



ARLINGTON COUNTY, VIRGINIA

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November 28, 2018

Ms. 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, D.C. 205292140

Dear Ms. Deshommes,

On October 10, 2018, the U.S. Department of Homeland Security published in the Federal Register a proposed rule that would make significant changes to “public charge” policies. Arlington County is concerned about the impact this new rule would have on Arlington residents, and specifically, the clients of our Department of Human Services. The County Board strongly opposes adoption of the rule.

Under longstanding policy, the federal government can deny an individual entry into the U.S., or reject a request for adjustment to status, if the individual is determined likely to become a public charge – meaning that they are primarily dependent upon the government for subsistence as shown by receipt of SSI, TANF, or public assistance for long-term care in an institution.

Under the new proposed rule, however, officials would consider use of certain previously-excluded benefit programs in public charge determinations -- including Medicaid; the Supplemental Nutrition Assistance Program (SNAP); Medicare Part D; the Housing Choice Voucher Program, and Public Housing. In addition, the proposed rule solicits comments about whether the Children’s Health Insurance Program (CHIP) also should be considered in public charge determinations.

Chilling effect

Although some immigrants (e.g., refugees, asylees, survivors of trafficking or domestic violence) would not be subject to the public charge rules, and even though the new proposed rule would not consider whether an applicant’s dependents have received public benefits, it is highly likely that the proposed rule would have a “chilling effect,” leading to broad decreases in participation beyond those directly affected by the changes. Immigrant families – many of which include U.S.-citizen children – would forgo public benefits to which they’re legally entitled, due to their fear of potential consequences.

Harmful impact on health and well-being

Not only are the programs affected by the proposed rule essential to immigrants’ ability to build a better future for themselves and their families, they also are essential to the health and well-being of entire communities. Even the Department of Homeland Security recognizes the harmful impact that this proposed rule would have, stating within the text of the proposed rule that it could lead to:

- “Worse health outcomes, including increased prevalence of obesity and malnutrition, especially for pregnant or breastfeeding 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, including among members of the U.S. citizen population who are not vaccinated;
- Increases in uncompensated care in which a treatment or service is not paid for by an insurer or patient;
- Increased rates of poverty and housing instability; and
- Reduced productivity and educational attainment.”

Economic impact on Virginia

The [Commonwealth Institute for Fiscal Analysis](#) estimates that even “just” a 25 percent disenrollment scenario would translate into a reduction of \$96 million in federal funds coming into Virginia, which would result in a ripple effect of \$183 million felt in the health care and food industries – as well as up to 1,240 lost jobs – across the Commonwealth.

Thousands of Arlingtonians may be affected

While we cannot know precisely how many Arlingtonians would be impacted by the proposed rule, we do know that the number of households in Arlington currently receiving Temporary Assistance to Needy Families (TANF) is approximately 350; approximately 4,100 households in Arlington take advantage of SNAP - Supplemental Nutrition Assistance Program; the County has more than 18,000 Medicaid recipients, and about 1,500 households receive Housing Choice Vouchers.

We do not know the exact immigration status of each household. But we do know that many have mixed status – with some family members who are resident and eligible to receive benefits, and others who are undocumented. There are households with currently eligible children who have been calling our human services office to close their SNAP benefits because they fear that they will be considered a public charge and put their immigration status at risk.

Impact could be deep, long-lasting

Since undocumented immigrants are ineligible for many forms of public assistance, they generally would be unaffected (unless they became eligible to apply for work authorization or a green card down the road). We do know, however, that 2016 American Community Survey 5-year estimates show that approximately 6,299 children under the age of 6 live in immigrant families in Arlington. We also know from a 2017 Kaiser Family Foundation analysis that nationwide, nearly 90 percent of children living with an immigrant parent are U.S. citizens. Yet regardless of whether some, or all, of the members of these immigrant families are truly subject to public charge, past experiences suggest that as many as 60 percent of these families could choose to withdraw from public benefit programs. If this occurs, the impact will be deep and long-lasting. In addition, under this new proposed rule, lawfully present individuals who are eligible for emergency Medicaid and Medicaid for their children, as well as Lawful Permanent Residents wanting to petition for their family members from abroad, could have issues if they become eligible to adjust status or consular process down the road.”

As an inclusive community that celebrates and values the diversity of its residents, the County Board urges the U.S. Department of Homeland Security to not adopt the proposed public charge rule. This proposed policy will hurt families and children, jeopardizes public health and welfare. It is neither humane nor economically justifiable. It is not in keeping with who we are as a county, or as a nation of immigrants.

Sincerely,

A handwritten signature in black ink that reads "Katie Cristol". The signature is written in a cursive, flowing style.

Katie Cristol, Chair

Arlington County Board