finances a substantial part of the cost, I do not believe that services should be limited to State residents. Unless public assistance can be effective when needs cannot be met in some other way, the objectives of the public assistance programs cannot be met.

"Nevertheless, residence requirements exclude people who otherwise would be eligible for help and should have help before their situation becomes worse."

Source: Statement from  
Mr. Arthur Flemming,  
The Secretary of Health,  
Education, and Welfare,  
Washington

May 11, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE PRESIDENT'S COMMITTEE ON MIGRATORY LABOR \*

"The volume of migration in the United States is large and during a single year more than 10 million persons move to a different county. Most of these are seeking better employment opportunities and such is the case of the migrant farm worker.

"The migratory farm worker and his family perhaps have a greater need for community services than any other segment of our moving population. At the same time it should be recognized that these persons be they employed for a few short weeks or a few months do contribute greatly to the economy of the various States and communities. Yet in many areas migrants are looked upon as liabilities, rather than as assets.

"At its May 1958 meeting the President's Committee on Migratory Labor agreed that migrants should be given access to community services but realized that most of such services were denied migrants, generally because of State residence requirements. The Committee therefore requested that the Department of Health, Education and Welfare encourage States to review their residence laws with a view to their removal and the assumption of responsibility for migrants while they are in the respective States."

Source: Statement prepared by  
Frank A. Potter  
Executive Director  
The President's Committee on  
Migratory Labor

April 28, 1959

\* Secretary of Labor, Chairman  
Secretary of Agriculture  
Secretary of Interior  
Secretary of Health, Education & Welfare  
Administrator of Housing and Home Finance Agency

WHAT THEY SAY ABOUT RESIDENCE LAWS

NATIONAL GOVERNORS' CONFERENCE

RESIDENCE REQUIREMENTS FOR PUBLIC ASSISTANCE

"WHEREAS, the economic and industrial development of our nation depends upon and has resulted in, the constant migration from one state to another of a substantial segment of our population which, according to latest available reliable figures, involves at least six million persons per year; and,

WHEREAS, these persons, because of their frequent movement from state to state have lost their eligibility for public assistance in the state of their origin, and have at the same time failed to establish in any other state residence of sufficient duration to qualify for public assistance; and,

WHEREAS, although these persons are bona fide citizens of the United States, they become, in effect, "stateless" persons when they are in need of public assistance because they are unable to meet the residence requirements in the state in which they are currently located; and,

WHEREAS, all the states of the nation with the exception of the State of New York have laws which specify varying periods of residence as a condition precedent to the granting of public assistance; and,

WHEREAS, this situation creates an acute social welfare problem of human hardship that must not be tolerated in a nation of plenty which prides itself upon its sincere concern for human need and suffering;

NOW, THEREFORE, BE IT RESOLVED, by this Fiftieth Annual Meeting of the Governors' Conference that the Chairman be instructed to appoint a committee to study alternative means for solving the problem of granting and paying of public assistance to "stateless" persons including:

1. Reciprocal agreements or compacts among the states whereby the state in which the residence requirement for public assistance was last established by the now "stateless" person will assume the cost of public assistance to the state wherein such assistance is granted, until such time as new residence is established; or,
2. Legislation by the Congress of the United States whereby the federal government will assume the cost of public assistance to these "stateless" persons; and,

BE IT FURTHER RESOLVED that the committee appointed by the Chairman of the Governors' Conference for this purpose be instructed to make its recommendations to the Governors and to the Congress of the United States."

Resolution Adopted at Fiftieth Annual  
Meeting, Governors' Conference

May 21, 1958

WHAT THEY SAY ABOUT RESIDENCE LAWS

AMERICAN FEDERATION OF LABOR - CONGRESS OF INDUSTRIAL ORGANIZATIONS

RESOLUTION NO. 86 ON PUBLIC ASSISTANCE

"Federal grants have greatly improved state public assistance programs for four categories of needy people: the aged, the blind, the permanently and totally disabled, and dependent children. But even after the amendments we helped obtain in 1956, payments to recipients are often too small and hedged around with harsh requirements in regard to residence and property.

"No federal grants are provided for general assistance, and too many states and localities do not aid employable workers who cannot find jobs and are not receiving unemployment insurance benefits.

"\*\*\*\*\*"

"RESOLVED: That in accordance with labor's traditional support of an adequate public assistance program to supplement social insurance, we favor far-reaching improvements in the public assistance provisions of the Social Security Act. We believe the Forand Bill\* presents a sound approach, through providing more liberal federal matching grants related to state per capita income, extending them to general assistance, and eliminating residence requirements."

Source: Resolution Adopted at Second  
Constitutional Convention

\* H. R. 6422

December, 1957

AFL-CIO COMMUNITY SERVICE ACTIVITIES

"Residence laws are unrealistic, undignified and un-American. They are unrealistic because they deny the mobility of our population. They are undignified because they deny public responsibility to our unfortunate fellow citizens. They are un-American because they deny the fact that, say a Kansan or Virginian or Oregonian are Americans too."

