

Ms. Samantha Deshommès  
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, Comments in Response to Proposed Rulemaking:  
Inadmissibility on Public Charge Grounds

To Ms. Deshommès:

The Episcopal Church, the U.S.-based province of the Anglican Communion, which is the third largest Christian denomination globally, opposes the proposed rule, “Inadmissibility on Public Charge Grounds.” The Church is committed to fighting poverty, helping people achieve financial independence, and protecting the dignity and safety of immigrants and refugees. This proposed rule runs counter to those goals. The proposed rule has already made immigrant families that are part of our communities afraid to access essential health, nutrition, and housing programs and will negatively impact millions of immigrants hoping to secure a stable future for their families.

### **Food and Healthcare Accessibility**

The Episcopal Church recognizes that access to food and healthcare are essential for everyone in our communities, enabling people to fulfill the value and purpose God has given them. The proposed rule will have a significant adverse impact on food accessibility and adequate healthcare.

One of the most concerning aspects of the proposed rule change is the impact that it would have on immigrants and their ability to adequately feed their families when they are underemployed or have a temporary lapse in employment, often due to market dynamics outside of their control. The Food Research and Action Center found that the rule will encourage immigrants who are legally authorized to enroll in food assistance programs to remove themselves from the program, causing increased food insecurity and hunger. They estimate that even under a conservative scenario, almost 130,000 people—many of them children—would lose access to Supplemental Nutrition Assistance Program (SNAP).<sup>1</sup> This loss of access would roll back progress in addressing hunger and poverty in this country, which the Church has worked to alleviate for hundreds of years.

Similarly concerning are the negative health consequences that would result from this rule. According to a Kaiser Family Foundation report, the proposed changes would likely lead to broad declines in participation in Medicaid and other health programs among immigrant families, including their primarily U.S. citizen children, even though they are eligible under the law to

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<sup>1</sup> <http://frac.org/wp-content/uploads/hunger-impact-proposed-public-charge-rule.pdf>

receive those benefits.<sup>2</sup> In the proposed rule, the Department of Homeland Security (DHS) also estimates that 2.5% of the eligible population of immigrants and their family members who are otherwise eligible for Medicaid or Medicare Part D subsidies will either remove themselves from the program or forego participation in the program. Decreased participation in these programs would increase the uninsured rate among immigrant families, negatively affecting their health and financial stability. The consequences of decreased access to affordable and quality medical care, and thus fewer people seeking and receiving medical care, are worse health outcomes for the community as a whole, not just individual immigrant families.

### **A Pathway to the American Dream**

The Church opposes any change that would hold immigrants and native-born citizens to a different socioeconomic standard based on our reading of Exodus 12:49, which states that “There shall be one law for the native and for the alien who resides among you.” The new proposed income threshold, though, would do just that and would negatively impact the futures of many immigrant families. For a family of four, having an income at the level necessary to be considered a positive factor (250% of the federal poverty level) would require an income of nearly \$63,000 annually, which is higher than the median income in the United States as a whole.<sup>3</sup> If this rule moves forward, only the wealthiest immigrants will be able to build a future in the United States: it is asking immigrants to achieve the American Dream before even arriving in America, eroding one of our country’s most foundational values.

It is critical to note that legal immigrants use federal benefit programs at lower rates than U.S.-born citizens, and for those that do use public benefits, studies show that immigrants pay more in taxes than they use in benefits.<sup>4</sup> Importantly, most public benefits programs are intended to be temporary and are proven to help families achieve financial independence in the long term.<sup>5</sup> The vast majority of immigrant households that access and use public benefits belong to the ‘working poor,’ meaning that they are already employed and contributing to our economy and are still unable to make ends meet.<sup>6</sup> In the current economy, low-wage positions often have inconsistent hours, lack benefits, and even full-time employment at minimum wage by a single parent could leave a family living below the poverty line. It is counterintuitive to penalize people for utilizing short-term assistance that could stabilize them in the long-term and enable them to become contributing members of society and fulfill the American Dream.

