

Hunger or Deportation: Implications of the Proposed Public Charge Rule

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Background on Perspective

- Fleischhacker S, Moran A, & Bleich S. Legislative and Executive Branch Developments Affecting the United States Department of Agriculture Supplemental Nutrition Assistance Program. *J Food Law & Policy*. July 2019.
- Bleich S, et al. Strengthening the Public Health Impacts of the Supplemental Nutrition Assistance Program through Policy. *Annu Public Health*. Spring 2020.
 - Presented at 2019 Healthy Eating Research, March 2019.



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School of Public Health

Objectives

- **Overview of the proposed Public Charge Rule**
- **Discuss rule's implications**
 - Declining participation in government assistance programs
 - Increasing food insecurity and worsening health outcomes
 - Straining the charitable food sector and the health care system

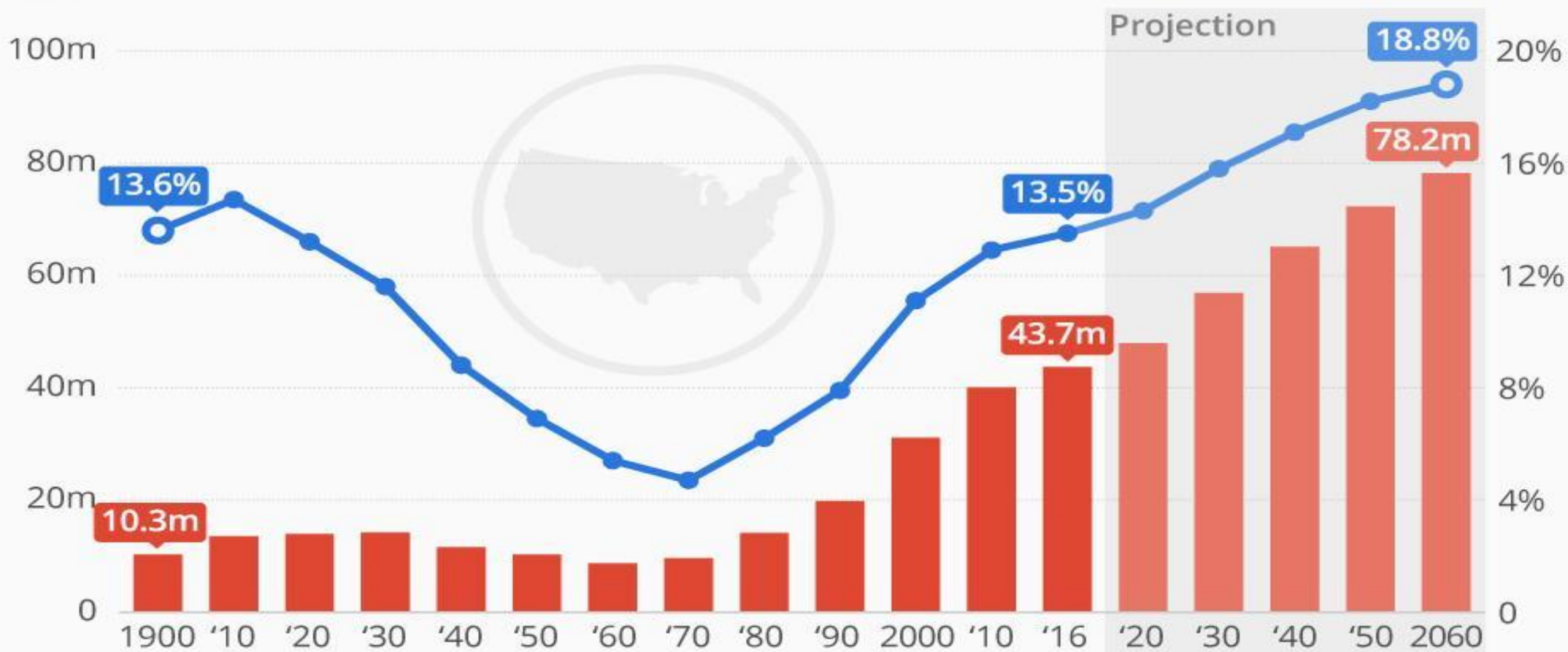


U.S. Immigrant Population Hit Record 43.7 Million In 2016

Number of immigrants in the U.S. and share of population

■ Number of immigrants (millions)

● Share of population (%)

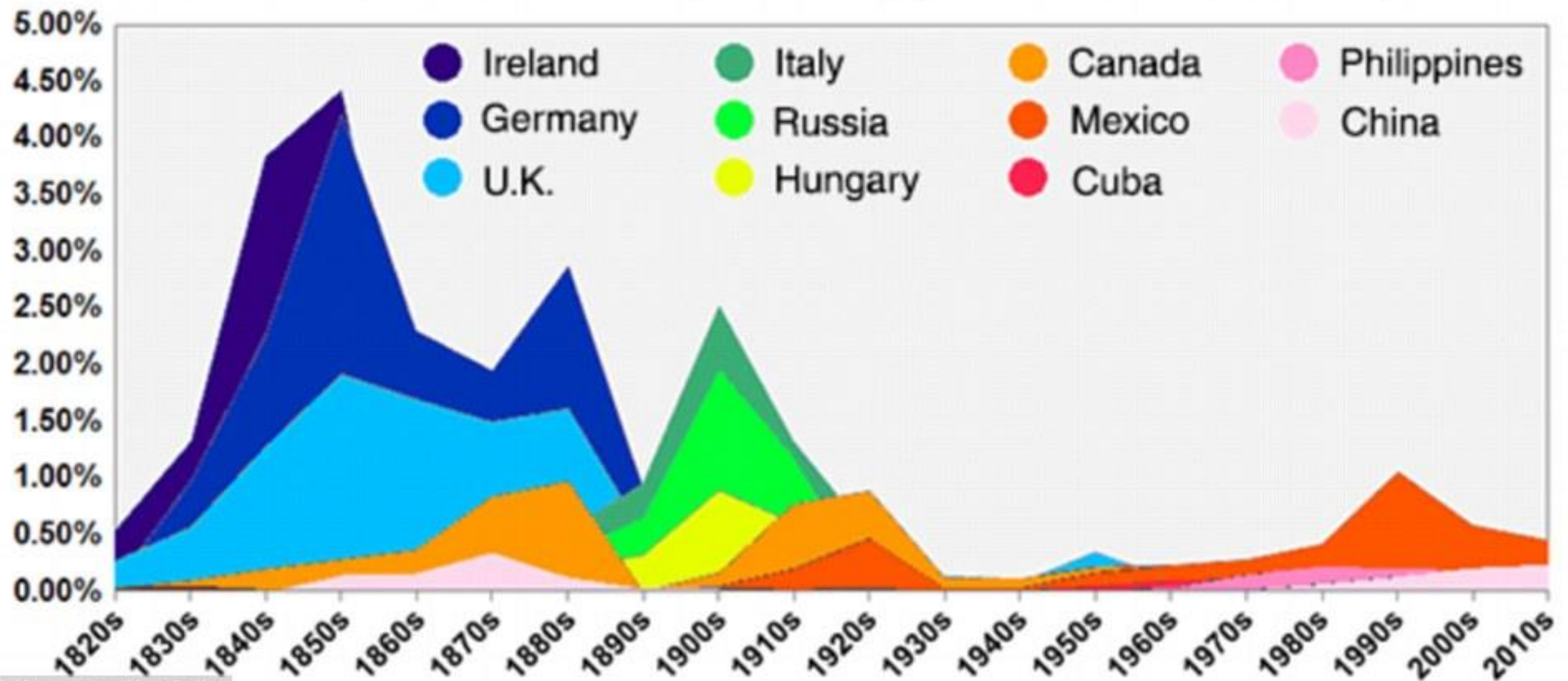


@StatistaCharts

Source: U.S. Census Bureau

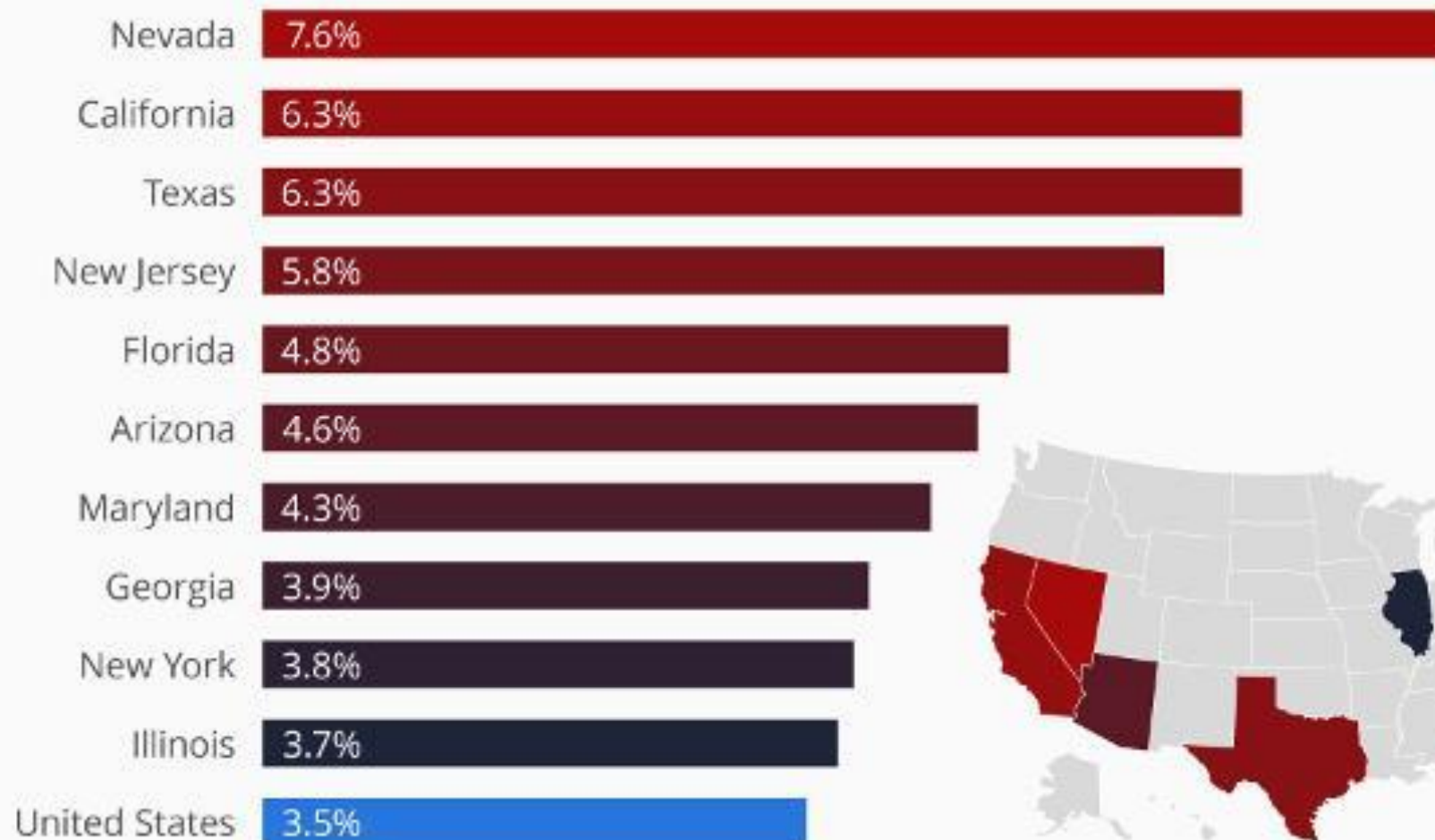
Forbes statista

U.S. Immigration Flows by Country (% of U.S. Population)



