



November 20, 2018

2018 Steering Committee:

Neva Bandelow
Margaret Bartelt
Amapola Beenn
Tracey Black
Ana Del Aguila
Mary Anne Doan
Clarissa Doutherd
Relena D. Ellis
Diana Engel
Carlota E. Escarez
Erica Harrell
Renee S. Herzfeld

Katie Honegger, Chair Elect

Margaret Jerene
Judy Kriege
Jean Monroe
Susan Morris

Melanie Mueller, Chair

Kate Shaheed
Nancy Strohl
Stacie Williams

Planning Council Staff:

Ellen Dektar

Senior Management Analyst
Phone: 510-208-9578
ellen.dektar@acgov.org

**Michael Panori
Program Support**

Phone: 510-208-9620
michael.panori@acgov.org



1401 Lakeside Drive, #1116
Oakland, CA 94612
Phone: 510-208-9620
Fax: 510-208-9579
www.acgov.org/childcare

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

Dear Ms. Deshommnes:

I am writing on behalf of the Alameda County Early Childhood Education (ECE) Planning Council to express our strong opposition to the Department of Homeland Security's Notice of Proposed Rulemaking (NPRM) on inadmissibility on public charge grounds. The proposed rule would cause major harm to the health and wellbeing of young children in immigrant families—a significant share of the young child population—without justification. We are an appointed body that advises elected officials on programs and policies to support children's access to ECE programs, and we know that this rule would have an enormous impact on Alameda County children and families. **We urge that the entire rule be withdrawn.**

Alameda County has over 2,000 early care and education programs serving almost 40,000 young children. Our members work with families and children as program planners, program directors, teachers, mental health consultants, staff instructors, and funders. Out of 115,000 young children ages birth to six in our County: 44% live in families speaking a language other than English; more than 30% of children are Latino; almost 30% are Asian; almost 40,000 are in families who use Medi-Cal; and almost 20,000 are in families who use Cal-Fresh (SNAP). The proposed rule change could lead to \$30 million in lost food assistance and health care dollars and over 70,000 families with additional struggles to make ends meet.

The proposed rule would dramatically alter the "public charge" test with harmful consequences for young children and their parents. The rule proposes to change the definition of who may be deemed a public charge and, as a result, denied entrance to the United States or lawful permanent residency. Under the proposal, the Department of Homeland Security would consider an applicant's use of benefits beyond the existing standards of cash assistance and long-term institutional care to include Medicaid, the Supplemental Nutrition Assistance Program (SNAP), housing assistance and, Medicare Part D subsidies. This would likely lead individuals—including parents of US citizen children—to withdraw or disenroll from benefit programs that support their health, wellbeing, and financial security. The proposal would also add specific standards for income, health, English language proficiency, and other factors making it even harder for low-income immigrant families to obtain long-term stability.

While only the use of benefits by an individual would be considered under the proposed rule—and not their dependents—there is simply no way to implement this rule without direct harm

to children, including US citizen children. Parents' own wellbeing is an important determinant of children's health and development. Children do better when their parents are healthy and economically stable. The destabilizing effect of this rule would harm parents who lose access to benefits and their children who will be directly impacted.

The proposed rule would compound widespread fear of accessing public programs and services to millions of children and adults, beyond those subject to the “public charge” test.

The proposed regulation would make immigrant families more afraid to seek programs that support their basic needs including for their US citizen children. An estimated 26 million people may potentially disenroll or refuse public benefits because of this proposed rule, including approximately 9.2 million children in immigrant households, representing approximately 13% of our nation's child population.^[3] The widespread “chilling effect” that causes families to withdraw from benefits due to fear is already evident as a result of rumors of the rule. Early childhood education programs have reported drops in attendance and applications as well as reduced participation from immigrant parents in classrooms and at events. Child care staff in our County are observing parents keeping child care age children out of programs, reluctant to open doors for home visitors offering supportive programs, and anxious about being seen waiting at food pantries.

Critical public benefit programs—such as Medicaid, SNAP and housing assistance—contribute to the healthy development of young children. Early childhood is a formative period of development, and children need access to enough healthy foods, safe and stable housing, and adequate health care to grow up healthy and strong. Decades of research show the positive impact of public benefits—such as Medicaid, and SNAP—on children's long-term health and their economic security. When children get access to these programs, they are both healthier and their families have more money in their budgets to spend on other basic needs.

A recent San Francisco Bay Area report, “Housing Instability and Family Health: An Issue Brief,” documents that as a result of rapidly rising housing costs, over 150,000 Bay Area children under 5—more than a third—live in families that spend more than they can afford for housing and this year's homeless count identified nearly 5,000 parents, children and caregivers who were homeless. We know that children in families in unstable housing have an almost 20% increased risk of hospitalization and over a 25% increased risk of developmental delays which result in other increased public expenditures. In Alameda County alone there were an estimated 5,633 homeless people in households with children.

Forgoing critical health and nutrition programs would harm children's development. The consequences of parents forgoing basic needs programs for themselves—and/or their children—would be deeply damaging for children. The proposed rule would dramatically weaken the economic status of millions of families and put the health and nutrition of millions of children and adults at risk. The proposed rule would increase poverty, hunger, and illness with profound negative outcomes for children during childhood and into adulthood.

The proposed rule would have adverse impacts on pregnant women, infants, and toddlers. The proposed rule would create barriers to accessing health care and nutrition assistance for pregnant women. Medicaid covers almost half of all births in the United States. Medicaid coverage improves access to care and overall health and reduces mortality rates. If pregnant women decline to enroll in Medicaid and lose access to pregnancy-related health services, there would likely be serious health implications for mothers and their children, affecting their birth and early health outcomes. Similarly, fear of enrolling children in Medicaid or CHIP would result in fewer regular doctor visits. The first months and years of a child's life are marked by rapid

growth and brain development and especially important for consistent health care.^[18] Similarly, nutrition assistance is vital prenatally and in early childhood. Research over decades has demonstrated that nutrition assistance directly targeted at young children and pregnant women is effective in improving child health.

For all the above reasons, we urge you to withdraw this harmful rule in its entirety. Thank you for your consideration of these comments.

Sincerely,

Melanie Mueller

Melanie Mueller
Chair