Source: Statement by Leo Perlis,  
Director, AFL-CIO Community  
Service Activities

May 6, 1959



WHAT THEY SAY ABOUT RESIDENCE LAWS

THE AMERICAN LEGION

"WHEREAS, The development of our present economy is dependent upon the mobility of people, and

WHEREAS, The trend in our country's economic growth has required mobility and apparently will do so in the years ahead, and

WHEREAS, Each year since 1950 some 5 million Americans have moved from one state to another, with about 10 million moving each year from county to county, and

WHEREAS, These people move largely to fulfill the demands for labor, thereby contributing to the development of communities and the strengthening of our economy and national security, and

WHEREAS, A substantial percent of persons who move represent veterans and their dependents, and

WHEREAS, In many instances these people earn, pay taxes, and own property; however, due to existing laws often are deprived of benefits available to others living in the state or locality, Now, Therefore, Be It

RESOLVED, By The American Legion In National Convention assembled in Atlantic City, New Jersey, September 16-19, 1957, That it support studies to evaluate all residence laws to determine whether they assure adequate protection and benefits to persons living in any community, and Be It

FURTHER RESOLVED, That the Child Welfare Division of the American Legion be instructed to contact all Departments for the purpose of securing information concerning the residence laws of the respective states for the purpose of discussing said laws, to the extent possible, at the various Area Child Welfare Conferences to be held throughout the country during this coming year. "

Source: Resolution  
American Legion National  
Convention

September, 1957

(Continued on next page)

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE AMERICAN LEGION (Cont.)

RESOLUTION NO. 22 - RESIDENCE LAWS

"WHEREAS, Mobility of people is essential to our present economy and national security; and

"WHEREAS, Since 1950, 10 million Americans move each year either from state to state or one county to another, and there is no reason to believe this trend will not continue through some time to come; and

"WHEREAS, These people move largely to fulfill labor demands in a locality where they subsequently pay taxes, own property and contribute to community betterment, but often are deprived by existing laws of essential benefits available to others living in the state or locality; and

"WHEREAS, The problem is both intra-state and inter-state;

"NOW, THEREFORE, BE IT RESOLVED, By the National Executive Committee of The American Legion, meeting in Indianapolis, Indiana, April 29 - May 1, 1959, That until such time as Resolution No. 1 adopted by the National Executive Committee of The American Legion, meeting in Indianapolis, October 8-10, 1958, which recommended matching funds for general assistance without regard to residence is enacted into law, the National Child Welfare Commission evaluate additional solutions of the problem as it applies to change of residence of people between states; and

"BE IT FURTHER RESOLVED, That each of the various Departments of The American Legion be encouraged to either initiate or support studies to evaluate residence laws to determine if their operation within the state deprives certain citizens in the community of benefits available to other people in that community; and that the Departments be encouraged to support, for this purpose, legislative study commissions empowered to recommend corrective state legislation."

Source: Resolution Adopted by the  
National Executive Committee  
of The American Legion

April 29, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE AMERICAN RED CROSS

National Headquarters, Washington 13, D.C.

Residence Laws Affecting People Served by Home  
Service in Chapters of the American Red Cross.

"Residence laws which affect the rights and privileges of a large number of Americans frequently result in denials of benefits or long delays in their authorization. State and county residence requirements create actual hardships and limit the free movement of people. For Red Cross chapters, especially those in non-urban areas, the question of eligibility for state and local benefits poses special difficulties. They must meet requests for assistance from families of the armed forces, veterans and their dependents, and in some instances local and transient civilians. The Home Service policy of providing service without respect to residence has brought to chapters not only the groups we state are our primary responsibility for service but also hundreds of other applicants who have no other resources. Major areas of family resources and opportunities affected by residence laws include health and welfare services, economic aid, medical and institutional care, housing, employment, and education.

Effects of Residence Laws on Members of the Armed Forces  
And Their Families

"Servicemen and their families face problems often beyond their control due to the unique situation in which they are placed. Military needs and controls require the movement of personnel from place to place. This movement then deprives servicemen and their dependents of the civilian rights and privileges to which they are entitled in their legal places of residence. They find no reciprocal rights to these benefits in their new homes and communities.

"Chapters are finding it necessary to meet emergency financial needs of dependents on a continuing basis in some instances where the budgetary needs of the family exceed the serviceman's pay and allowances. This is particularly true in cases where there are several children and stepchildren who cannot meet residence requirements because they either were not born in the state of present residence or have not been living in the state for one year. To complicate the situation still further, various county subdivisions differ in their program of general assistance.

"Wives lose their legal residence upon marriage and assume that of their husbands. Should the serviceman be from another state, the wife may find herself without access to needed benefits or resources if she continues or returns to live in her premarital place of residence.

"Service families who are in the age group in which adoption of children is most desirable are frequently barred from that privilege because they cannot meet the requirement for specific years of residence within the state. Adequate foster care is similarly often denied because parents

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lack residence. Servicemen's children needing foster home or institutional placement must meet residence requirements or be returned to place of legal residence if public funds are involved. Chronic illness cases involving wives and children of servicemen do not have access to local county hospitals or state institutions for long-term care unless residence requirements can be met. Such cases include treatment for tuberculosis, emotional or mental illnesses. Transfer of such patients to place of legal residence often is inconsistent with sound social planning for the family.

"Secondary dependents, such as parents, brothers and sisters, frequently live in the home of the servicemen and are an integral part of the family group. In the event supplementation of income or medical and institutional care is needed, they must be returned to place of legal residence. Wives and children of servicemen who are in a disciplinary status and whose pay and allowances are affected frequently are unable to qualify for public assistance in the community in which they find themselves. Many of these cases involve families who are returned from overseas because the serviceman is in disciplinary status. Chapters are extremely wary of jeopardizing their working relationships with public welfare by entering into planning to bring families into communities where they do not have legal residence. From the standpoint of the welfare in the family, it may appear that settlement in the community of their choice is the best plan.

