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Samantha Deshommnes, Chief
Regulatory Coordination Division
U.S. Department of Homeland Security (DHS)
U.S. Citizenship and Immigration Services (USCIS), Office of Policy and Strategy 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 Chief Deshommnes,

First 5 LA appreciates the opportunity to comment on the proposed rule change to the public charge. First 5 LA strongly opposes the expansion of the public charge definition for immigrants seeking to legally adjust their status, and urges DHS to rescind the proposal.

This ill-advised proposed rule change is antithetical to America's founding as a nation of immigrants. It compromises our state's economy and it erects barriers to the services and supports vital to children being healthy, safe and ready to learn. And most importantly, it jeopardizes the well-being of children, regardless of their immigration status.

All families have a right to engage with the public systems that exist to serve their health, education, and caregiving needs without fear of judgement or reprisals. With nearly one in four children nationwide having at least one immigrant parent, this proposed rule change will hurt, instead of help, millions of young children.

Established 20 years ago, First 5 LA was tasked directly by California's voters to urge leaders and lawmakers to prioritize the wellbeing of children in policy and budget decisions. In partnership with others, we work to strengthen families, communities,

and systems of service and supports so all children in Los Angeles County enter kindergarten ready to succeed in school and life by 2028.

We have learned from our network of early care and education providers, parent leaders and community groups that many parents are being forced to make life altering decisions to keep healthy, feed, or house their children versus legally adjusting their own status. Making such decisions are unimaginable for any family to endure, as many already do so out of fear of being denied legal status or deported, hindering their health, productivity and stability.

As a leading public grant-maker and advocate for young children and families in Los Angeles County, First 5 LA is deeply concerned that the inclusion of public benefits such as Medicaid (Medi-Cal), Special Nutritional Assistance Program (SNAP), and Section 8 housing assistance subsidies will prevent families from accessing vital support services that provide for the healthy and optimal development of children and families. These public benefits are meant to support all Americans, including new immigrants and their families as they play by the rules and work to legally adjust their status.

We believe the rule expansion will have an incredibly adverse effect on child and family stability—including those who are not subject to the public charge test—and will have a disproportionate impact on states like California where one in two children have one immigrant parent.

We know Medicaid, SNAP, and housing assistance programs allow low-income immigrant families the opportunity to keep their children free of sickness, hunger, and homelessness while they work to support their families and lawfully adjust their immigrant status. The majority of young children who would benefit from these programs are, in fact, American born citizens and would nonetheless be penalized by this proposed rule change. Installing obstacles to these programs make our country, state, and specifically Los Angeles County unhealthier, hungrier, and poorer, and will increase the cost of federal benefits in the future.

California and Los Angeles County will see the largest impact from the rule change. Our state is home to more than 39 million people with over 10 million immigrants.³ California's immigrants pay billions in taxes to help support public benefits, yet access these services less often than U.S. born families. Los Angeles County—with one of the highest concentration of immigrants in the country—will see families forced to make life altering decisions between keeping their children healthy, nourished, and safe versus seeking legal permanent residency status.

The proposed rule is already creating a chilling effect among immigrant communities. We have heard from our early learning and health provider partners that immigrant families are removing themselves and their children from public programs they are legally entitled to access, putting the health and development of their children in jeopardy. As fear surrounding the public charge grows, children have stopped participating in child care and families have been canceling medical appointments. Nationally, 24 million people and 9 million children from immigrant families are projected to withdraw or refuse public benefits, representing 13% of the U.S. child population. Similar confusion and fear was seen in 1996 after the implementation of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), leading to a large reduction in the access of public services, even when qualified, putting the health and well-being of immigrant families at-risk for generations.

Safety net programs like Medicaid (Medi-Cal) and SNAP are intended to ensure families have access to basic services and supports, which lead to increased positive outcomes for children. Ninety percent of a child's brain is developed by age five, making consistent access to health services especially important during this critical time. The rule expansion will have a disproportionate impact on children, especially as it relates to accessing and receiving timely and critical health services.

According to the California Health Care Foundation, nation-wide 4.8 million children who are in need of medical assistance and rely on Medicaid and the Children's Health Insurance Plan (CHIP) for services live in households with one immigrant adult. Of

these children, up to 1.7 million will likely dis-enroll from these programs, including newborns and children living with life threatening diseases and those who require prescription medications. This lack of health care access will lead to higher health disparities among these children. Moreover, the advance of treatable conditions, including communicable diseases, will increase.

Research confirms that when parents have access to health care services their children have higher utilization rates and better health outcomes. In Los Angeles County, Medi-Cal covers over 1.7 million immigrant families, many with children, providing wellness checks, maternity and newborn care, access to developmental screenings and interventions, and several preventative services. Elimination of these services will lead to negative health outcomes, compromising the healthy development of our youngest residents, increasing healthcare costs, emergency room usage, and the probability of their reliance on public benefits in the future.

Similarly, the Special Nutritional Assistance Program (SNAP), or CalFresh in California, provides nutritional support for over 4 million Californians, of which 74% include families with children. Throughout California, over 1.6 million children are food insecure, with 439,000 living in Los Angeles County.¹¹ The CalFresh program provides nutritional support for over 1 million residents in the County, including support to 35,000 immigrant families.¹² The reduction in use of the CalFresh program means that low income immigrant families will lack the support to provide nutritious meals for their children so they can perform well in school and lead healthier lives.

