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U.S. Citizenship and Immigration Services  
Department of Homeland Security  
20 Massachusetts Avenue NW  
Washington, DC 20529-2140

**RE: Comments on Proposed Regulation – Inadmissibility on Public Charge Grounds (DHS Docket No. USCIS-2010-0012)**

Dear Sir or Madam:

I am writing on behalf of the Sobrato Family Foundation (Foundation) to express our strong opposition to the Department of Homeland Security's Notice of Proposed Rulemaking ("proposed rule") on "public charge," published in the Federal Register on October 10, 2018. The proposed rule would cause major harm to immigrants and their families and place a tremendous burden on localities, states, and philanthropy. **We urge that the rule be withdrawn in its entirety, and that the 1999 guidance remain in effect.**

Founded in 1996, the Sobrato Family Foundation is focused on promoting access to high-quality education, career pathways, and essential human services in Silicon Valley. The mission of the Foundation is to make Silicon Valley a place of opportunity for all residents and, since our founding, the Foundation has given over \$380 million to support impacted communities.

The Foundation is committed to promoting economic opportunity for all, and we recognize that a healthy and vibrant Silicon Valley is a place where all families, regardless of immigration status, can grow and thrive. The proposed rule threatens our local communities and undermines our significant philanthropic investments in education, human services, and workforce development in the region.

***Prioritizing and Protecting the Well-Being of Immigrant Families is Critical to Strong Communities***

The proposed rule undercuts efforts to promote the economic mobility and social inclusion of immigrants and their families, fundamental values upon which our country is based. The benefits of immigrant integration to broader society are well documented. Immigrants are a large and growing share of the workforce, pay taxes, and support local economies as consumers and entrepreneurs.<sup>1</sup> From job creation to higher wages to community revitalization, the full inclusion of immigrants in our communities brings a host of positive economic impacts, benefiting everyone in the community.<sup>2</sup>

If enacted, the proposed rule would be detrimental to communities across Northern California. The proposed rule will threaten the health and well-being of millions of immigrant families, exacerbating hunger, child poverty, and homelessness among immigrants and U.S. citizen children living in mixed-status families. A report by the Kaiser Family Foundation estimates that nearly all noncitizens that

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<sup>1</sup> See PolicyLink, *Immigrant Inclusion: Good for Families, Communities, and the Economy* (2016).

<sup>2</sup> *Id.*

entered the United States without legal permanent resident status have at least one characteristic that could potentially weigh negatively against them in a public charge determination under the proposed rule.<sup>3</sup> California is home to 10.7 million – almost a quarter – of the nation’s immigrants.<sup>4</sup> Because immigrants are interwoven throughout our social and economic fabric, the negative consequences of the proposed rule and its chilling effects will reverberate across the communities where they live and work.<sup>5</sup>

Communities throughout Silicon Valley, the region in which the Sobrato Family Foundation primarily works, stand to be greatly impacted by the proposed rule change. According to the Migrant Policy Institute, 35% of noncitizens in Santa Clara County and 41% of noncitizens in San Mateo County live in families whose benefits could be considered in a public-charge determination. In Santa Clara County there are approximately 117,600 noncitizens who live in families that receive some sort of cash or noncash benefits; there are more than 46,400 of these individuals in San Mateo County.<sup>67</sup> These families are a vital part of our communities and we value the diversity of our region.

### **The Proposed Rule Threatens Vital Human Service Systems**

The Sobrato Family Foundation has been investing in organizations providing essential human services, including health care, shelter, food, and emergency assistance, since its inception. These services are absolutely crucial to members of our communities. The proposed rule will put a strain on the organizations and institutions that work with and provide services to immigrants and their children, including hospitals, community centers, social service agencies, and food banks, among others. The proposed rule is expected to lead to significant decreases in Medicaid participation among legal immigrant families and their primarily U.S.-born children, leading to higher uninsured rates and worse health outcomes.<sup>8</sup>

As fewer immigrant families use publicly-funded human service programs, the demand for privately-funded services – like those supported by philanthropic and other charitable dollars – will likely increase. Philanthropy will be compelled to divert resources to meet the increased need. However, while philanthropy is well-situated to supplement and enhance public services, it is not sustainable or possible for philanthropy to fill the void due to decreased participation in government-run programs, lacking both the scale of resources and the delivery mechanisms deployed by the government.

### **The Proposed Rule Rolls Back Philanthropic Investments**

The proposed rule will roll back decades of investment by philanthropy to increase immigrant families’ access to health and social services, reduce racial and ethnic disparities, improve community health and

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<sup>3</sup> See Samantha Artiga, et al., *Estimated Impacts of the Proposed Public Charge Rule on Immigrants and Medicaid*, Kaiser Family Foundation (October 2018).

<sup>4</sup> See Jeanne Batalova, et al., *Chilling Effects: The Expected Public Charge Rule and Its Impact on Legal Immigrant Families’ Public Benefits Use*, Migrant Policy Institute (June 2018).

<sup>5</sup> Id.

<sup>6</sup> See Jeanne Batalova, et al., *“Chilling Effects” of the Proposed Public-Charge Rule in San Mateo County, CA*, Migrant Policy Institute (November 2018).

<sup>7</sup> See Jeanne Batalova, et al., *“Chilling Effects” of the Proposed Public-Charge Rule in Santa Clara County, CA*, Migrant Policy Institute (November 2018).

<sup>8</sup> Id.

wellbeing, help families weather temporary financial pressures and illnesses, and facilitate long-term self-sufficiency and upward mobility.

The proposed rule will fundamentally and adversely impact the well-being of communities across California and the nation; therefore, we urge that the rule be withdrawn in its entirety.

Sincerely,

Rick Williams  
President and CEO  
Sobrato Family Foundation