"The servicewoman who is discharged from military service because of pregnancy frequently wishes to go to a state where she is not a resident. It is becoming more and more difficult to assist these women in making plans for their confinement and child placement because of residence restrictions.

"Many wives of servicemen seek employment to supplement the pay and allowances of the serviceman. In a number of places Civil Service restrictions limit the employment of these women and they find it difficult to secure work in the civilian community. Employers are reluctant to train key workers on a job when it is known the serviceman husband is subject to frequent transfer in assignment.

"States and localities have provisions for elementary, secondary and higher education. They provide free schooling, scholarships for children and adults who meet residence requirements. Frequently the children of servicemen coming into new communities find themselves disqualified for these benefits. The wives seeking additional schooling or training are often not entitled to the privileges others in the community share.

Effects of Residence Laws on Veterans

"The discharged or retired serviceman, seeking benefits, national, state or local, are frequently handicapped by residence laws. Many of their problems are similar in nature to those of the armed forces and their families. State veterans' benefits are given only to residents, including Civil Service opportunities, educational, medical or housing assistance, etc."

WHAT THEY SAY ABOUT RESIDENCE LAWS

"Many chapters are having to assume full responsibility for assistance to non-resident veterans who have pending Government claims for service-connected disabilities. Moreover, there appears to be a feeling on the part of the general public and public welfare in some places that the American Red Cross is the appropriate agency to assist all veterans regardless of their status or residence qualifications. While chapters are more successful in shifting this responsibility to public welfare where veterans can meet residence requirements, the problem remains where transients and non-residents are concerned. Since the veteran segment of our population is now so large and since the smaller chapters have established the practice of giving at least temporary assistance pending referral, chapters are finding it incumbent upon them to meet more and more needs and for a longer period of time in order to relieve undue hardship.

Effects of Residence Laws on Civilians.

" Because Red Cross chapters have a primary responsibility to serve members of the armed forces, veterans and their families, many of whom do not have residence in the community, it follows then quite logically that chapters cannot ignore situations involving civilians who cannot qualify under residence laws for public assistance. Not only the general public but individuals in need and even other agencies expect the American Red Cross to go beyond its stated function in behalf of needs of non-residents. In some situations, willingness or response to pressure for such help has resulted in meeting important human needs. On the other hand, the dispersal of American Red Cross resources over areas of need for which we have inadequate staff or financial resources has often lessened our effectiveness in relation to our major commitments. Furthermore, it leads to a growing confusion on the part of communities as to what Red Cross functions and basis for support should be. Efforts to deal with this have both positive and negative effects on the development of social consciousness and action in communities. "

Source: Statement prepared by Marie Youngberg, National Director of Home Service

April 30, 1957

(reconfirmed April 1959)

WHAT THEY SAY ABOUT RESIDENCE LAWS

AMERICAN PUBLIC WELFARE ASSOCIATION

"Public welfare programs should provide effective services to all who require them including financial assistance and preventive, protective, and rehabilitative services, and these services should be available to all persons without regard to residence, settlement, or citizenship requirements."

"The federal government should participate financially only in those assistance and other welfare programs which are available to all persons within the state who are otherwise eligible without regard to residence, settlement, or citizenship requirements."

Source: Excerpt from Federal Legislative Objectives - 1959  
Approved by APWA Board of Directors

December 15, 1959

THE ASSOCIATION OF AMERICAN INDIAN AFFAIRS

"Members of Indian interest organizations throughout the country and citizens generally should find ways in which to support actively the current effort of the National Travelers Aid Society to eliminate local laws which set up residence requirements for public welfare assistance. In relation to American Indians specifically, these laws work great hardship upon relocated newcomers who may find themselves in sudden need of help after Indian Bureau assistance has ended but before they are legally eligible for welfare aid from the community. The Association on American Indian Affairs has officially endorsed the effort of the Society. Other organizations are urged to do so and to notify that agency of action taken."

Source: The American Indian Relocation Program

December 1956  
(Reconfirmed April 1959)

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE BUREAU OF PUBLIC ASSISTANCE

Social Security Administration, Department of Health, Education,  
and Welfare, Washington, D. C.

"Problems relating to residence and settlement date back to the earliest provision of public aid and, in many instances, the laws relating to residence out-date the present laws on public assistance. These laws had their origin when the responsibility for financing public assistance fell almost entirely on the small units of government. They were intended to protect such units against overwhelming, inequitable costs. It is important to look at the significance of such laws in the light of present day economic and social patterns and in the light of changes in organization and in financing of public assistance.

"To a large extent the tax base for financing public aid has been broadened, with the localities bearing a decreasing proportion of the cost and, for the special types of assistance, Federal aid extending the source of funds beyond State boundaries. In the fiscal year 1958, Federal funds represented 56.4 percent of the total funds for assistance for the Federally aided categories, while State funds represented 35.9 percent, and localities only 7.8 percent.

"We have in this country a mobile population with great shifts in population taking place in relation to employment and patterns of living. Older people move seeking more favorable climate in which to live or to live in greater proximity to relatives; wartime production brought about related shifts in population; and a whole segment of our economy, namely agricultural, depends upon seasonal workers who move from State to State.