The States With The Most Unauthorized Immigrants

Unauthorized immigrants as a percentage of the total state population*

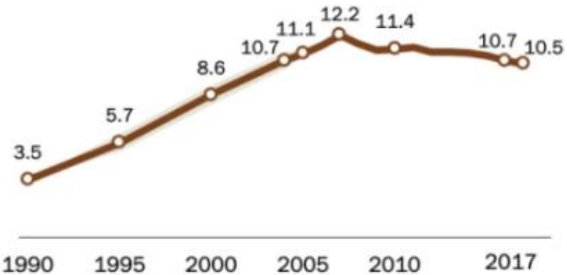


* Refers to latest available year - 2012

Source: Pew Research Center

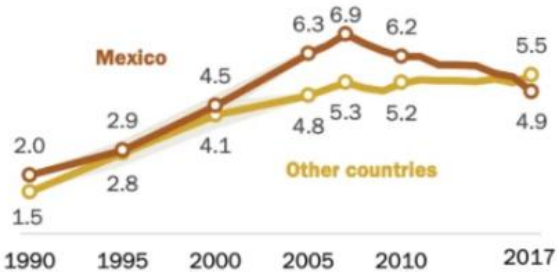
Number of unauthorized immigrants in the U.S. declined over the past decade

In millions



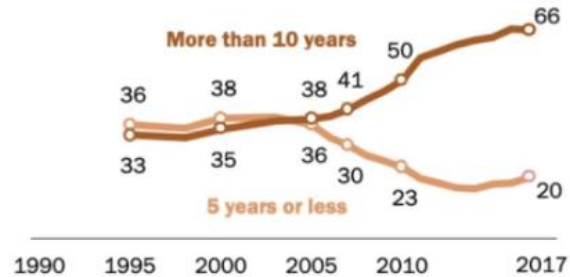
Mexicans are no longer the majority

In millions



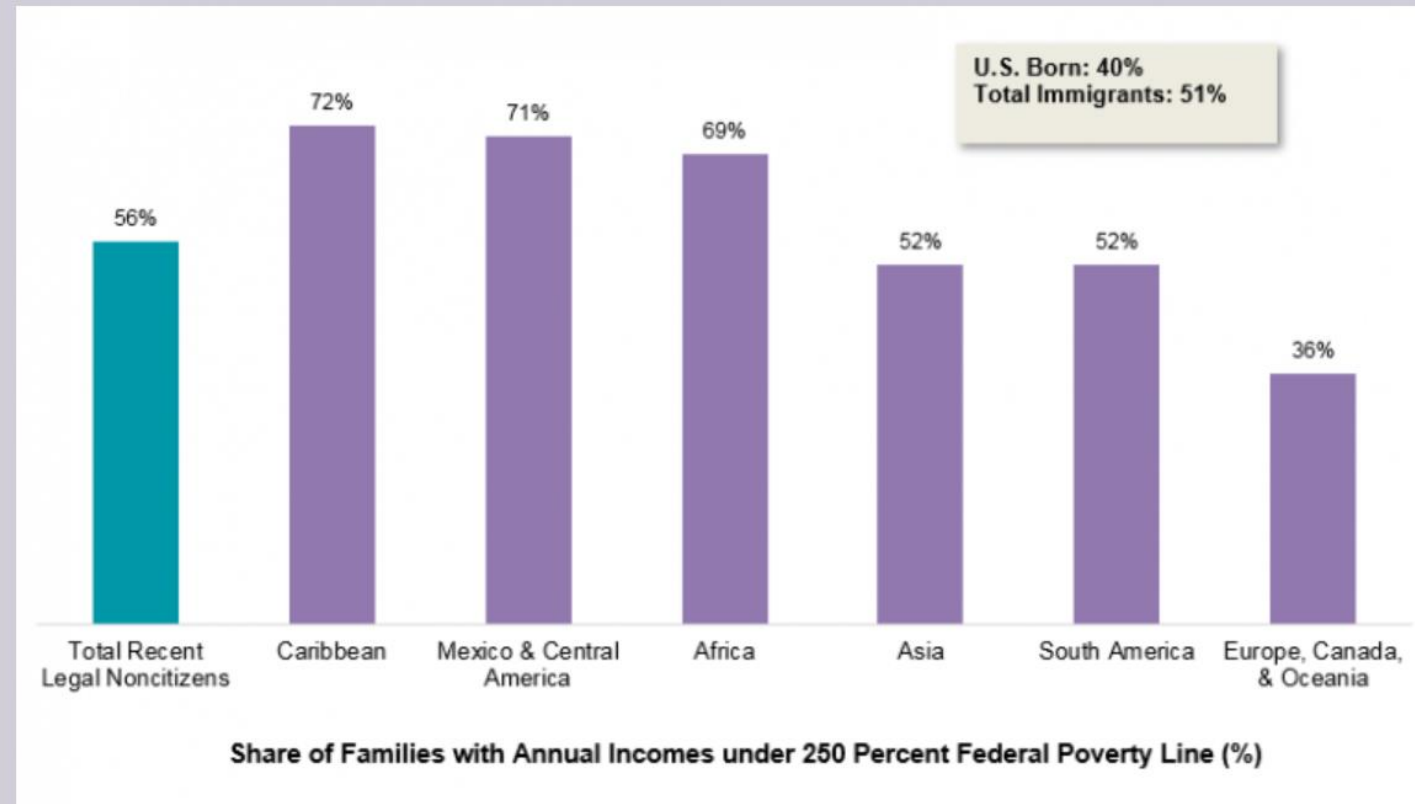
Most are now long-term residents

% of adult unauthorized immigrants, by duration of U.S. residence



Note: Shading shows range of estimated 90% confidence interval.
Source: Pew Research Center estimates based on augmented U.S. Census Bureau data.

Figure 1. Share of Recently Arrived, Legally Present Noncitizens in Families with Annual Incomes below 250 Percent of the Federal Poverty Line, by Region of Birth, 2014-16



Notes: Recently arrived legally present noncitizens are persons with green cards or legal nonimmigrant visas who came to the United States in the five years prior to the survey. While data about the income levels of individuals seeking green cards or visa renewals are not available, recently arrived legally present noncitizens represent a reasonable proxy for prospective immigrants likely to apply in the near future. To carry out this analysis, the Migration Policy Institute (MPI) used its unique methodology to assign legal status to the foreign-born population surveyed by the U.S. Census Bureau's American Community Survey (ACS), drawing upon characteristics of the 2008 Survey of Income and Program Participation (SIPP). For more on this methodology, see Jeanne Batalova, Sarah Hooker, Randy Capps, and James D. Bachmeier, *DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action* (Washington, DC: MPI, 2014), www.migrationpolicy.org/research/daca-two-year-mark-national-and-state-profile-youth-eligible-and-applying-deferred-action.

Source: MPI analysis of pooled 2014-16 data from the U.S. Census Bureau's ACS and 2008 SIPP.

Table 1. Number and Share of Recently Arrived, Legally Present Noncitizens in Families with Annual Incomes below 250 Percent of the Federal Poverty Line (FPL), by Region of Birth and Top 15 Countries of Birth (2014-16) and Share of Total Green Cards Obtained in Fiscal Year (FY) 2016 via Family Sponsorship

	Total	In Families with Annual Incomes below 250 Percent FPL		Share of Total FY 2016 Green Cards Obtained via Family Sponsorship (%)
		Number	Share of Total (%)	
Total Recent Legal Noncitizens	4,048,000	2,256,000	55.7	68.0
Mexico and Central America	432,000	306,000	71.0	86.0
Caribbean	459,000	333,000	72.5	66.5
South America	269,000	141,000	52.3	80.0
Europe, Canada, and Oceania	563,000	205,000	36.5	59.6
Asia	1,990,000	1,041,000	52.3	62.5
Africa	335,000	229,000	68.5	55.2
<i>Top 15 Countries of Birth</i>				
India	550,000	137,000	25.0	65.7
China/Hong Kong	398,000	254,000	63.9	60.2
Mexico	296,000	205,000	69.3	88.4
Cuba	195,000	148,000	75.8	13.4
Philippines	140,000	54,000	38.8	84.8
Dominican Republic	127,000	95,000	74.9	99.0
Canada	110,000	37,000	34.2	56.6
Vietnam	87,000	56,000	63.9	96.5
Korea	86,000	49,000	56.6	38.1
Iraq	76,000	62,000	82.4	8.4
Japan	67,000	21,000	30.9	64.7
United Kingdom	65,000	15,000	22.8	58.5
Haiti	63,000	48,000	76.0	94.9
Brazil	60,000	26,000	43.7	72.3
Venezuela	59,000	34,000	57.6	58.6

Note: Recently arrived legally present noncitizens are persons with green cards or legal nonimmigrant visas who came to the United States in the five years prior to the survey.

Source: Data in the first three columns are from MPI analysis of pooled 2014-16 data from the U.S. Census Bureau's ACS and 2008 SIPP with MPI legal-status assignments; data on the share of green cards in FY 2016 received based on family relations are from the Department of Homeland Security (DHS) Office of Immigration Statistics, *Yearbook of Immigration Statistics 2016*, Table 10, www.dhs.gov/immigration-statistics/yearbook/2016.

Table 6. Welfare Use for Households with Children by Immigration Status, 2009

	Using Any Welfare	Cash Assistance	Food Assistance	Housing Assistance ¹	Medicaid	Average Number of Programs for Households Using Welfare
All Immigrants	56.6 %	5.8 %	42.4 %	4.4 %	44.8 %	2.1
Native	38.7 %	6.6 %	27.3 %	4.9 %	31.6 %	2.2
Illegal Immigrants	71.0 %	1.4 %	59.4 %	n/a	43.8 %	2.0
Mexican Illegals	79.0 %	0.7 %	69.2 %	n/a	61.0 %	2.1
Legal Immigrants	51.8 %	7.2 %	36.7 %	5.9 %	41.7 %	2.1
Non Refugee Countries ²	51.8 %	7.0 %	36.9 %	5.3 %	41.6 %	2.1
Less-Educated (Non-Refugees) ³	71.8 %	11.2 %	55.2 %	9.2 %	57.9 %	2.3
Mexican Legal Immigrants	71.4 %	10.7 %	56.2 %	6.4 %	57.5 %	2.3

Source: Center for Immigration Studies analysis of the 2010 March Current Population Surveys. The survey ask about welfare use in the calendar year prior to the year of the survey. Legal status is based on the characteristics of the household head. Analysis is confined to households with one or more children (under age 18). Cash welfare includes SSI and TANF; food assistance includes WIC, free/reduced school lunch, and food stamps; and housing assistance includes public housing and rent subsidies.

¹ Household heads are the persons whose name is on the lease or deed. The methodology used to calculate legal status assumes that the head of the household cannot be an illegal immigrant if the household receives housing assistance of some kind.

² See Table 2 for list of refugee sending countries.

³ Household headed by persons with no more than high school education.

Figure 7. A much larger share of immigrant households have low incomes, making them significantly more likely to access welfare programs in 2012.

