

THE CENTER FOR EST. 1913
COMMUNITY SOLUTIONS
RESEARCH • ANALYSIS • ACTION

December 10, 2018

Department of Homeland Security
20 Massachusetts Avenue NW
Washington, DC 20529-2140

Re: DHS Docket No. USCIS-2010-0012, RIN 1615-AA22, Comments in Response to Proposed Rulemaking: Inadmissibility on Public Charge Grounds

Dear Sir/Madam:

I am writing on behalf of The Center for Community Solutions to express strong opposition to the Department of Homeland Security's proposed Rule "Inadmissibility on Public Charge Grounds" and ask that the Rule be withdrawn. The deeply flawed Rule unravels decades of sound and settled public policy that draws a clear and responsible line between those public benefits which may be used without causing public charge consequences for immigration purposes and those that may not.

The Center for Community Solutions in Cleveland, Ohio provides strategic leadership and organizes community resources to improve health, social and economic conditions through applied demographic research, nonpartisan policy analysis and advocacy and communication. Our research in the areas of poverty, hunger, public health, maternal and infant health, and the opioid crisis leads us to believe that the rules as proposed would lead to greater poverty, food insecurity, maternal and infant mortality, and harm public health.

For almost two decades, U.S. immigration officials have explicitly reassured, and immigrant families have relied on that reassurance, that participation in public programs would not affect their ability to become lawful permanent residents. The proposed Rule would reverse longstanding existing law, policy, and practice in interpreting the public charge law, where the receipt of non-cash benefits has never been the determining factor in deciding whether an individual is likely to become a public charge. If adopted, the rule would lead to a hungrier, sicker and poorer nation, and

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would have the most severe impact on immigrants who are people of color, children, seniors, non-English speakers and low- or moderate-income earners.

The proposed Rule would spur immigrants who are legally authorized to participate in SNAP and other programs, including Medicaid, Medicare Part D, and housing assistance, to forgo assistance or disenroll, jeopardizing their food security, health, well-being, and economic security. As the Administration acknowledges, public benefits “play a significant role” in the lives of recipients (83 Fed. Reg. 51,163). These programs provide critical support to assist individuals and families to work, to attend school, and to maintain and improve their health. When individuals and families access these vital programs the entire community and country benefits — when they do not, food security, health, education, and economic security suffer.

Pursuant to the Department of Homeland Security’s (DHS) own admission on page 51,270 of the proposed Rule: “Disenrollment or forgoing enrollment in a public benefits program by aliens otherwise eligible for these programs could lead to:

- Worse health outcomes, including increased prevalence of obesity and malnutrition, especially for pregnant or breastfeeding women, infants, or children, and reduced prescription adherence
- Increased use of emergency rooms and emergent care as a method of primary health care due to delayed treatment
- Increased prevalence of communicable diseases, including among members of the U.S. citizen population who are not vaccinated
- Increases in uncompensated care in which a treatment or service is not paid for by an insurer or patient
- Increased rates of poverty and housing instability
- Reduced productivity and educational attainment”

The harms of the proposed Rule would amount to a cost shift to states and localities. States and localities should not have to bear the costs of federal withdrawal of assistance to people who depend on safety net and public benefit programs. Under the proposed Rule, state and local governments would again face costs that would be associated with the loss of federal funds for public benefits, as well as the harms to health, food security, economic security, education, and well-being of families resulting from the loss of public benefits.

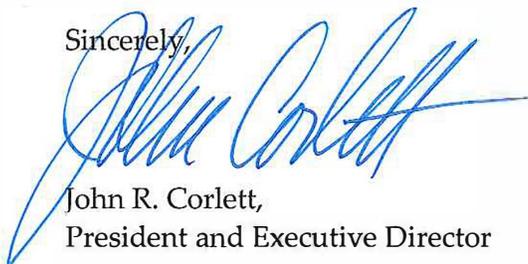
The Rule will generate confusion among immigrant families, government agencies, schools, social service providers, charitable networks, and advocates as to whether families could receive benefits without putting their or a loved one's immigration status at risk, and place additional strains on provider networks. Immigrants will struggle with how to make sense of this complex Rule and how it could jeopardize the immigration status of oneself or a family member. Likewise, service providers — including government agencies, schools, medical providers, safety net hospitals, faith-based organizations, and charitable organizations — that work with immigrant families or administer SNAP and other public benefit programs will be at a loss as to how to interpret the proposed Rule and advise immigrant families.

The Rule would create upstream and downstream harms to state and local economies, large and small businesses, and individuals. In the announced rule, the Department of Homeland Security notes how the rule “could have downstream and upstream impacts on state and local economies, large and small businesses, and individuals.”

In conclusion, the combination of decreased participation in SNAP, Medicaid, housing assistance, Medicare Part D Low-Income Subsidy, and other nutrition programs resulting from the Rule would lead to a hungrier, sicker, and poorer nation. The impact of individuals and families foregoing needed support from the programs specifically targeted in the Rule and other federal nutrition programs will be higher rates of food insecurity and hunger.

For these reasons, the Department should withdraw its current proposed public charge Rule, and dedicate its efforts to advancing policies that strengthen — rather than undermine — the ability of immigrants to support themselves and their families in the future.

Sincerely,



John R. Corlett,
President and Executive Director