"States' residence provisions for assistance are not always adapted to these changing conditions, and problems continue to exist relating to the provision of services to persons who are not longtime residents of a State. We are aware of many problems which exist in this area and no doubt many more are known to the States. We are aware that there are children of migratory workers who are in need of care and assistance, particularly medical care. We are familiar with the problems of individuals, who move from one locality to another to better their economic status and who become stranded when plans do not develop as contemplated. We are familiar with the problems of elderly persons who wish to move from their place of residence to another locality in order to be near relatives or to be in a more suitable climate and, through lack of knowledge, run the risk of losing their right to assistance in either State because of differences between the laws of the States.

"The existence of residence requirements necessitates an investigation of this aspect of an individual's circumstances. Sometimes assistance must be withheld until the investigation is complete. Often there

must be extensive correspondence with other States or localities. Not infrequently there is a difference of opinion between States or localities. Not infrequently there is a difference of opinion between States as to the facts of residence. If laws and policies of States coincide, it is mere chance, and often an individual will be without recognized and acknowledged residence. With residence laws go the machinery for returning a needy person to his place of residence. This is often not to the best interest of the individual or society because it tends to tie him to his old place of residence and defeats his efforts to improve himself.

"The investigation and the return process involve extensive costs to the States. Question can be raised whether these costs, plus the cost of assistance sent out of the State to residents temporarily absent, do not balance the cost a State might have from giving assistance to needy persons who have lived in a State for a shorter period than is now specified in its law. The evidence points this way. The ultimate costs of State residence laws must be measured by adding the more minor out-of-pocket costs of administration, just described, to the less tangible but more substantial social costs referred to earlier. Since these laws make it difficult for an individual to improve his personal situation, their costs to the community in perpetuating the depressed economic status of individuals are great.

"As Americans, we recognize and encourage mobility as essential to our country's economy. A small proportion of our mobile population will undoubtedly need help. Should not our humanitarian goals measure up to those we have for economic development? "

Source: Statement by Jay L. Roney  
Director, Bureau of Public  
Assistance

April 17, 1959



WHAT THEY SAY ABOUT RESIDENCE LAWS

CHILDREN'S BUREAU

Social Security Administration, Department of Health, Education and Welfare, Washington, D. C.

"The Children's Bureau has long been concerned with the adverse effects of residence laws on the availability of health and welfare services needed by children and their families.

"In 1947, 1948 and 1951, representatives of the Children's Bureau met with a number of State child welfare officials for the purpose of considering problems relating to the interstate placement of children. The report of these meetings lists "residence or settlement requirements restricting the admission of non-resident children" as one of the problems encountered in the interstate placement of children. We have also been keenly aware of the effect of residence laws upon planning for children of migrant families, as well as for the unmarried mother who seeks help away from her own community. In many instances, these laws present the same problems in the provision of health services as they do in social services and foster care.

"The Children's Bureau believes that this is an area which demands careful study and consideration. We sincerely hope that ways and means may eventually be found to remove or counteract the harmful effect of such laws and at the same time protect the equities of the States.

"We are pleased to have the opportunity to participate with the National Social Welfare Assembly in this activity. "

Source: Letter from Katherine B.  
Oettinger, Chief  
Children's Bureau

April 16, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

CHILD WELFARE LEAGUE OF AMERICA

Child Welfare Problems Growing Out Of Restrictive Residence Laws

"Restrictive residence provisions are found at township, municipal, county, state and Federal levels. Inherited from a feudal society and then incorporated into the Elizabethan Poor Laws, they have subsequently in this country been perpetuated in the health and welfare legislation of state after state. They are anachronistic in an economy which assumes a mobile labor force. They are punitive in a society committed and dedicated to equal protections and opportunities for all its citizens. They are illogical where for nearly a quarter century there has existed a Federally financed Social Security Program designed to provide a floor of assistances and services beneath all people wherever they may be living. Very appropriately, for our time and distance, residence laws have been called "a road block to human welfare."

"It is well known that the Social Security Act sanctions the continuation of these outmoded and undemocratic measures, through its language permitting Federal Matching to states which set their residence requirements at not more than one year for ADC and not more than five out of the past nine for the other categories. It is well known, too, that states which a few years ago had removed or lowered their residence requirements have now reinstated them. Not so well known are the multiplicity and range of interstate residence restrictions, creating problems of access to general assistance, medical and hospital facilities, and various foster care programs. It is not impossible, nor is it unusual, for an individual family, or a child without a family, to lose settlement in one state or local governmental unit before establishing it in another. In more than one instance of record, settlement has never been re-established anywhere. At worst, assistance and service are denied, and at best delayed or provided only on an emergency basis to the additional material and emotional disadvantage of the individual, family or child.

"Typical child welfare problem situations created or intensified by residence laws are illustrated by the following examples:

1. The parents of ADC supported children who move across the street or 10 miles down the highway to secure housing, or to another town where the teenaged son or daughter may find employment, only to learn that state "A" cannot continue the grant, nor state "B" accept their application for a year.
2. The child in need of a family home, whose aunt, uncle, or grandparent residing in another state could provide continuity of family relationship as well as a home with proper supervision, if funds for the child's maintenance could be added to their own marginal income. ADC is not available due to residence restrictions, and the receiving state in addition is one of the two thirds majority of states having an interstate placement law requiring a guarantee that the child will not become a public charge.