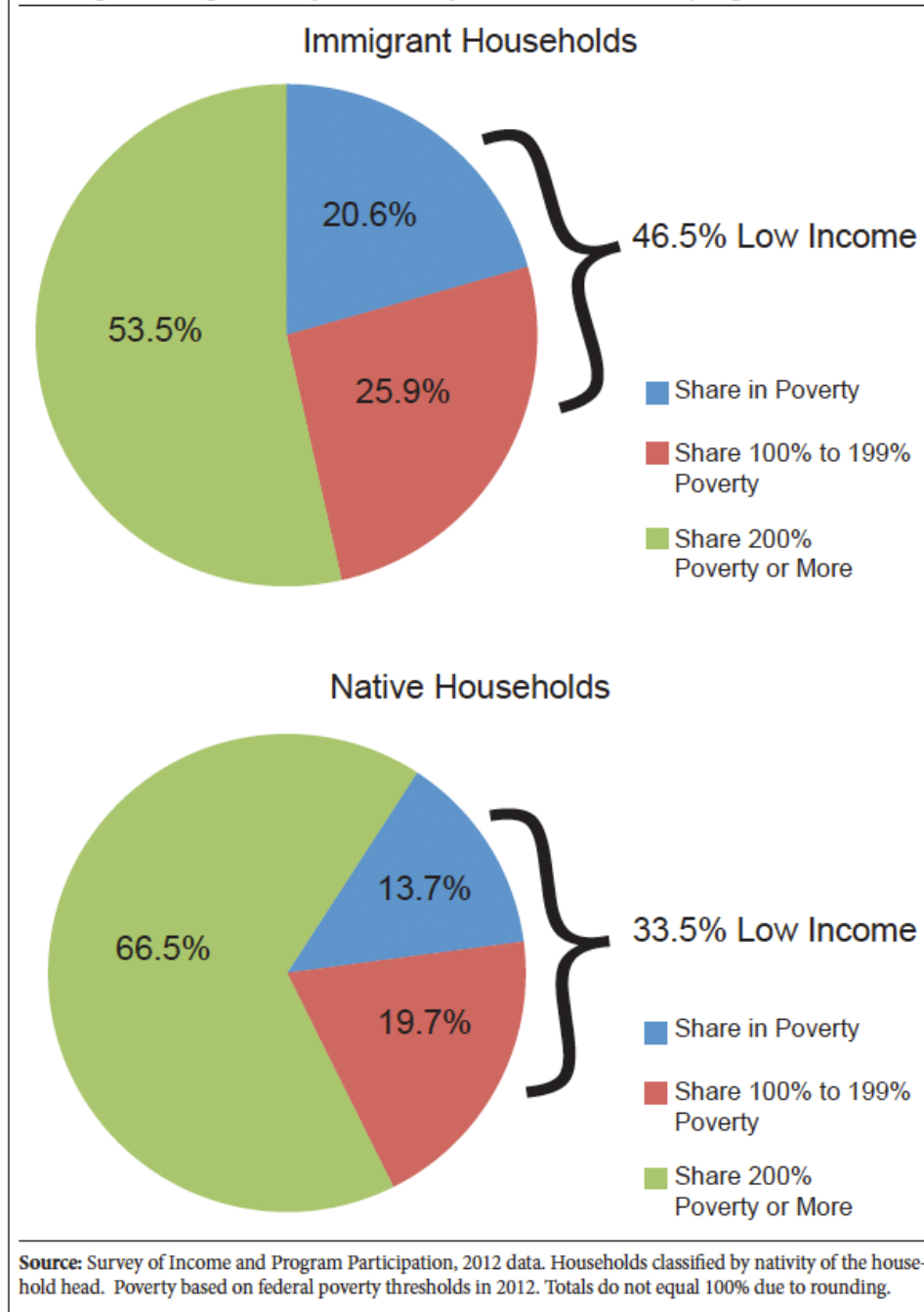
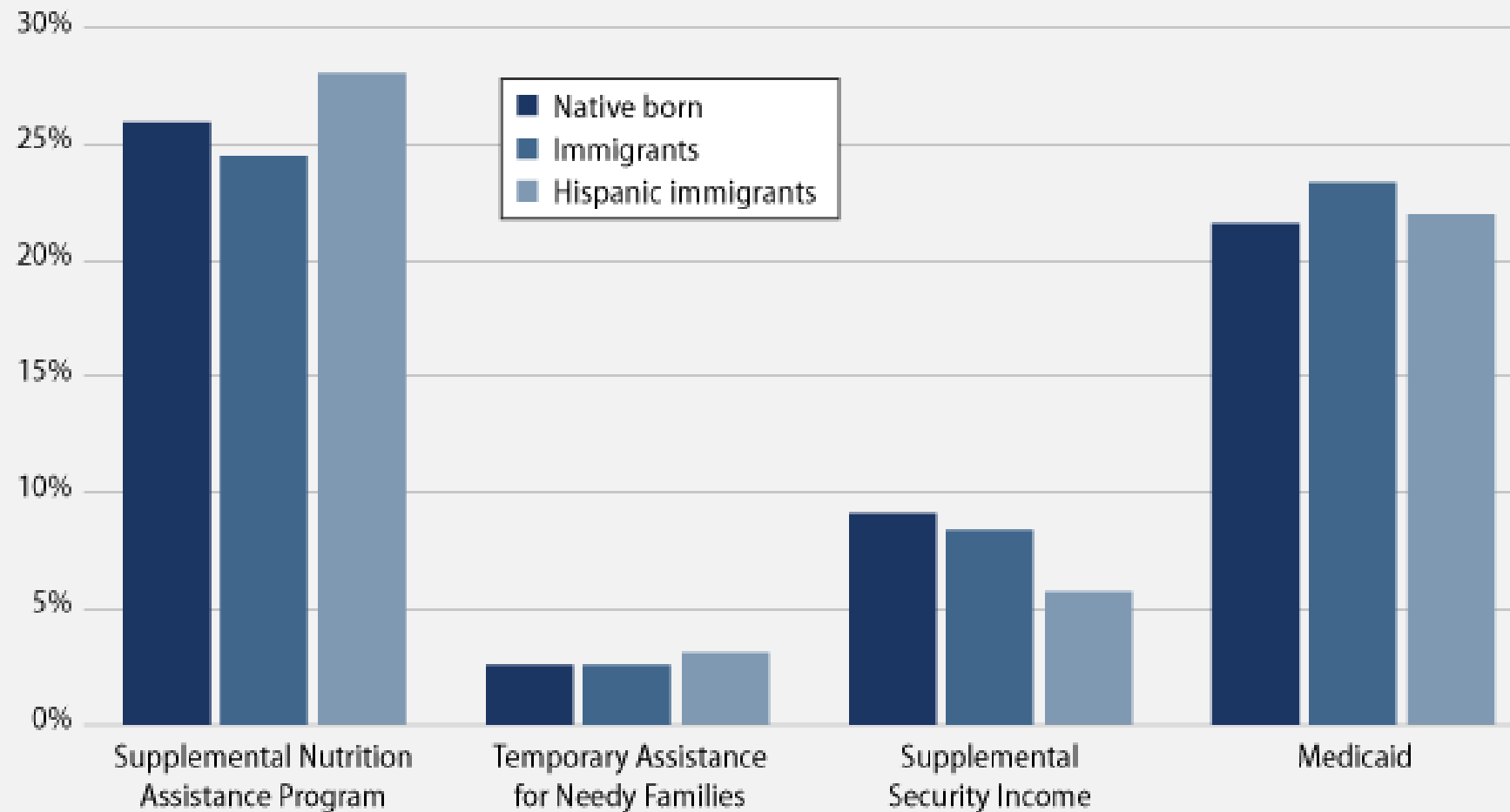


FIGURE 2

Immigrants are not more likely to use social services than the native born

Percentage of households at 200 percent of the poverty line enrolled in programs



Source: CAP's analysis of the Census Bureau, March Current Population Survey of 2012 (2012).

History of Public Charge

- Enshrined in the first immigration laws in the late 1800s – purposely left vague
- Used by nativists in New York and Massachusetts more than 100 years ago to keep poor Irish Catholic immigrants out of those states
- Used to determine whether Jews fleeing Nazi Germany could enter the US
- Shaped the demographics of the US
- “Always meant to punish the poor”
 - Dr. Lisa Sun-Hee Park, UC-SB Sociologist



Who is a Public Charge?

Public charge is a term used in immigration law to refer to a person who is primarily dependent on the government for support.

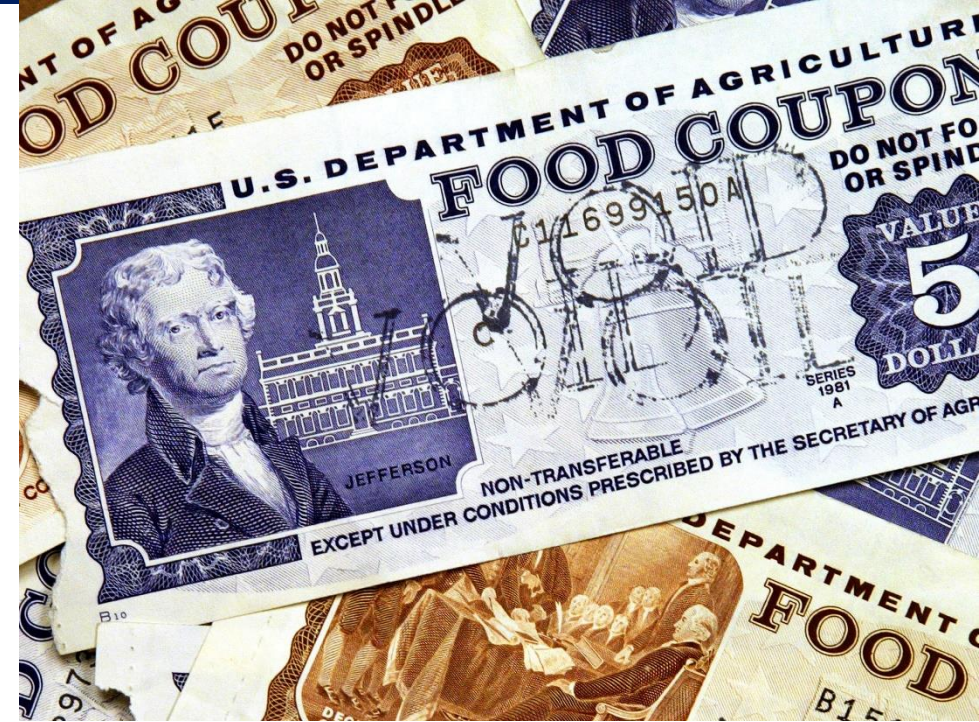
Public Charge - The Current Law Still in Effect

- Immigration officers decide public charge by evaluating whether an applicant for a green card or an individual seeking to enter the United States on certain visas is likely to become primarily dependent on the government for support.
 - Rely on multiple factors specified in the INA.
 - May also rely on the “affidavit of support,” which is a contract signed by the immigrant’s sponsor, indicating that the sponsor will financially support the immigrant and this offers strong evidence that the immigrant will not become primarily dependent on the government.
 - Consider if applicant used cash aid (such as TANF, also known as “welfare,” or SSI) or long-term institutionalized care.
 - Immigrants who have are more likely to be denied admission on public charge grounds. However, use of publicly-funded health care, nutrition, and housing programs are not considered negative factors for purposes of public charge because our current policies recognize that these programs are vital to keeping our communities healthy and safe and individuals productive.
- Individuals seeking to enter the United States apply at consulates abroad. At the consulates, the officers use the Foreign Affairs Manual (FAM) as guidance on how to make decisions. Under FAM guidance, officers investigate further into the sponsor’s ability to uphold the affidavit of support.



History of Public Charge & Food Assistance

- Undocumented immigrants have never been eligible to participate in SNAP, the largest program in the domestic hunger safety net
- Lawfully present noncitizens participating in SNAP faced no immigration consequences



Inadmissibility on Public Charge Grounds

A Proposed Rule by the [Homeland Security Department](#) on 10/10/2018



PUBLISHED DOCUMENT

Start Printed Page 51114

AGENCY:

U.S. Citizenship and Immigration Services, DHS.

