

May 7, 2020

My name is Deborah Malaga. My husband and I reside in SW Minneapolis with our two children. Our children were both born in Minneapolis, and are ages 2 and 5. I am a public school educator and have worked as a licensed school counselor in Saint Paul Public Schools for 14 years. I am a member of SPFE 28 Union.

My family is what is known as a mixed-status family. I am a United States citizen and my husband is in immigration limbo. We were married in MN on January 3, 2017 and soon after we began the legal immigration petition process with an immigration attorney. We are currently about half way through the process of my husband's petition, but his application is currently on hold due to the global pandemic. He was scheduled for biometrics on March 19, 2020, which is a critical step in the entire process. The Saint Paul office where he was scheduled to do this closed due to COVID-19 on March 18, 2020. We were told to wait until we receive notice about a new appointment with no estimated timeline. In the meantime, he continues without a social security number and files his taxes every year with a valid tax ID number that is provided by the IRS.

Since we were married, my husband and I have always filed our taxes together. I, as a US citizen, use my social security number and he files with his tax ID. Our children are claimed as dependents with their social security numbers. I was incredibly saddened and personally hurt when I learned that my entire family is ineligible for the CARES Act stimulus aid because my husband uses a tax ID number to file taxes. As a family, we meet the financial guidelines to receive the financial support. We earn less than \$150,000 together and I individually earn less than \$99,000. Three US citizens in my family have been excluded from this financial support that we qualify for. We have been left behind. I understand that my husband unfortunately does not qualify at this time, but I find it difficult to comprehend why my children and I were excluded. It is estimated that there are approximately 16 million mixed-status families in the United States, and we were all ineligible for the CARES Act. Our US citizen children were excluded. It is not right. Many of us are essential workers right now.

I wrote to Senator Amy Klobuchar and Senator Tina Smith about my concerns at the end of March, 2020 when I was trying to learn more information about eligibility and if my family would qualify for the CARES Act. On April 2, 2020 I received a response from a staffer in Tina Smith's office. She said that the only way my family could qualify is if I had served in the US military. *"Thanks for reaching out to Senator Smith. I have asked my colleagues to look into your questions, and unfortunately it does not seem that your family will benefit from the stimulus checks unless you have served in the military. I have copied the relevant section of the law below (Section 2201)."*

I serve my country and my community as a public school educator. My husband earns \$14.00 an hour and does not have health insurance. He carries a letter in his wallet verifying that he has been classified as an essential worker during this time. I am not allowed to add him to my employer sponsored health insurance because he does not have a social security number. We

could have greatly benefited from the stimulus aid. We are fortunate that we are both currently working at the moment, but his situation is precarious as he does not have a social security number. We are not eligible for any other financial benefits other than the CARES Act because our income is too high. We did not qualify for the assistance offered by the city of Minneapolis, for example. My husband and I are both working so unemployment is not something that we are in need of right now, but many mixed status families need it and often only one adult qualifies. Families take home income has been drastically reduced in many cases. There are many mixed status families in much more dire financial situations than me and I write this statement thinking of them. In some mixed status families, both adults are out of work and because one family member uses a tax ID the entire family was excluded from the stimulus aid. Countless US citizen children were excluded from the \$500 stimulus aid due to this situation.

In my family's case, our immigration petition is pending. We have done everything correctly, as people say. We hired an immigration attorney. We spent hours and hours putting our petitions together. So far, two petitions have been submitted -each one well over 150 pages. I feel that excluding an entire mixed status family is unethical and cruel, especially while our marriage petition is pending and currently on hold indefinitely due to the pandemic.

When I confirmed with my tax preparer that we were indeed not going to receive the stimulus check the first thought I had was a quote from James Baldwin, "It comes with great shock...to discover that the flag to which you have pledged allegiance...has not pledged allegiance to you." I know this is not our family story alone. I recently learned that according to the Minnesota state demographer, there are 175,019 mixed status households in Minnesota that we need to make sure are protected and part of the reciprocal allegiance we owe to every citizen in this state.

Thank you for your time and consideration of HF 4611 (SF 4540) to establish an emergency community relief grant program.

Sincerely,

Deborah F. Malaga  
Minneapolis resident, 55410