

December 5, 2018

Samantha Deshommes, Chief
Regulatory Coordination Division
Office of Policy and Strategy
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 Chief Deshommes:

I am writing on behalf of the Y & H Soda 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 Y & H Soda Foundation is a private grantmaking foundation located in Moraga, California. Our mission is to support nonprofit and Catholic organizations committed to the full participation and prosperity of the underserved in Alameda and Contra Costa Counties. Our foundation provides grants that enhance the economic security and civic participation of low-income people and communities in our service area.

We oppose the proposed rule for three key reasons:

1. It will significantly expand which public benefits are considered in the public charge test. U.S. law already requires that immigrants show that they are self-sufficient when applying for legal permanent residency or a visa. Current policy, which defines public charge as reliance on direct cash assistance or long-term institutionalized care, focuses on individuals who would be deemed to be primarily dependent upon public assistance. The new proposal would punish people for using any of a number of specified benefits and services which actually serve to keep low-income workers and their families healthy and employed, including low-cost prescription medication and food assistance. The new proposal also treats the short-term, temporary use of such benefits as being the same as long-term, primary reliance on these benefits.

2. It will increase hunger and food insecurity in our community. As a foundation that invests in a public/private partnership between local government and nonprofit organizations to increase access to SNAP benefits, we are very concerned that legal immigrants seeking their green cards will end up forgoing food stamps benefits to which they are legally entitled. We also invest in a number of job training programs for both immigrant and U.S.-born populations that promote economic self-sufficiency. Program participants often rely on temporary benefits like SNAP to enable them to participate in these workforce development programs.

3. It unfairly burdens hard-working immigrants. The proposed rule unfairly penalizes hard-working, tax-paying immigrants. Immigrants have high rates of employment but often work in jobs that pay them less and are therefore less likely to provide them with employer-sponsored health insurance than their U.S.-born counterparts. Immigrants pay billions in taxes that are used to support all government programs. A recent report from the Kaiser Family Foundation found that low-income citizen children with foreign-born parents are less likely to receive SNAP or Medicaid than are citizen children with U.S.-born parents (<https://www.kff.org/disparities-policy/issue-brief/potential-effects-of-public-charge-changes-on-health-coverage-for-citizen-children/>)

We are firmly opposed to the proposed rule changes for the public charge test. America has always been a nation of immigrants. People from all over the world have come to this land of opportunity to escape persecution and oppression, live in freedom, create better lives for themselves and their families, and pursue the American Dream. Immigrants strengthen our nation. They take care of our loved ones, build new businesses, pay taxes, and contribute to our economy and culture. Immigrants are our friends, family, neighbors and co-workers. This proposed rule is not about making immigrants self-sufficient. Instead, it would force thousands of working class and everyday families to potentially sacrifice their basic health and safety in order to keep their families together.

We ask that you withdraw the proposed changes to the public charge rule.

Sincerely,

Robert Uyeki, CEO
Y & H Soda Foundation
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