ACTION:

Notice of proposed rulemaking.

SUMMARY:

The U.S. Department of Homeland Security (DHS) proposes to prescribe how it determines whether an alien is inadmissible to the United States under section 212(a)(4) of the Immigration and Nationality Act (INA) because he or she is likely at any time to become a public charge. Aliens who seek adjustment of status or a visa, or who are applicants for admission, must establish that they are not likely at any time to become a public charge, unless Congress has expressly exempted them from this ground of inadmissibility or has otherwise permitted them to seek a waiver of inadmissibility. Moreover, DHS proposes to require all aliens seeking an extension of stay or change of status to demonstrate that they have not received, are not currently receiving, nor are likely to receive, public benefits as defined in the proposed rule.

DHS proposes to define "public charge" as the term is used in sections 212(a)(4) of the Act. DHS also proposes to define the types of public benefits that are considered in public charge inadmissibility determinations. DHS would consider an alien's receipt of public benefits when such receipt is above the applicable threshold(s) proposed by DHS, either in terms of dollar value or duration of receipt. DHS proposes to clarify that it will make public charge inadmissibility determinations based on consideration of the factors set forth in section 212(a)(4) and in the totality of an alien's circumstances. DHS also proposes to clarify when an alien seeking adjustment of status, who is inadmissible under section 212(a)(4) of the Act, may be granted adjustment of status in the discretion of DHS upon the basis of a public charge bond. DHS is also proposing revisions to

DOCUMENT DETAILS

Printed version:

[PDF](#)

Publication Date:

10/10/2018

Agency:

[Department of Homeland Security](#)

Dates:

Written comments and related material to this proposed rule, including the proposed information collections, must be received to the

Comments Close:

12/10/2018

Document Type:

Proposed Rule

Document Citation:

83 FR 51114

Page:

51114-51296 (183 pages)

CFR:

8 CFR 103
8 CFR 212
8 CFR 213
8 CFR 214
8 CFR 245
8 CFR 248

Agency/Docket Numbers:

CIS No. 2499-10
DHS Docket No. USCIS-2010-0012

RIN:

1615-AA22

Document Number:

2018-21106

Proposed New Public Charge Rule

Aims to broaden the definition of who is to be considered a public charge so that it includes immigrants who use one or more government programs listed in the proposed rule.

- **Extends list of publicly-funded programs that can be considered**
- **Merely uses an included government program can be considered**
- **Past and current use can be considered**
- **But, the rule will not be retroactive – it will not punish past use of newly included programs**



Figure 1. Public Charge Rule

Proposal Would Affect Some Seeking Entry to the U.S. and Many Who Are Already Here



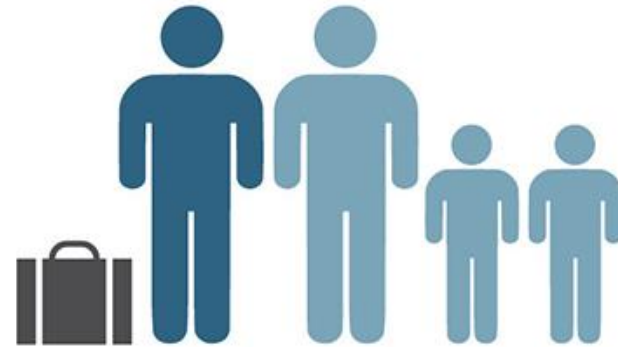
Included in the Rule:

YES

Immigrants applying for green card or entry to the U.S.

NO

- Asylees
- Legal permanent residents
- Refugees
- Undocumented immigrants
- U.S. citizens



Likely Affected by the Rule:

Families with at least one non-citizen.

Past experience suggests that policy changes targeting the use of public benefits by some immigrants have spillover effects on others and their families

Estimated number of people who would be subject to new test, by category

Category of people subject to new test	Estimated number of people subject to new test annually	Agency/official applying the test
Seeking an immigrant visa		
Applying for adjustment of status to lawful permanent resident	382,264	Department of Homeland Security/immigration officials
Applying for admission to United States as lawful permanent resident	529,847	State Department/consular officials
Total	912,111	
Seeking a nonimmigrant visa		
Applying for a nonimmigrant visa to temporarily stay in the United States	10,010,396	State Department/consular officials
Applying for an extension of stay or change of nonimmigrant status	517,508	Department of Homeland Security/immigration officials
Total	10,527,904	

Sources: The estimate in row 1 is from Table 40 of U.S. Department of Homeland Security, "Inadmissibility on Public Charge Grounds: A Proposed Rule by the Homeland Security Department on 10/10/2018" (2018), available at <https://www.federalregister.gov/documents/2018/10/10/2018-21106/inadmissibility-on-public-charge-grounds>. This estimate is the annual average of people who applied for adjustment of status from 2012 to 2016 who are not exempt from the LPC test. The estimates in rows 2 and 3 ("Applying for admission" and "Applying for a nonimmigrant visa") are from the author's calculations from Table I in U.S. Department of State, "Report of the Visa Office 2017," available at <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/annual-reports/report-of-the-visa-office-2017.html> (last accessed October 2018). Both figures are annual averages of visas issued from 2013 to 2017. The figures in rows 2 and 3 are likely conservative estimates, as they are based on the number of visas issued rather than the number of visa applications. The estimate in row 4 is the author's calculation from Tables 42, 43, and 44 of the Department of Homeland Security proposed rule. It is the annual average of people who applied for an extension of stay or change of nonimmigrant status from 2012 to 2016.

Public Benefits Included in Proposed Public Charge Rule

CURRENT



- SSI*
- CalWORKS/TANF*
- Cash assistance programs*



- Public assistance for long-term institutional care*

PROPOSED ADDITIONS



- CalFresh (SNAP)



- Medicaid/Medi-Cal
- Medicare Part D Low-Income Subsidy Program



- Section 8 (Housing Voucher & Rental Assistance programs)
- Subsidized Public Housing

*Benefits included in current rule (per *Inadmissibility and Deportability on Public Charge Grounds*, 1999)

How are Public Benefits defined?

The rule would establish standards by benefit category for the level of use that results in a countable benefit:



“Monetizable” benefits, tied to monetary thresholds



“Non-Monetizable” benefits, tied to durational thresholds

Benefit Programs	Existing (✓) and Additional Proposed (+) Benefits	Benefit Type
Supplemental Security Income (SSI)	✓	
Temporary Assistance for Needy Families (TANF)	✓	
Federal, state, or local cash benefit programs	✓	
Institutionalization for long-term care	✓	
Medicaid (<i>exclusions listed on next slide</i>)	+	
Medicare Part D Low Income Subsidy (LIS)	+	
Supplemental Nutrition Assistance Program (SNAP)	+	
Housing Assistance under the Housing Choice Voucher Program or Section 8 Project-Based Rental Assistance	+	
Subsidized Housing under the Housing Act of 1937	+	

Source: State Health and Values Strategies, October 10, 2018, “Examining the Public Charge Proposed Rule”

DHS Acknowledges Potential Consequences

- “Worse health outcomes, including increased prevalence of obesity and malnutrition, especially for pregnant women, infants, or children, and reduced prescription adherence”
- “Increased use of emergency rooms and emergent care as a method of primary health care due to delayed treatment”
- “Increased prevalence of communicable diseases”
- “Increases in uncompensated care”
- “Increased rates of poverty and housing instability”
- “Reduced productivity and educational attainment”



Public Comment Period

- More than 216,000 comments
- Types of commenters
 - Highlight public health, anti-hunger and local and state social service agencies
- Other actions
 - Media
 - Commentaries and Perspectives
 - Rallies



Los Angeles Times

Op-Ed: Trump's 'public charge' rule for immigrants attacks a problem that doesn't exist



Rosa, an undocumented immigrant who wants her family's last name withheld, is surrounded by her family at their home in New York. Rosa, who used to get about \$190 per month from the Supplemental Nutrition Assistance Program or SNAP, stopped taking benefits fearing deportation. (Bebeto Matthews / Associated Press)

By DAVID SUPER

SEP. 28, 2018
4:05 AM





A PRIMER:
THE DHS PROPOSED RULE ON
WHO IS A PUBLIC CHARGE
AND ITS IMPACT ON IMMIGRANTS



PUBLIC CHARGE

A "public charge" is someone who is primarily dependent upon government services to live. When immigrants apply for citizenship or green cards, DHS considers whether or not they have the potential to become a "public charge" in the future.



WELFARE BENEFITS

Since 1996, non-citizens who are in the US legally have been entitled to welfare benefits like SNAP, Medicaid, and affordable housing. Using these services did not mean that someone was a "public charge" and was not used against them when applying for citizenship.



DHS RULE CHANGE

Now, DHS has proposed a rule change, and would like to be able to take into account the use of welfare benefits when immigrants apply for green cards or citizenship in considering whether or not they are a "public charge." They do not need approval from Congress in order to do this.



PRO/CON ARGUMENTS

Pro: encourage immigrants to be self sufficient.

Con: immigrants would be forced to choose between life-saving public assistance, and pursuing citizenship.



URJ ACTION ITEMS

The URJ is strongly opposed, and is encouraging everyone to take action by making a public comment on the Federal Register, urging DHS to withdraw this proposed rule. The deadline to do this is December 10, 2018.

FOR MORE INFORMATION:
MITZVAHCORPS.ORG RAC.ORG



IMMIGRATION

FAQ on Public Charge - December 2018

December 4, 2018



BY:
Xochitl Oseguera

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FREQUENTLY ASKED QUESTIONS

Proposed Changes to the *Public Charge* Rule

On October 10, 2018, the Trump administration published a *proposed* new rule that would change how immigration officials inside the United States decide who is likely to become a “public charge.” Earlier this year, the Trump administration changed the public charge–related instructions that officials in U.S. embassies and consulates abroad use to decide whether to grant a person permission to enter the U.S.

If the rule published in the Federal Register by the U.S. Department of Homeland Security (DHS) on October 10 is finalized in its proposed form, it would mark a significant departure from the government’s current policy. For over a hundred years, the government has recognized that programs that help people get health care and food are necessary to help families remain productive and thrive. Entire households and communities would be harmed by the proposed new policy, since there’s no way to target individual immigrants without hurting children, families, and communities.

BACKGROUND: What or who is a “public charge”? How does the government decide who is likely to become a public charge? What is an “affidavit of support”? When does the public charge test apply? To

Proposed Rulemaking Timeline

- Impacted by shutdown
- DHS Secretary resigned
- Timeline still uncertain but...

DOJ Forwards Public Charge Rule to OMB

Thursday, July 11, 2019

On July 3rd, the Office of Management and Budget (OMB) posted receipt of a "public charge" rule from the Department of Justice (DOJ)-

AGENCY: DOJ-EOIR	RIN: 1125-AA84	Status: Pending Review
TITLE: Inadmissibility and Deportability on Public Charge Grounds		
STAGE: Proposed Rule	ECONOMICALLY SIGNIFICANT: No	
RECEIVED DATE: 07/03/2019	LEGAL DEADLINE: None	

While the text of the rule is not public, it is expected to be a companion rule similar to a Department of Homeland Security rule published for public comment in [October 2018](#).

It is believed that the strict adherence to the public charge rule could greatly expand persons who could be deported for using public benefits, such as public welfare, food stamps or other social services without an ability to pay themselves or by their sponsors.

Current law allows deportation of immigrants that receive government social benefits within five years of U.S. arrival but the government has not made great use of the deportation method in recent years.