When children are well-nourished they have increased positive educational outcomes. Additionally, immigrant parents themselves will lack the nutritional support needed to be productive members of the workforce to provide for their children. CalFresh allows families the opportunity to free up their income to provide for other basic needs. If implemented, the rule change could lead to the disenrollment of up to 99,000 individuals in Los Angeles County.

One in four children already experience housing instability in California, leading to overcrowded homes and homelessness. The Section 8 housing assistance program is designed to provide stable and safe housing options for low-income residents, especially families with children. In Los Angeles County, there are over 50,000 homeless individuals, including 4,000 children. However, public benefits, such as Section 8, which currently serve over 23,000 families in the County with a utilization rate of 93%, were established to ensure that if needed, residents could provide a nurturing home for their children and families to live, learn, and be healthy. Families who receive housing assistance are less likely to live in overcrowded homes, become homeless, and move frequently. The inclusion of Section 8 will increase the prevalence of homelessness and the trauma associated with it and contribute directly to family instability.

The public charge expansion will not discourage immigrants from migrating to the U.S. but rather those who need vital support services simply will not seek essential support for themselves or their children. The proposed rule will increase illness, hunger, and homelessness with profound negative outcomes for children during childhood and into adulthood. Entire communities benefit when all families have access to food, shelter and health care, and pay the costs when access is withheld.

Newcomers to America push our economy forward with their skills and ideas. We need to implement policies to harness that energy for our nation in order to help build a stronger economy and a brighter future for children and adults alike. Our immigration regulations at every level should reflect the deep American belief that people are people, and should be treated with respect.

First 5 LA is opposed to this rule change because it ultimately harms the wellbeing of young children in Los Angeles County, and across California, by leading to increased income, education and health disparities in the U.S.

There is a shared responsibility, and a shared benefit, from improving the health and well-being of all young children. This proposed public charge expansion can and will have a devastating effect on young children.

For all these reasons, and on behalf of the 650,000 Los Angeles County children, we stand in firm opposition to the expansion of the public charge.

If we can be of further assistance, please contact Jamie Zamora, Senior Government Affairs Strategist, at jamora@first5la.org or 213.482.7505 and Anais Duran, Government Affairs Strategist at aduran@first5la.org or 213.482.7572.

Sincerely,

Kim Belshé Executive Director

Endnotes:

1 Samantha Artiga & Anthony Damico. Nearly 20 Million Children Live in Immigrant Families That Could Be Affected By Evolving Immigration Policies. Washington, DC: Henry J. Kaiser Family Foundation, 2018. [link](#)

2 California Children in Immigrant Families: The Health Provider Perspective Fact Sheet. Los Angeles, CA: The Children's Partnership, 2018. [link](#)

3 Han Johnson & Sergio Sanchez. Immigrants in California. Sacramento, CA: Public Policy Institute of California, 2018. [link](#)

4 U.S. Immigrant Population By State and County. Washington, DC: Migration Policy Institute, 2012-2016. [link](#)

5 FPI Estimates Human & Economic Impacts of Public Charge Rule: 24 Million Would Experience Chilling Effects. New York, New York: Fiscal Policy Institute, 2018. [link](#)

6 Fix, M., & Passel. The Scope and Impact Welfare Reform's Immigrant Provisions. Washington, DC: Urban Institute, 2002.

7 Jennifer Laird, Neeraji Kaushal, Jane Waldforgel, Christopher Wimer. Forgoing Food Assistance out of Fear. Changes to Public Charge Rule May Put 500,000 More U.S. Citizen Children at Risk of Moving Into Poverty. Columbia Population Research Center, 2018. [link](#)

8 Leah Zallman and Karen Finnegan. Changing Public Charge Immigration Rules: The Potential Impact on Children Who Need Care. Sacramento, CA: California Health Care Foundation, 2018.[link](#)

9 Institute of Medicine. Health Insurance is a Family Matter. Washington, DC: The National Academies Press, 2002. [link](#)

10 SNAP Fact Sheet for California. Washington, DC: Center on Budget and Policy Priorities, 2018. [link](#)

11 Carol Medlin, Ph.D. and Erin McDonald, Ph.D. Map the Meal Gap 2018: A Report on County and Congressional District Food Insecurity and County Food Cost in the United States 2016. Chicago, IL: Feeding America, 2016. [link](#)

12 Annual Impact Estimates of Potential Disenrollment from Select Benefits by Immigrant Populations in Los Angeles (Fact Sheet). LA Office of Immigrant Affairs. Los Angeles, CA, 2018.

13 Research Summary: School Nutrition and Academic Achievement. Oakland, CA: California Food Policy Advocates, 2016. [link](#)

14 Ninez Ponce, Laurel Lucia, Tia Shimada. How the Proposed Changes to the Public Charge Rule Will Affect Health, Hunger, and the Economy in California. Los Angeles, CA: The UCLA Center for Health Policy Research, 2018. [link](#)

15 A 2018 Snapshot of Homelessness in LA County. Los Angeles, CA: USC Neighborhood Data for Social Change, 2018. [link](#)

16 By the Numbers: Affordable Housing. Los Angeles, CA: Los Angeles Community Development Commission [link](#)

17 Michelle Wood, Jennifer Turnham, Gregory Mills. Housing Affordability and Family Well- Being: Results from the Housing Voucher Evaluation. Housing Policy Debate 19 (2008). [link](#)

18 Caroline Ratcliffe, Signe-Mary McKernan. Effects of Poverty, Hunger and Homelessness on Children and Youth. Washington, DC: American Psychological Association, 2012. [link](#)