

THE KRESGE FOUNDATION

November 5, 2018

The Honorable Kirstjen M. Nielsen
U.S. Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, D.C. 20529

Re: DHS Docket No. USCIS-2010-0012-0001, Comments in Response to Proposed Rulemaking: Inadmissibility on Public Charge Grounds

Madam Secretary:

On behalf of The Kresge Foundation, I am writing to express the Foundation's strong opposition to the Trump administration's proposed changes regarding "public charge," which govern how the use of public benefit could impact individuals' ability to enter the U.S. or obtain legal permanent resident status. These proposed changes were announced by the Trump administration on September 22, 2018, and subsequently published in the Federal Register on October 10, 2018. With this letter, we wish to publicly state our opposition and outline the various ways we believe this policy will harm the communities to which our foundation is dedicated.

The Kresge Foundation is one of our nation's oldest and largest foundations and a leader in expanding social and economic opportunity in America's cities. We achieve this mission principally through grantmaking and social investment in Arts & Culture, Education, Environment, Health, Human Services and community development in the city of Detroit and nationally. In doing this work, we stand for opportunity structures and policy systems that dismantle persistent and pervasive racial, economic, and political barriers that impede pathways to equality and justice. We are opposed to the enshrinement of those barriers in public policy, in the perpetuation of racial and ethnic division, and in the corrosion of compassion for the least fortunate among us.

For these reasons, we raise our voice against the administration's proposed expansion of the public charge rule, which represents the most radical change to our nation's immigration policy in decades. If this rule were to go into effect, upwards of 24 million people – including 9 million children – could be negatively impacted.¹ The administration's proposed changes would deem immigrants potentially unacceptable if they have received, or are considered likely to receive, even a modest amount of support from any number of non-cash supports including: Medicaid, the Supplemental Nutrition Assistance Program (SNAP), housing supports (including Section 8 vouchers), and subsidies for Medicare Part D to reduce the cost of prescription drugs.

¹ The Fiscal Policy Institute, October 10, 2018: <http://fiscalpolicy.org/wp-content/uploads/2018/10/US-Impact-of-Public-Charge.pdf>

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The action would also, for the first time in our nation's history, make a specific income threshold a central issue in immigration decisions. Having an income of under \$15,000 for a single person or \$31,000 for a family of four would be weighed negatively and could lead to a denial.

The existing public charge regulation requires immigrants seeking to obtain green cards to show that they are not likely to become *primarily dependent* on government programs. Furthermore, the proposed rule would penalize the use of even *one* government assistance program, including health, housing, nutrition, and other supports that working families utilize to weather hard times. The new rule would also make it difficult for U.S. citizens to reunite with family members abroad if those family members have low incomes.

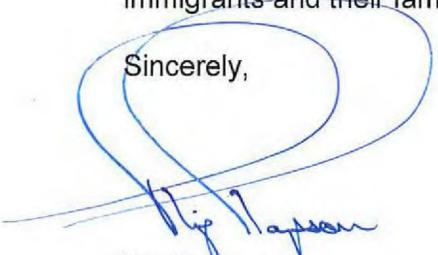
It is our view that this rule change is unfair to those who are taking the right steps to become legal residents and citizens. We worry that the net result of this policy would be a chilling effect on the enrollment and use of essential public programs for eligible individuals. To further impress upon you the inequity of this new policy, consider this fact: If this criterion were applied to American citizens, up to one out of every three would fail.²

Our grantees have told us that fear of immigration consequences has already compelled people in need to dis-enroll themselves and their children from programs for which they legally qualify. If this rule were enacted, millions more would follow, whether the change applies to them or not. The proposed rule would erode the resilience of working families as well as strain schools, hospitals, nonprofits, and other community institutions, ultimately threatening our collective prosperity.

The Kresge Foundation stands firmly against the intent and the effects of these proposed changes. Immigration has always been a source of strength and vitality for the United States. Restricting pathways to residency and citizenship only to the well-off will not only harm millions of people, it runs counter to long-term American interests and values.

I hope you will reconsider the proposed rule and uphold existing policy regarding how immigrants and their family members access public benefits.

Sincerely,



Rip Rapson
CEO & President
The Kresge Foundation

² The Center on Budget and Policy Priorities, September 27, 2019: <https://www.cbpp.org/blog/one-third-of-us-born-citizens-would-struggle-to-meet-standard-of-extreme-trump-rule-for>