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"PUBLIC CHARGE" TIMELINE

SPRING 2017

Early in 2017, a leaked draft Executive Order proposes dramatic changes to make the policy known as "Public Charge" more restrictive.

FEBRUARY 2018

Early in 2018, leaked drafts of proposed federal rules refer to a July publication date.

MARCH 2018

March 29, official records show the Office of Management and Budget receive the proposed rule draft for review and approval.

SEPTEMBER 2018

September 22, a "public inspection" draft of the proposed rule is released.

OCTOBER 2018

October 10, the proposed rules were published and comment period began.

DECEMBER 2018

December 10, the public comment period closed.

UNCERTAIN

Multiple factors could delay the effective date of the rule, including a heavy volume of negative comments and legal challenges.

Implications

ARTICLE IN PRESS

Perspective

Hunger or Deportation: Implications of the Trump Administration's Proposed Public Charge Rule

Sara N. Bleich, PhD¹; Sheila Fleischhacker, PhD, JD²

ABSTRACT

Until recently, lawfully present noncitizens participating in the US Department of Agriculture *Supplemental Nutrition Assistance Program* (formerly Food Stamps) faced no immigration consequences. However, in September, 2018, the Trump Administration proposed a more expansive public charge rule in the Federal Register that would deny lawfully present noncitizens a path to citizenship if they had participated in certain federal safety net programs, including *Supplemental Nutrition Assistance Program*. This perspective discusses the proposed rule's implications, particularly for those with professional interests in promoting effective nutrition education and healthy behavior through research, policy, and practice among individuals who will potentially be affected.

Key Words: immigration, public charge, SNAP, hunger (*J Nutr Educ Behav.* 2019;000:1–5.)

Accepted January 23, 2019.

INTRODUCTION

Undocumented immigrants have never been eligible to participate in the US Department of Agriculture (USDA) *Supplemental Nutrition Assistance Program* (SNAP).¹ However, lawfully present noncitizens have been eligible to participate in the program since 2002.²

path to citizenship if immigrants (lawfully present or not) had participated in certain federal safety net programs, including SNAP.^{5,6} As described by the US Department of Homeland Security (DHS), the proposed rule would “deny citizenship to immigrants who have received certain federal safety net benefits for a significant period of time.”⁷

expansive list of public benefits and government assistance programs: specifically, SNAP, *Temporary Assistance for Needy Families* (also known as welfare), Medicaid, Medicare Part D (also known as prescription drug subsidies), and Section 8 (also known as housing assistance).⁷

- Declining participation in government assistance program
- Increasing food security and worsening health outcomes
- Straining the charitable food sector and health care system

J Nutr Educ Behav. 2019;000:1-5

Declining Participation in Government Assistance Program

- DHS estimated in the proposed rule at least 382,000 would be impacted
- Likely decreasing participation, exceeds the number subject to the rule due to fear or confusion
- Evidence from impacts of the 1996 Welfare Reforms
- Impacts on poverty alleviation

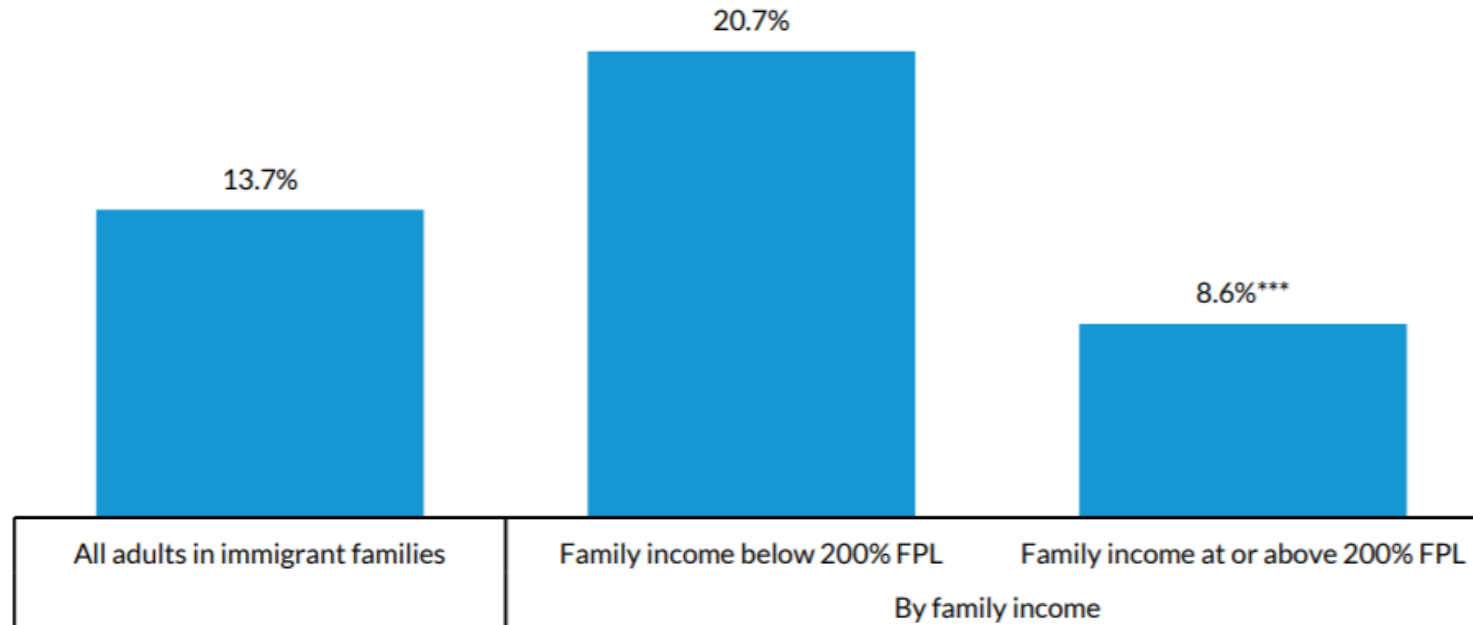


Urban Institute Report

- About one in seven adults in immigrant families (13.7 percent) reported “chilling effects,” in which the respondent or a family member did not participate in a noncash government benefit program in 2018 for fear of risking future green card status.
 - This figure was even higher, 20.7 percent, among adults in low-income immigrant families.
- Observed chilling effects in families with various mixes of immigration and citizenship statuses, including 14.7 percent of adults in families where all noncitizen members had green cards and 9.3 percent of those in families where all foreign-born members were naturalized citizens.
- Hispanic adults in immigrant families were more than twice as likely (20.6 percent) as nonHispanic white and non-Hispanic nonwhite adults in immigrant families (8.5 percent and 6.0 percent, respectively) to report chilling effects in their families.
- Adults in immigrant families living with children under age 19 were more likely to report chilling effects (17.4 percent) than adults without children in the household (8.9 percent).
- Most adults in immigrant families reported awareness of the public charge rule (62.9 percent).
- Adults who had heard “a lot” about the proposed rule were the most likely to report chilling effects in their families (31.1 percent).

FIGURE 1

Share of Adults in Immigrant Families That Avoided Noncash Public Benefits in the Past Year Because of Green Card Concerns, Overall and by Family Income, December 2018



URBAN INSTITUTE

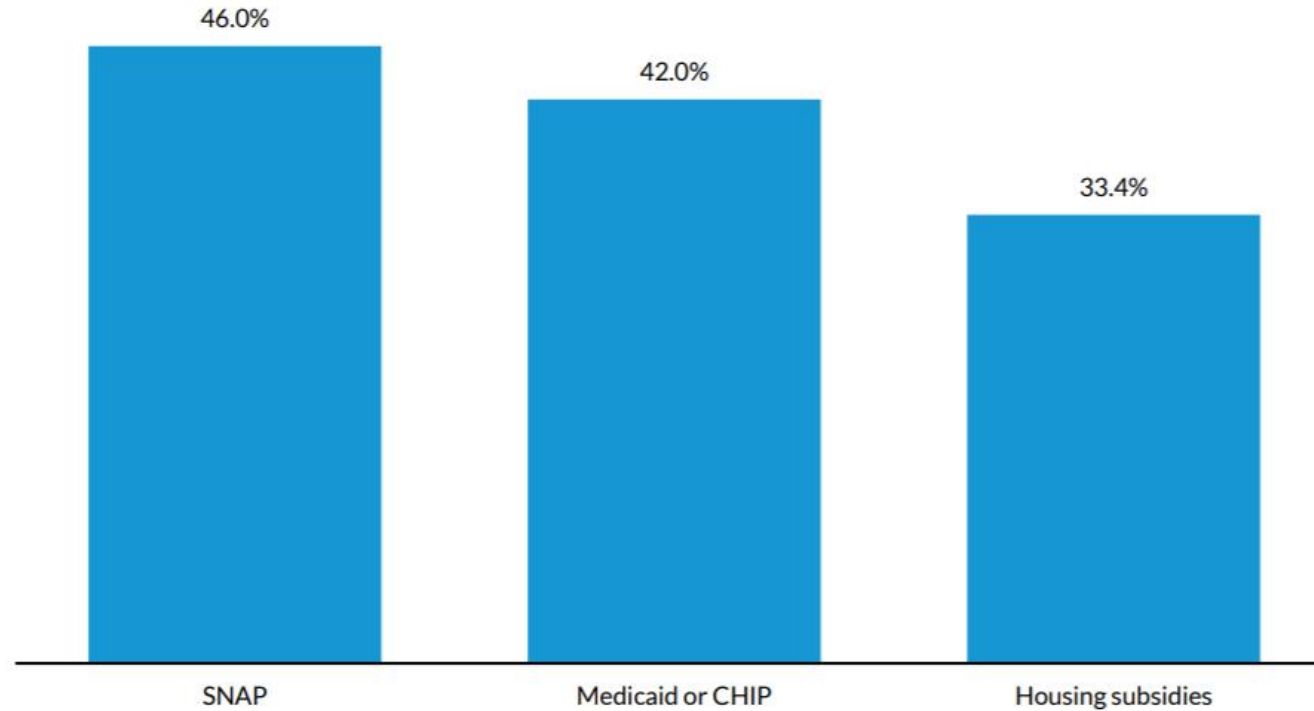
Source: Well-Being and Basic Needs Survey, December 2018.

Notes: FPL = federal poverty level. Adults are ages 18 to 64. Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

*** Estimate differs significantly from adults in immigrant families with family incomes below 200 percent of FPL at the 0.01 level, using two-tailed tests.