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3. The unmarried girl expecting a baby who goes to a city in another state only to find hospital and other medical care denied her as a non-resident. She is asked as a condition of acceptance by a maternity home or casework agency to permit verification of her residence and determination of whether her home state will accept financial responsibility for her and the child.
4. The infant of a non-resident unmarried mother, surrendered for adoption, fails to develop normally and needs institutional care as a mental defective. His residence derives from his mother's residence, raising the problem of reopening a closed chapter for the mother and asking the state from which the mother came (or the state to which she has since gone) to make plans.)
5. A child is deserted in an independent boarding home, payments in arrears, by a mother without local connections, her destination unknown. Residence here is a matter of intent combined with domicile. Court rules that child has no legal claim on local resources, due to mother's lack of residence and child's minority, but will grant custody of child to agency or independent boarding mother if either will agree to accept financial responsibility for child. Mother located in state where she previously had residence, but where child has no claim on state because of parent's residence. Child caught without residence anywhere.

"No statistics on the numbers of families or of children without families who are denied assistance or service or both are available. It is doubtful that any exist, except in a few isolated instances where one state Division of Child Welfare or a local Travelers Aid Society, for example, has made a special study. Because of duplications due to movement from one local governmental unit to another as well as from state to state the mechanics of making a nationwide study would present considerable difficulty, granted that sponsorship of such a study were developed. Agency-by-agency studies of this problem in terms of numbers of families and children disadvantaged would yield valuable data to motivate local and state action to abolish residence restrictions and close gaps in assistances and services still lacking.

"The voluntary agency Board, the state department's Advisory Committee, and the taxpayer may well concern themselves with the high costs of administration of restrictive residence laws, state and local. It is a truism that administrative costs go up as eligibility requirements are tightened. It is the desperate lament of this decade that social agencies face critical shortages of professionally well qualified staff. It is generally acknowledged that all possible conservation of staff time and energies from non-social work responsibilities must be made. It is submitted that

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much valuable time of casework, supervisory, and executive staff is consumed in verifications of residence, securing or failing to secure acceptance of financial responsibility elsewhere, negotiating "paper" agreements in the interstate placement of children, and keeping financial records where local arrangements permit a "charge back" system from county to county or township to township. These practices are poor at any time and are more than ever in need of attention when the profession is short-handed.

"The Child Welfare League of America supports the complete abolishment of residence laws in every level of government."

Source: Approved by Executive Committee

April 10, 1957  
(Reconfirmed April 1959)

WHAT THEY SAY ABOUT RESIDENCE LAWS

COUNCIL OF JEWISH FEDERATIONS AND WELFARE FUNDS

"WHEREAS:

"Freedom to move is a fundamental human right in a democracy;

"The right of an individual to move to better his economic and living conditions must not be abridged;

"This right of free movement is essential to the continued effective functioning of the economy of the United States;

"Restriction on a residence basis against the newcomer in obtaining the fundamental needs of food, clothing, shelter and medical care results in human tragedy;

"The failure of such individuals to receive public assistance places a heavy burden on voluntary philanthropic agencies, which they cannot meet;

"Length of residence requirements are an archaic, inefficient, costly survival from previous and different periods.

"Therefore, BE IT RESOLVED, that The Council of Jewish Federations and Welfare Funds, representing organized Jewish philanthropic services in communities throughout the country, is opposed to length of residence requirements for public or private assistance, and urges the removal of such limitations where they exist."

Source: Resolution on Residence Laws and Settlement

Adopted by the Council of Jewish Federations and Welfare Funds

June 10, 1957

"The Board of Directors of The Council of Jewish Federations and Welfare Funds Approves in Principle The Participation of The Federal Government in The Extension of Its Public Assistance Program in a Manner Designed to Provide Financial Assistance and Other Services for All Needy Persons Not Now Covered Under Federal Law. Such Extension Should Provide That There Be No Restrictions On Eligibility Based Upon Residence or Citizenship Requirements."

Source: Resolution on General Assistance  
Adopted by the Council of Jewish Federations & Welfare Funds

March 15, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

FAMILY LOCATION SERVICE, INC.

"May we express our strong opposition to the bills which would establish a residence requirement for public assistance. This agency, which for over 51 years, has been active in the field of marital difficulties as a social work and legal aid organization, is convinced that people move, not for the purpose of getting assistance, but to find a better life for themselves and their families. This, it seems to us, is a right which is basic to our American way of life and one of the principles which we must uphold as we strive against the inroads of communist and other totalitarian ideologies. We must preserve the right of people to move freely."

Source: Letter from Walter H. Liebman  
to Senator Walter J. Mahoney  
New York State Senate

February 20, 1957  
(Reconfirmed April 1959)

FAMILY SERVICE ASSOCIATION OF AMERICA

"On recommendation of its standing Committee on Public Issues, the Executive Committee of the Family Service Association of America, on December 14, 1956, gave approval to the Association's efforts to liberalize and eventually eradicate those state and federal laws which withhold health services, public assistance, and other welfare benefits from persons who do not meet certain requirements of legal residence. The Association stands ready to join with other agencies interested in efforts to end these restrictions.

"The Association itself and its constituent agencies are painfully aware of the inequities and the hardships to individuals and families resulting from existing restrictive legislation."