FIGURE 2

Share of Adults in Immigrant Families in Which Someone Did Not Participate in SNAP, Medicaid/CHIP, or Housing Subsidies, among Those That Avoided Noncash Public Benefits in the Past Year Because of Green Card Concerns, December 2018



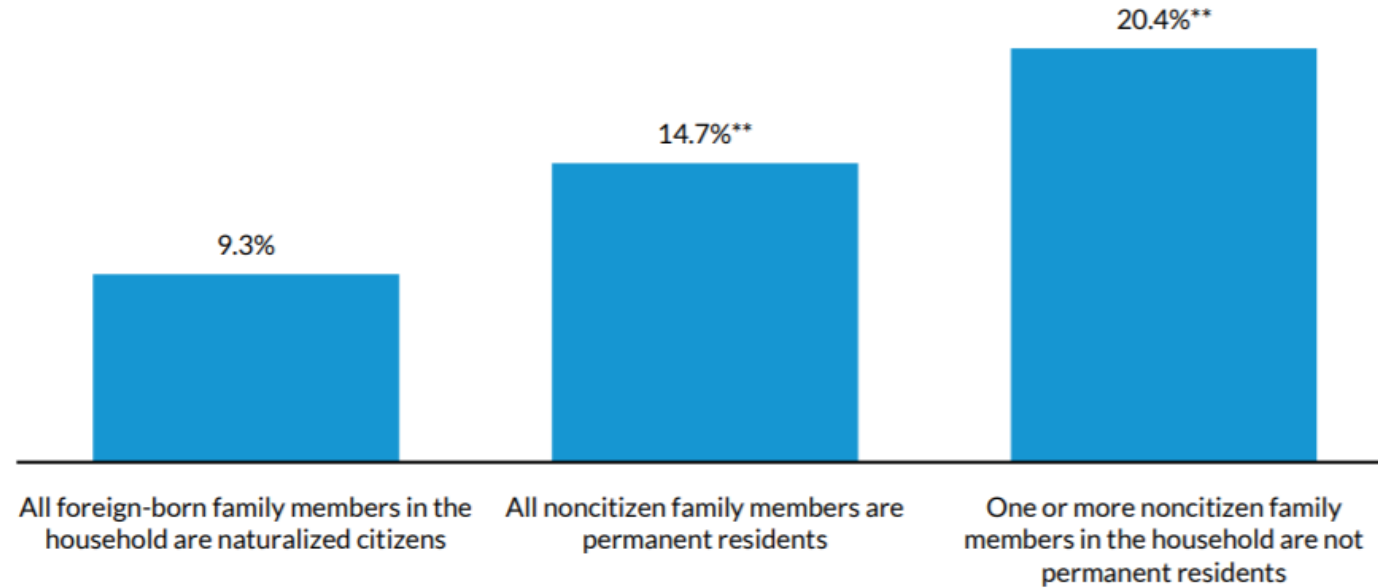
URBAN INSTITUTE

Source: Well-Being and Basic Needs Survey, December 2018.

Notes: SNAP = Supplemental Nutrition Assistance Program. CHIP = Children's Health Insurance Program. Adults are ages 18 to 64. Because respondents could report multiple programs, the program categories displayed are not mutually exclusive. Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

FIGURE 3

Share of Adults in Immigrant Families That Avoided Noncash Public Benefits in the Past Year Because of Green Card Concerns, by Household Citizenship and Immigration Status, December 2018



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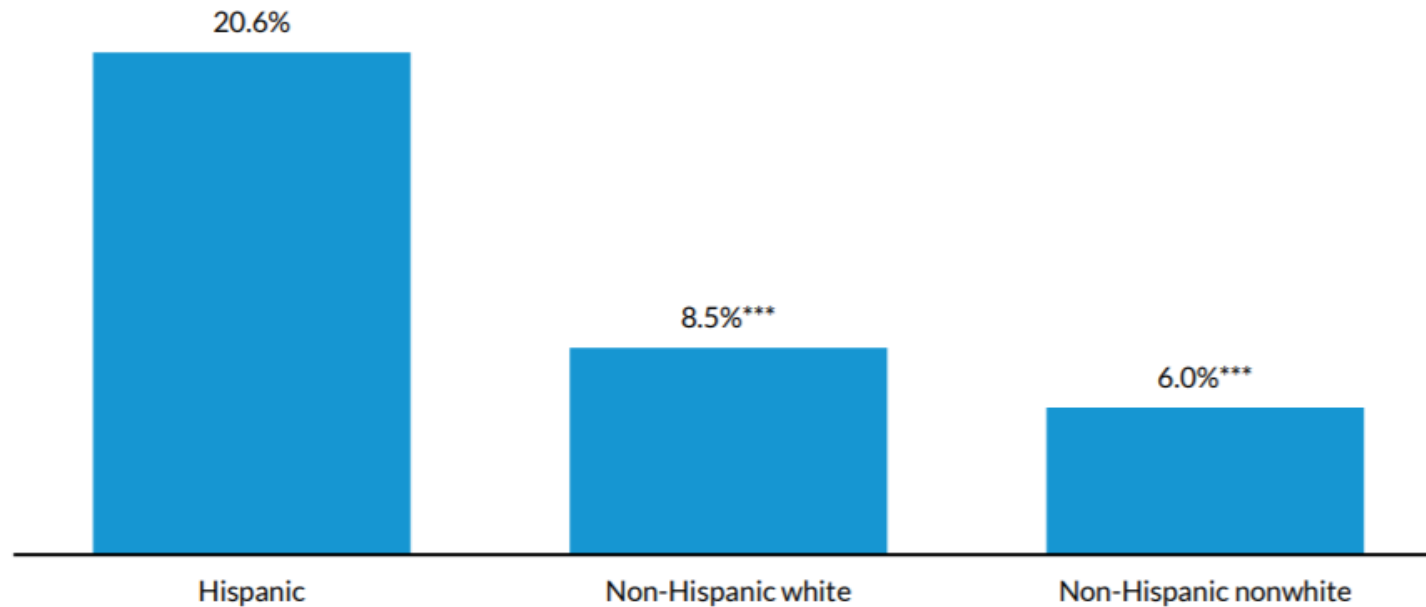
Source: Well-Being and Basic Needs Survey, December 2018.

Notes: Adults are ages 18 to 64. Categories are constructed around the citizenship and immigration status of the foreign-born family members in the household, but each group may contain US-born family members (including the respondent). Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

** Estimate differs significantly from adults in households where all foreign-born family members are naturalized citizens at the 0.05 level, using two-tailed tests.

FIGURE 4

Share of Adults in Immigrant Families That Avoided Noncash Public Benefits in the Past Year Because of to Green Card Concerns, by Race and Ethnicity, December 2018



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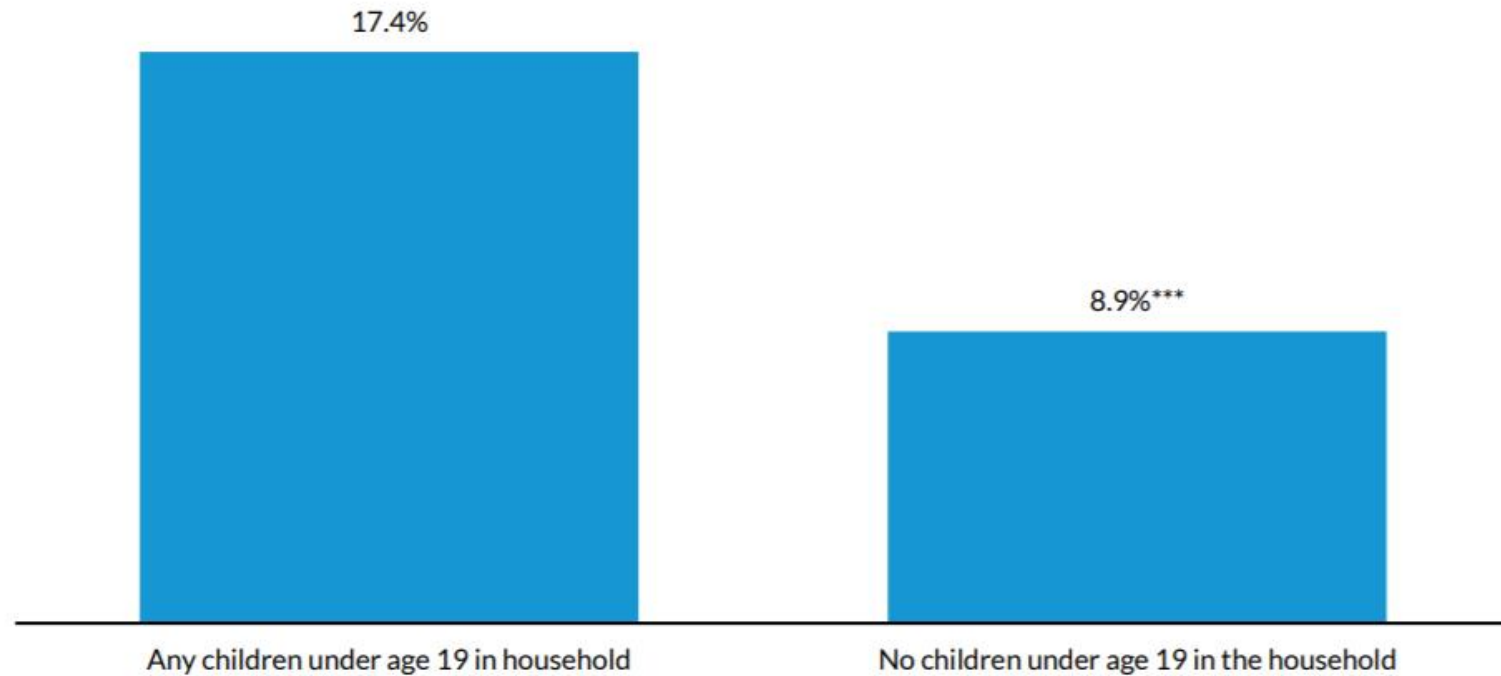
Source: Well-Being and Basic Needs Survey, December 2018.

Notes: Adults are ages 18 to 64. The non-Hispanic nonwhite category includes non-Hispanic respondents who either do not identify as white or identify as more than one race. Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

*** Estimate differs significantly from Hispanic adults at the 0.01 level, using two-tailed tests.

FIGURE 5

Share of Adults in Immigrant Families That Avoided Noncash Public Benefits in the Past Year Because of Green Card Concerns, by Presence of Children in the Household, December 2018



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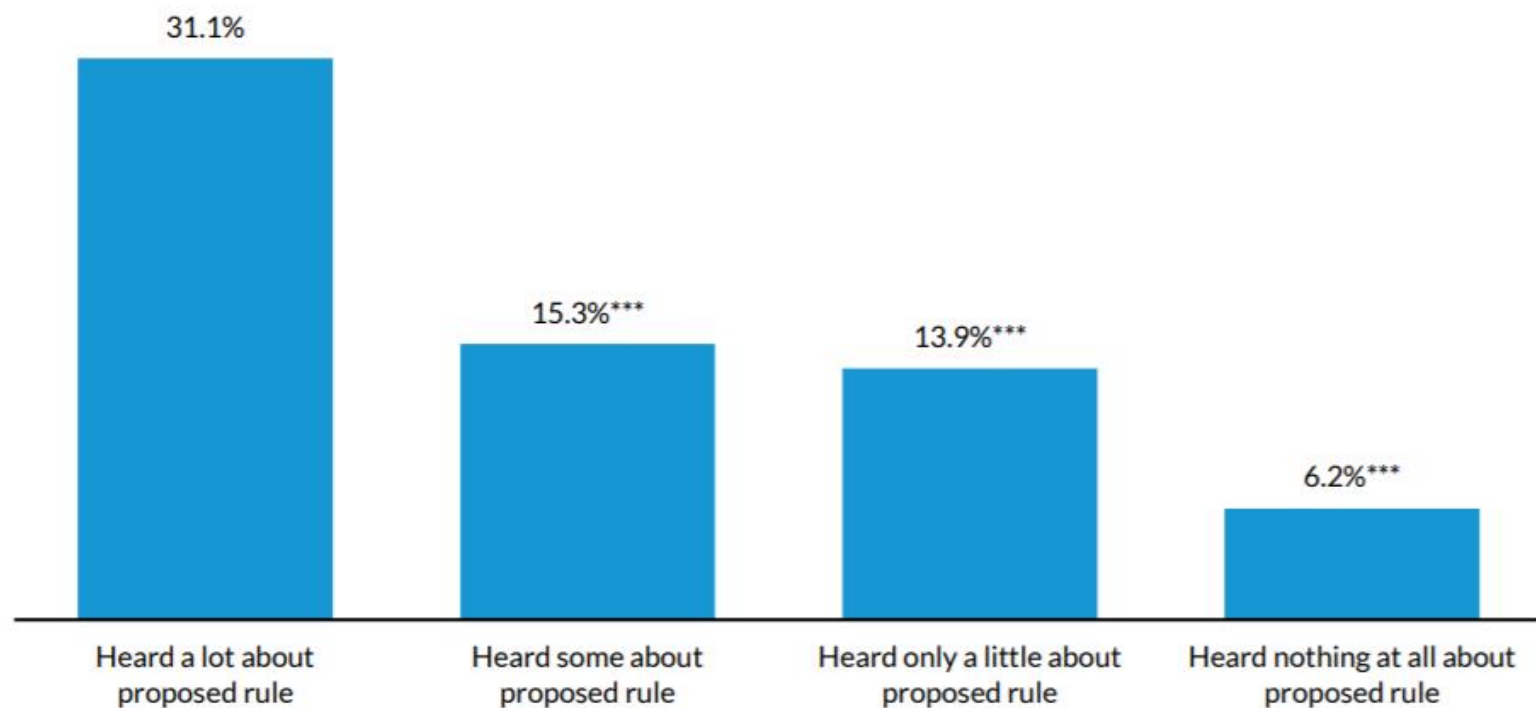
Source: Well-Being and Basic Needs Survey, December 2018.