Source: Clark Blackburn  
General Director  
Family Service Association  
of America

April 14, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

INTERNATIONAL SOCIAL SERVICE - AMERICAN BRANCH

STATEMENT OF KIND OF PROBLEMS CREATED IN INTERNATIONAL SOCIAL SERVICE  
AREA OF FUNCTIONING BY EXISTENCE OF RESIDENCE LAWS

"We agree that residence laws as a requirement for public assistance are a "road-block to human welfare"- as the National Travelers Association calls its symposium on residence laws.

"International Social Service is frequently asked to assist in the repatriation of United States citizens who, living abroad, have fallen into difficulty and wish to return to the United States. They would not ordinarily be entitled to public assistance from the foreign country regardless of the degree of need or length of residence there. Relatives in the United States might be willing to welcome the person being repatriated but may be unable to meet medical or financial needs for the persons returning to the United States. When the relatives live in states with restrictive residence laws, a plan which would obviously be in the client's best interest cannot be made due to the inability to get public assistance for the person who is being repatriated.

"In the case of an unmarried woman (U.S. citizen) who became pregnant abroad and who wished to come to New York State to place her child for adoption to prevent the existence of the child being known in her own community, we communicated with a New York City adoption agency which was willing to offer service. The agency, however, pointed out that if the child proved to be not adoptable serious problems might arise in establishing long time care for the child whose mother would not have residence in New York State.

"Considerable difficulty is encountered in the cases of families who have lived abroad for several years because of employment with the United States Government or American companies and have consequently lost State residence when they need placement service in the United States for the seriously disturbed or defective child unless they are able to meet all of the expenses for the child's care.

"In addition to these problems, we see residence laws as restrictive in relation to the best welfare of the immigrant and as to the United States as a whole. We believe that all immigrants who come to the United States should be able to move about freely to assure their integration in the life of the United States and their making a maximum contribution to this country since they are admitted to the United States instead of to any particular state."

Source: Statement submitted by Miss Mary T.  
Davis, Case Consultant  
April 12, 1957

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE NATIONAL ASSOCIATION FOR MENTAL HEALTH

"The National Association for Mental Health is aware that residence restrictions to the provision of personal services often block such provision and permit psychiatric problems to become aggravated. These problems might have been treated during an earlier and more hopeful stage. We consider this delay hardly worthy of a civilized people. We also recognize that the intent of resident requirements is usually badly conceived. The intent of such requirements seems to be to prevent the citizenry of a community from bearing an excessive and unwarranted financial burden for service to people from other communities. Actually when the barriers are down, excepting perhaps in a few instances, the cost of provision for such service to the residents of other communities is balanced by provision provided by other communities, and there is a saving for both through the elimination of transportation costs.

"In addition to the damage done to the mentally ill by these restrictions, there is also the damage to mental health that accompanies restrictions of service falling within other fields such as education, social welfare, etc. Especially damaged are the migrant families whose children are denied educational and other services. These families are not a floating indigent group, but are in fact an economic necessity to their host communities."

Source: Letter from Dr. George S. Stevenson,  
National and International Consultant

March 13, 1957

(Reconfirmed April 1959)



WHAT THEY SAY ABOUT RESIDENCE LAWS

NATIONAL ASSOCIATION OF SOCIAL WORKERS

A COMPREHENSIVE PUBLIC WELFARE PROGRAM

"Local, state and federal laws should be modified to make possible comprehensive noncategorical social welfare programs of adequate financial and medical care for all persons in actual economic need, and programs of prevention, protection, and care, and other services for adults and children who need them. Under such laws it should not be possible to deny assistance and services to any person in actual need of benefits or services otherwise available, whatever the age, race, religion, condition, political affiliation, or residence and citizenship status of the applicant or the acts or failure to act of persons other than the applicant. Public welfare services should be available in all parts of the country, and all jurisdictions in the United States, including the Commonwealth of Puerto Rico and the Virgin Islands, should participate in federal programs under the same policy and financial provisions.

Source: Excerpt from the National  
Association of Social Workers'  
Goals of Public Social Policy,  
Adopted by the Delegate Assembly

May, 1958

NATIONAL CHILD LABOR COMMITTEE

"The National Child Labor Committee is opposed to the use of residence as a requirement for eligibility for health, welfare and other governmental services. Residence laws impose undue hardships on migratory farm families whose livelihood depends upon their moving with the crops from state to state. They perform an essential service to the community in harvesting crops at a crucial time, and as citizens contributing to the local economy, they should not suffer this discrimination.

"The National Child Labor Committee is particularly concerned with the effect of the residence requirements on the children of agricultural migrant families. In effect "non-residents," these youngsters get less educational opportunity than any other group in our population, are most exposed to the dangers of child labor and are thereby handicapped in achieving their full potential as productive working adults in our economy."

Source: Statement by Eli E. Cohen,  
Executive Secretary, National  
Child Labor Committee

March 2, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST  
IN THE UNITED STATES OF AMERICA

"In most states residence requirements, archaic in present-day mobile America, prevent or modify the way in which people can be assisted by all these (Public Assistance) programs. Some states continue to impose citizenship requirements which are often more damaging in their consequences. The National Council of Churches believes that such requirements which serve to penalize people in need should be eliminated."

Source: The Churches' Concern for Public Assistance, an official pronouncement adopted by the General Board of the National Council of Churches, June 1958

NATIONAL COUNCIL OF JEWISH WOMEN

"The NCJW, dedicated to the Jewish tradition of devotion to the family, believes that the full development of the child depends upon the home and the factors that contribute to a strong family life, and that the dignity of the individual as well as the health of the family and the total community is basic to a free society. By fully utilizing our resources as a nation through governmental and voluntary services, it is possible to insure the highest level of opportunity for growth of which each individual is capable.

"IT THEREFORE RESOLVES

1. To work for a social security program which will provide:
  - (a)
  - (b)
  - (c)
  - (d) Elimination of requirements for stipulated residence periods as an eligibility factor for public assistance.

Source: The Resolutions of the National Council of Jewish Women, adopted at the 23rd Biennial Convention, Los Angeles

February 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

NATIONAL COUNCIL ON ALCOHOLISM

"Alcoholics are sick people and should be treated in communities where treatment can be made available regardless of their legal residence. They should not be refused treatment because of archaic settlement laws which require residence in order to be eligible for relief and medical care. We should join with the efforts of social agencies and other community organizations seeking repeal of settlement laws which prevent the treatment and rehabilitation of these human beings."

Source: Excerpt from Statement adopted  
by Committee on the Homeless and  
Institutional Alcoholic in  
March, 1957

(Reconfirmed April, 1959)

NATIONAL FEDERATION OF SETTLEMENTS AND NEIGHBORHOOD CENTERS

"That the Federal government participate financially only in those assistance and other welfare programs which are available to all eligible persons within the state without restrictions as to residence, settlement or citizenship requirements."

Source: Resolution Adopted at the  
Annual Meeting

May 10, 1958

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE NATIONAL TRAVELERS AID ASSOCIATION

Resolutions Adopted at the National Travelers Aid Association Biennial Convention, April 22, 1958

RESOLUTION NO. 1

"BE IT RESOLVED, that the National Travelers Aid Association and its members and their delegates, acting for local Travelers Aid Societies, expressly oppose all statutes in the various States and the District of Columbia, requiring a prescribed length of residence as a condition of obtaining public assistance and services and hereby approve, ratify and confirm the Statement of Principles on Residence Laws adopted on March 23, 1956, by the Board of Directors of the National Travelers Aid Association, which was as follows:

"1. That, as a matter of fundamental human right, an individual may choose the place best suited to his needs as his place of residence;

"2. That there derives from this the right of the individual to move freely from place to place without hindrance or penalty;

"3. That a person who has exercised the right of free movement should be on an equal footing with all others; that human needs such as food, clothing, shelter, and medical care should be met as such, regardless of whether the person in need is a long-established resident of the community, a newcomer to the community or in transit to some other place; specifically also

"4. That the right of free movement is contravened by arbitrary length of residence requirements affecting eligibility, in the community where the need arises, for basic maintenance assistance, medical care, hospitalization for mental illness or other necessary services financed by public funds;

"5. That, consequently, the right of free movement can be preserved only through removal of length of residence requirements;

"6. That National Travelers Aid Association is dedicated to helping people with problems arising out of movement, and has a responsibility to take leadership in securing the removal of any impediments to free movement."

RESOLUTION NO. 2

"BE IT RESOLVED, that all local Travelers Aid Societies be urged to develop programs in their communities and their States looking toward the relaxation and eventual repeal of all statutes requiring a prescribed length of residence as a condition of obtaining public assistance and services; and,

"BE IT FURTHER RESOLVED, that the National Travelers Aid Association assume the leadership of such movement, and that it be authorized to take all such action and proceedings with relation thereto, including the appointment and development of such committee or committees, both national and local, as may be appropriate and as it shall deem necessary and proper."

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE NATIONAL TUBERCULOSIS ASSOCIATION

"Residence and local settlement laws and regulations frequently work a hardship on the tuberculosis patient. Millions of our citizens change their state residence every year. These laws and regulations may delay or even exclude hospitalization or treatment. This delay in hospitalization may extend opportunities for infection to more persons.

"The foregoing facts and principles are recognized as barriers and obstacles to the satisfactory administration of a tuberculosis control program."

Source: Report of Committee on  
Social and Economic Pro-  
blems, Adopted by Board  
of Directors

May 25, 1952  
(Reconfirmed April, 1959)

THE SALVATION ARMY

"By direct observation the Salvation Army has evidence that residence requirements as a condition to receiving public assistance or hospitalization do more harm than good. They result in human suffering, are costly to administer, cause serious disagreements between responsible administrations and save very little money for most states."

Source: Statement from Lt. Col.  
Chester Brown

May 6, 1957  
(Reconfirmed May, 1959)

WHAT THEY SAY ABOUT RESIDENCE LAWS

UNITED HIAS SERVICE

"The United Hias Service, which carries certain responsibilities for the settlement of newly arrived residents of the United States, is vitally interested in the total adjustment of the newcomers to the cultural, economic and social patterns which affect the lives of the whole family.

"Our general concern about residence laws is the same as that of family welfare agencies. In addition, we must anticipate problems of persons with special needs not only in terms of being eligible for public assistance, but in getting started in their chosen profession.

"Among such groups which face immediate restrictions upon arrival in the United States are certain professionals. Every state in the union has in its statutes varying kinds of legislation restricting the participation of aliens in the professions and occupations. We feel sure you will want to take this factor into consideration in discussions on residence requirements."