Notes: Adults are ages 18 to 64. Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

*** Estimate differs significantly from adults with any children under age 19 in the household at the 0.01 level, using two-tailed tests.

FIGURE 6

Share of Adults in Immigrant Families That Avoided Noncash Public Benefits in the Past Year Because of Green Card Concerns, by Awareness of the 2018 Proposed Public Charge Rule, December 2018



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Source: Well-Being and Basic Needs Survey, December 2018.

Notes: Adults are ages 18 to 64. Respondents reported that either they or someone in their family did not apply for or stopped participating in noncash public benefits because they worried it would disqualify them or a family member from obtaining a green card.

*** Estimate differs significantly from adults who heard “a lot” about the proposed rule at the 0.01 level, using two-tailed tests.

Declining WIC participation

- Evidence suggests the risk of deportation is negatively associated with participating in WIC and that Mexican-origin families are the most sensitive when it comes to deportations and program use.
- A recent news report explained the unprecedented number of women and children are withdrawing from WIC since the proposed public charge rule last fall.



USDA Food and Nutrition Service Actions

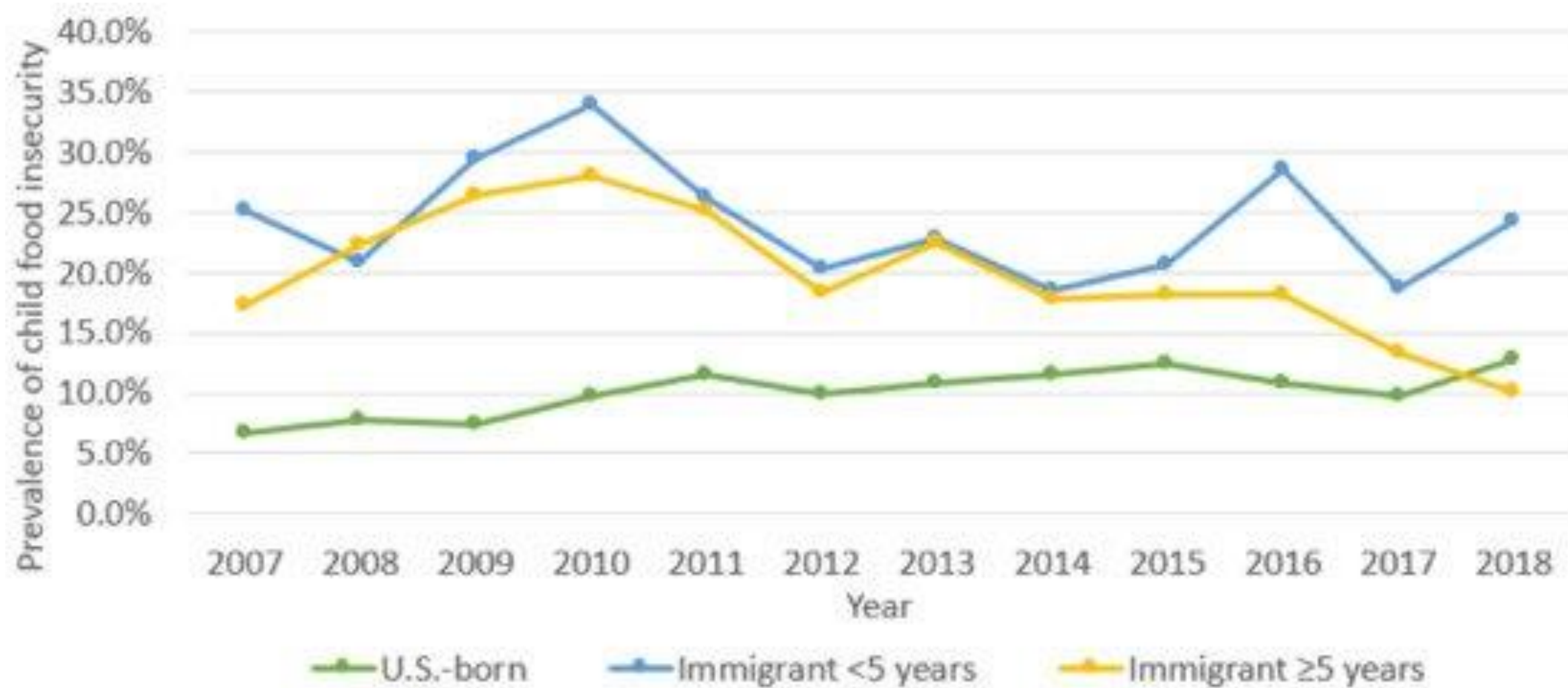
On March 25, 2019, the FNS Administrator Brandon Lipps blogged about a series of roundtable meetings he is participating in with WIC directors, participants, retailers, and other partners from across the US to address the obstacles WIC participants and potential participants and how to better support state and local agency staff.



Lance Cheung/U.S. Department of Agriculture

Increasing Food Security

- **Nearly 20 million children (25%) live in a family with an immigrant parent, and the vast majority of these children are citizens (86%)**
- **It is common for undocumented immigrants to live in a household that receives SNAP or other safety net programs, because undocumented parents often apply for assistance on behalf of their children.**
- **Because unauthorized immigrants are ineligible for nearly all safety net programs, immigrant families may choose to remove their children from safety net programs (or not enroll at all) to keep their families together, which makes these children the most vulnerable.**



Worsening Health Outcomes

- Participation in SNAP was linked to significant improvements in birth outcomes and better academic learning during school-aged years and was shown to lead to significant improvements in adult health.
- A fallout in Medicaid enrollment will increase the uninsured rate and reduce access to care, which will likely worsen health outcomes.
- Medical expenses are the largest contributor to increasing the number of individuals in poverty.



Simulation Study

- A cross-sectional study used nationally representative data from 4007 children 17 years of age or younger who participated in the 2015 Medical Expenditure Panel Survey to assess their potential risk of losing benefits because they live with a noncitizen adult. Statistical analysis was conducted from January 3 to April 8, 2019.
- A total of 8.3 million children who are currently enrolled in Medicaid and CHIP or receiving SNAP benefits are potentially at risk of disenrollment, of whom 5.5 million have specific medical needs, including 615 842 children with asthma, 53 728 children with epilepsy, 3658 children with cancer, and 583 700 children with disabilities or functional limitations. Nonetheless, among the population potentially at risk of disenrollment, medical need was less common than among other children receiving Medicaid and CHIP or SNAP (64.5%; 95% CI, 61.5%-67.4%; vs 76.0%; 95% CI, 73.9%-78.4%; $P < .001$).
- The proposed rule is likely to cause parents to disenroll between 0.8 million and 1.9 million children with specific medical needs from health and nutrition benefits.