Source: Letter from James P. Rice,  
Executive Director, United  
Hias Service

May 11, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION

"The National Board of the YWCA has not made a comprehensive study of the social implications of state residence laws in relation to public assistance, and thus has not taken a stand on this matter up to this time. From my personal experience in local YWCAs, I am aware of the fact that frequently the application of the test of residence as a prerequisite for receiving public assistance works a grave hardship on those persons needing emergency assistance.

"Many YWCAs operate residences to serve young women away from home for the first time. Occasionally a YW resident with a low income will become ill, lose her job or have a mental breakdown. She is denied local help because she is legally a non-resident of the state and is forced to return to a community which in many instances is unable to give her the services which she needs. A case in point involved a YWCA resident who after moving to a city, where I was employed as executive director of the YWCA, became violently insane. Because of the residence requirements for admission to a local mental hospital, she had to be transported to a state 1500 miles away where she had legal residence, but where she had no real roots. This requirement likewise worked a hardship on her sister who also lived in our YW residence and could not afford to visit her ill sister in the distant state. Additional and expensive travel costs were also involved as it was necessary to have the patient accompanied by two attendants plus the expense and inconvenience of having these two nurses take time off from their work at a local hospital where their services were sorely needed.

"For a period of four years in addition to my duties as executive director of a YWCA, I served as a local representative of the Travelers' Aid Society. In smaller communities where there is no Travelers' Aid Society it is not an uncommon practice for the YWCA to assume the responsibility on a cooperating agency basis. These YWCAs are acutely aware of the difficulties involved in helping out-of-state travelers. Before the worker can offer any type of financial assistance or emergency help, she must receive an authorization from an agency or individual in the state in which the stranded traveler has legal residence. Oftentimes the client is a migrant worker who has not remained in a community long enough to meet the residence requirements, or a lone person who has no friends or relatives or is not known to any social agency. These people, many of whom have never needed assistance before, should be served with as little delay and equality as is a local resident. An additional difficulty often occurs over the week end or at night when it is almost impossible to obtain financial assurance or authorization from an out-of-state agency.

"The mobility of the population and the frequency with which Americans shift jobs across state lines indicate the need for a reevaluation of residence requirement laws as a prerequisite for social assistance. Other methods can be worked out for dealing with this problem so that the best interests of the client can be served and states are not overburdened with providing aid for temporary residents."

Source: Statement from Florence Worrell  
Director of Public Affairs  
National Board of the YWCA

April 29, 1959



WHAT THEY SAY ABOUT RESIDENCE LAWS

UNITED SEAMEN'S SERVICE

"Mobility is an essential part of sea-faring. Needs of shipping vary from port to port with seasonal and industrial changes. The ability of our maritime industry to meet these shifting needs of our industrial community depends upon the ability of seamen to move from port to port. Frequently this period between ships is the only time seamen can spend with families. Restrictive residence and settlement laws place undue hardships on an important segment of our industrial population. A segment whose work requires extreme mobility.

"Freedom to travel and freedom to trade are essential parts of our lives. Permissive laws are important factors in the continued dynamism of our society."

Source: Statement by Otho J. Hicks,  
Executive Director, United  
Seamen's Service

AMERICAN FOUNDATION FOR THE BLIND

"The American Foundation for the Blind recognizes the existence of conditions in the past which prompted the several States and many localities to establish residence requirements as one of the criteria of eligibility for various social welfare services and benefits. There are undoubtedly some areas where such conditions may still prevail. However, the Foundation feels that residence requirements generally are archaic in our contemporary society and work an undue hardship on individuals who would otherwise be entitled to services or benefits essential to their welfare. Therefore, the Foundation believes that elimination of residence requirements for entitlement to social welfare benefits should be encouraged, especially for those benefits which are largely supported by Federal funds."

Source: "Statement of the American  
Foundation for the Blind  
Concerning Residence Laws",  
M.R. Barnett, Executive  
Director

May 12, 1959

WHAT THEY SAY ABOUT RESIDENCE LAWS

AMERICAN COUNCIL FOR NATIONALITIES SERVICE

"Probably the most widespread welfare problem and one of the most serious ones lies in the many conflicting standards and requirements relating to availability of welfare services to newcomers on state and local levels. For various reasons these standards have developed in various ways and different residence requirements have been imposed in different areas. This heterogeneity may be historically inevitable but it confronts the immigrant with dire problems, distinguishing him to his disadvantage from those of the native-born non-resident of the area in question.

"Our residence laws affect the immigrant - the whole family - as they affect families of native birth, but the impact of such laws bears more heavily upon them because they affect needs other than public assistance and health and because as immigrants they face special cultural and emotional problems.

"Under our national immigration laws, immigrants are admitted to permanent residence in the United States, not in particular localities, but unlike native-born Americans they have no established local legal residence to which they can return in order to enjoy necessary public services. Even the practice of their professions and occupations are closed to the alien or greatly restricted by residence, citizenship, and related requirements imposed by state or local statutes or licensing bodies.

"However, it should be pointed out that in advocating more uniform standards and less rigorous residence requirements we expose the alien to another grave problem: jeopardizing him by making him liable to the accusation of having become a public charge through his acceptance of certain welfare services. This is a dilemma inherent, of course, in our basic immigration law which renders immigrants deportable under these conditions. Nevertheless, as a matter of principle, an increase in the availability of welfare services is good public policy and such services should not be denied to newcomers or to native-born individuals and families."

Source: Letter from Gilbert Convers,  
Assistant Director, American  
Council for Nationalities  
Service

May 19, 1959