Figure 2. Projected Disenrollment in Medicaid and CHP+ Due to Public Charge Rule

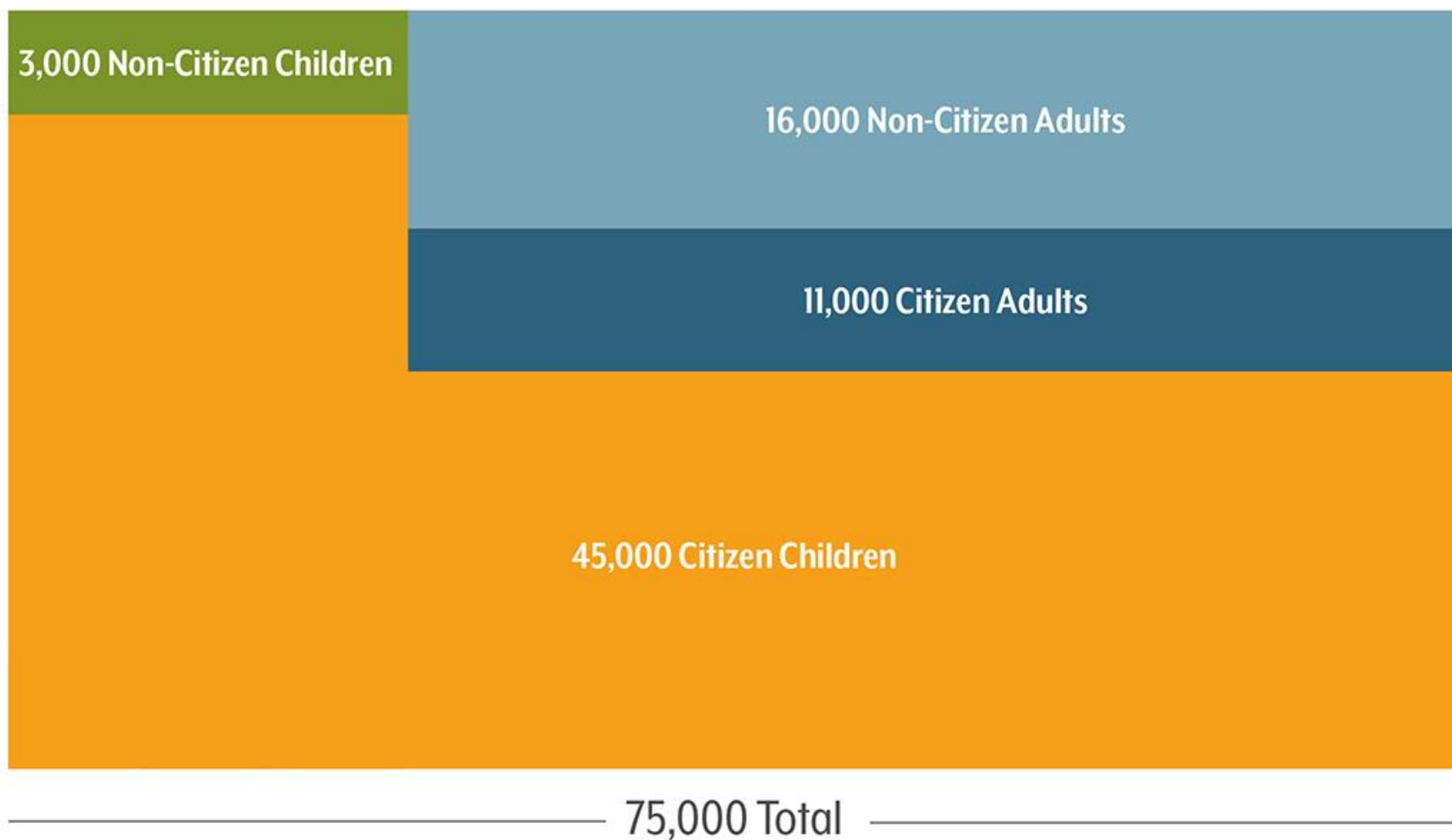
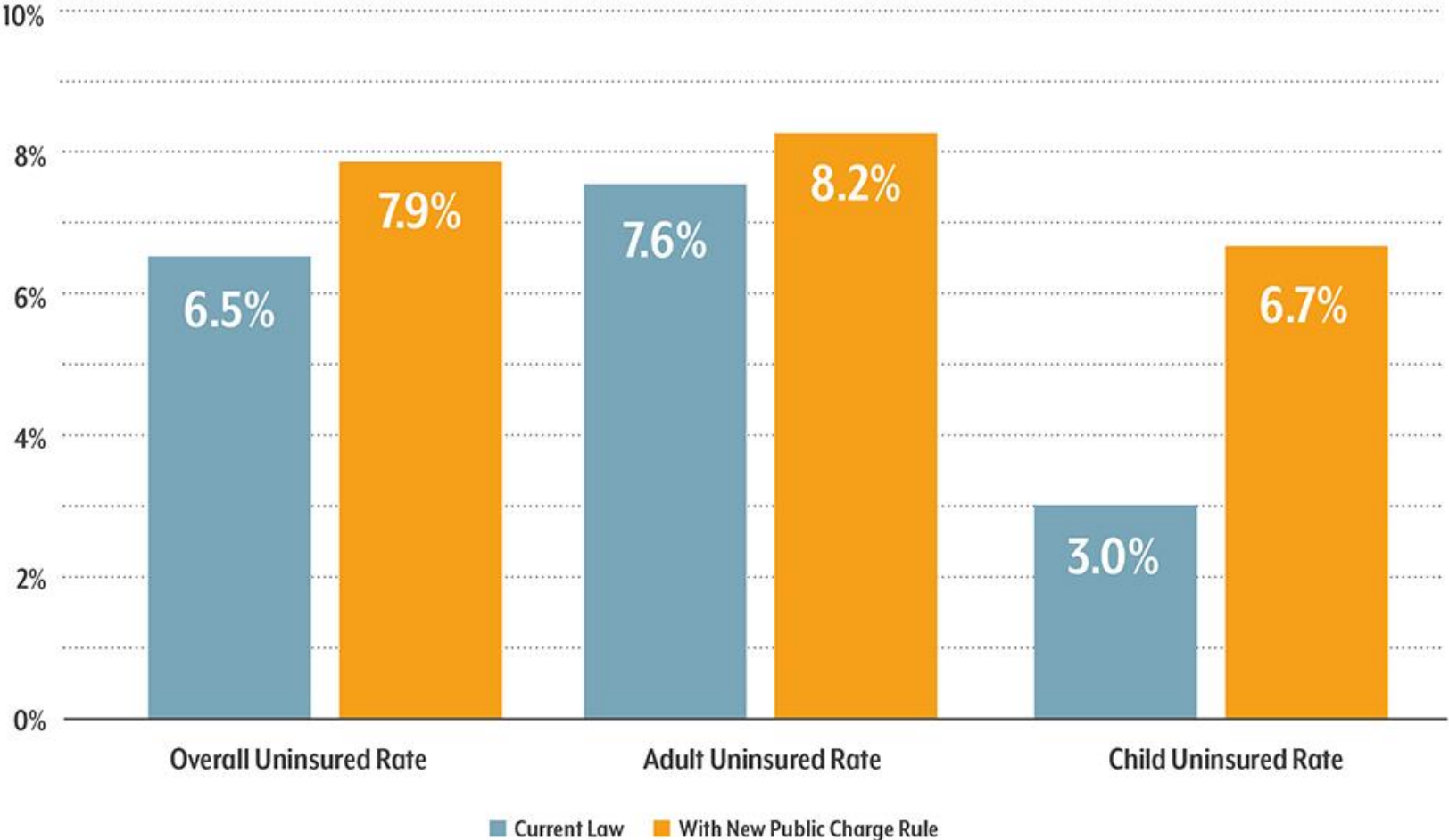
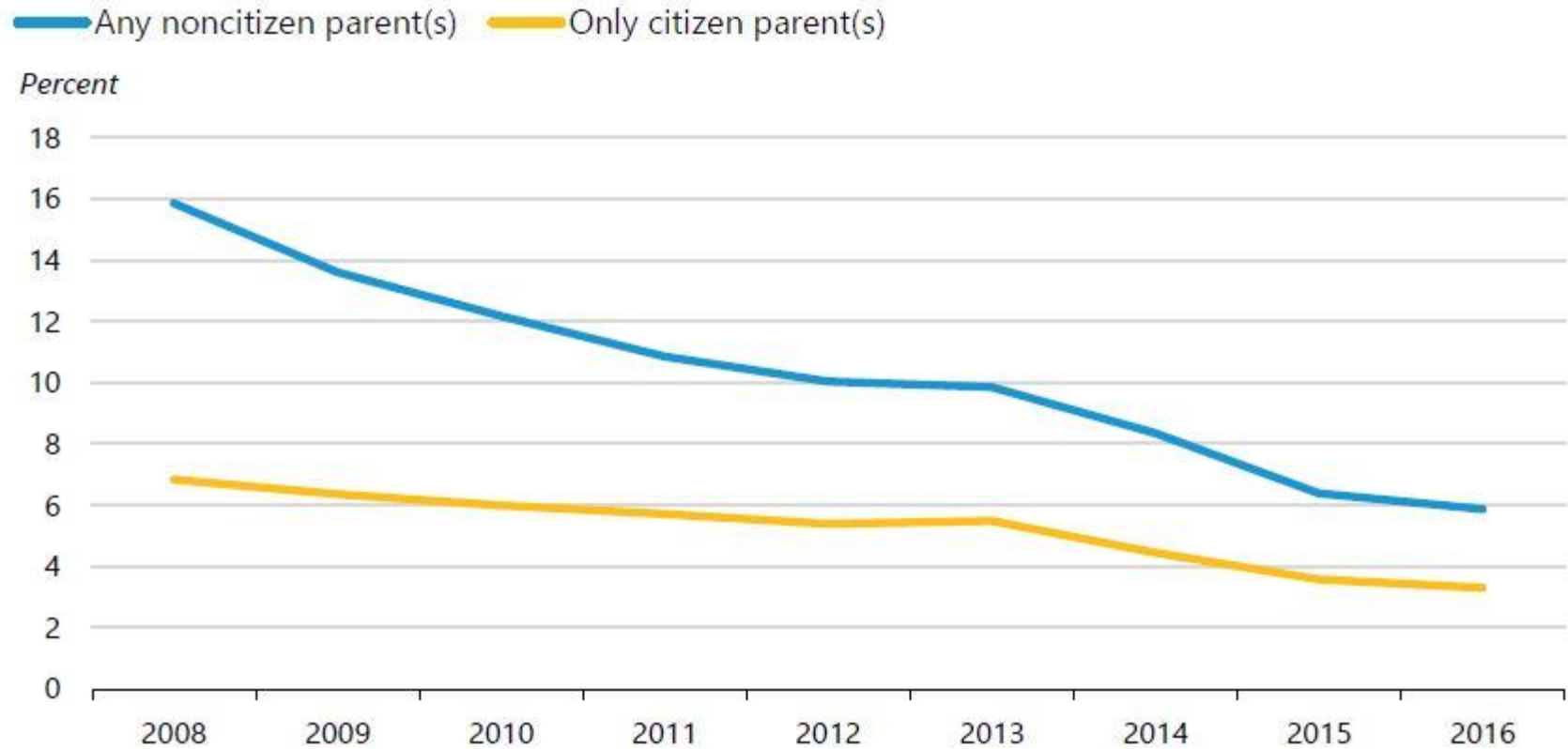


Figure 4. Colorado Uninsured Rates by Age, Current Law vs. New Public Charge Rule



Uninsurance among Citizen Children, 2008–16

By parents' citizenship status



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Source: Authors' tabulations of American Community Survey data from Integrated Public Use Microdata Series.

Notes: Children are ages 18 and younger. Excludes children not living in a household with a parent and noncitizen children.

Straining the Charitable Food Sector and the Health Care System

- Participation in SNAP for 6 months is associated with 35% less food pantry use (from 21% to 13%).
- Likely increase reliance on the charitable food sector greatly, which historically occurs during periods when regulatory or budgetary changes reduce SNAP participation.
- Impact of reduced Medicaid, strain health care system.

POSSIBLE IMPACTS OF CHANGES TO “PUBLIC CHARGE” TEST

Proposed changes to current immigration laws could cost California billions of dollars and thousands of jobs, particularly from the health care sector and food-related industries.

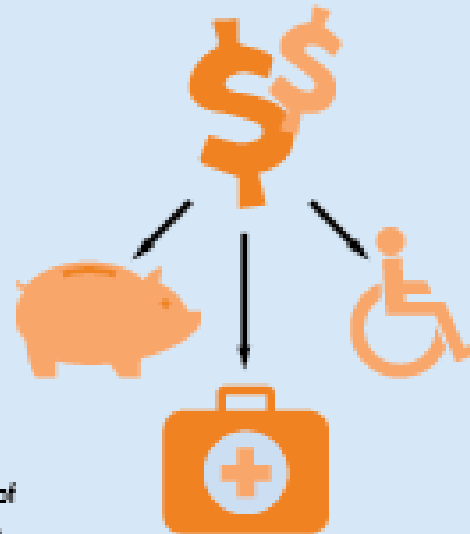
Under the changes:

- an estimated **765,000** immigrants in California could disenroll from nutrition assistance and health care programs.

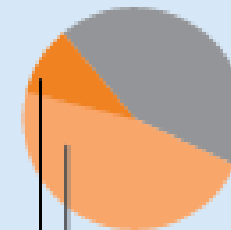


- up to 70 percent of those being children

- the state could lose up to **\$1.67 billion** in federal benefits.



- the state could ultimately lose **\$2.8 billion** and as many as **17,700 jobs**



- 47 percent of the job losses would come from the health care sector
- 10 percent of the job losses would come from the state's food-related industry

A Conceptual Framework: Cycle of Food Insecurity & Chronic Disease



Adapted: Seligman HK, Schillinger D. N Engl J Med. 2010;363:6-9.

Data Challenges and Opportunities

Without question, there is limited nationally representative monitoring and surveillance of immigrant and refugee populations and, particularly, scarce time-sensitive evaluation methodologies and funding support structures in place to objectively track food security or other health related outcomes among these populations as a series of policy actions transpire.

Possible Areas of Action

- **Incorporating hunger and food insecurity screenings in clinical or community practice or as a part of research and evaluation projects.**
- **Educating health care practitioners and teachers, among others, about how to address food security in a culturally, contextually, and sensitive manner, and health resources at the local, state, tribal, and national levels.**
- **Developing innovative approaches to encourage participation or reach high risk populations not participating about healthy eating on a budget.**
- **Sharing best practices through new or existing networks or working groups.**



Alamance County WIC's "Lactation Station" offers women a place to breastfeed, and education about the nutritional program.
(Courtesy Alamance Co. WIC office.)

Medical-Legal Partnerships



SNAP-Ed



Leveraging Networks



Resources

- **National Immigration Law Center**
- **National Center for Medical-Legal Partnerships**
- **AAP – Immigrant Health Toolkit**
- **The Waiting Game**
- **The Undocumented Patients**

Hunger or Deportation: Implications of the Proposed Public Charge Rule

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