### **Large-scale Impact**

The proposed rule will have an outsized effect on immigrant populations and local communities. Ultimately, there is no way to individually target specific adult immigrants without harming their families; any negative outcome for an adult will inevitably have a ripple effect on their children and any seniors they are supporting. New York State, for example, estimated that over a million people would be negatively impacted by this proposed rule in New York State alone, with the

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<sup>2</sup> <https://www.kff.org/disparities-policy/fact-sheet/proposed-changes-to-public-charge-policies-for-immigrants-implications-for-health-coverage/>

<sup>3</sup> <https://www.brookings.edu/research/welfare-benefits-for-non-citizens/>

<sup>4</sup> <https://immigrationforum.org/article/fact-sheet-immigrants-and-public-benefits/>

<sup>5</sup> [https://www.huffingtonpost.com/2015/05/29/public-benefits-safety-net\\_n\\_7470060.html](https://www.huffingtonpost.com/2015/05/29/public-benefits-safety-net_n_7470060.html)

<sup>6</sup> <https://www.nilc.org/issues/economic-support/foodstamps/>

children of immigrants seeking green cards being most vulnerable.<sup>7</sup> The reality is that many more immigrants, including those not technically subject to the public charge determination such as refugees and asylees, are likely to avoid using benefits in fear of negative immigration consequences.<sup>8</sup>

The preamble to the proposed rule indicates that DHS is well-aware of the negative implications of this rule change, as it states that the changes may decrease disposable income and increase poverty levels of certain families and children, including U.S. citizen children. The preamble also identifies potential impacts on local communities, including decreased revenues to health care providers, pharmacies, grocery retailers, agricultural producers, landlords, and new additional direct and indirect costs for individuals and organizations serving immigrant families. Other negative effects of the proposed rule include decreased tax revenue from immigrant families, increased financial instability, and the possibility of the outbreak of disease due to poor health assistance.

As an institution that regularly works with migrant populations and operates one of the nine national refugee resettlement agencies, we see how immigrants, regardless of their background and economic status, are beneficial to our country. The Church believes this rule will serve to undercut the benefits our nation receives from immigrant contributions. As our history and statistics show, as immigrants and their descendants integrate into American society, many aspects of their lives improve; their education outcomes increase, they move to higher paying jobs, and they earn more money.<sup>9</sup> Immigrants have a positive effect on the United States' economy by bringing new ideas and starting businesses, creating jobs, and increasing our competitiveness in the global economic market.<sup>10</sup> In fact, almost half of the Fortune 500 businesses were started by immigrants or their children.<sup>11</sup> Our nation's economy critically relies on immigrants, their ideas, and their entrepreneurship. Further, immigrants add vibrancy, diversity of thought, and new ideas to our political and cultural landscape, things that are not easily quantifiable. The proposed regulation ignores these realities and assumes you can accurately divide people into permanent classes of contributors and non-contributors, which is totally inconsistent with the history and economics of immigration and our beliefs as followers of Jesus.

This assessment by DHS combined with a multitude of nonpartisan studies that conclude that the proposed rule changes will have negative outcomes on entire communities as well as the infrastructure that serves all of us deeply concerns us. It is a short-sighted, harmful policy that is impractical and unhealthy for our country. It would not solve any of the current problems with our immigration system and instead serves only to exacerbate the lack of healthcare coverage and economic challenges our country as a whole is already facing. It is not acceptable, under any circumstance, for the federal government to knowingly and intentionally cause American children to live in poverty; this is a violation of the purpose and mission the American people have given

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<sup>7</sup> <https://www.nytimes.com/2018/08/13/nyregion/welfare-immigrants-trump-public-charge-rule.html>

<sup>8</sup> <https://www.healthaffairs.org/doi/10.1377/hblog20180927.100295/full/>

<sup>9</sup> <https://www.americanprogress.org/issues/immigration/reports/2017/04/20/430736/facts-immigration-today-2017-edition/>

<sup>10</sup> <https://research.newamericaneconomy.org/report/51-new-reports-on-the-contributions-of-new-americans/>

<sup>11</sup> <https://www.brookings.edu/blog/the-avenue/2017/12/04/almost-half-of-fortune-500-companies-were-founded-by-american-immigrants-or-their-children/>

to the federal government, a degradation of the dignity of human life, and a policy the Church and Christians are called by our faith to oppose.

### **Conclusion**

Our faith calls us to help the strangers in our midst by guiding us to respect the dignity of every human being, working for access to safety net programs that address basic food and health care needs and assist with achieving financial independence, and ensuring all people receive the help and assistance they need regardless of immigration status. Through official policy from the General Convention, the legislative body of The Episcopal Church, the Church urges the government to ensure that needy immigrants are not unfairly denied access to essential services and benefits.<sup>12</sup> Our vision of God's world on earth includes a compassionate and just immigration system; this proposed change does not further that vision.

While harming the well-being of family units and family systems, this rule also ignores the lived realities of immigrants, their families, and the local communities that depend on them. The statistics, impact studies, and even the preamble of the regulation itself indicate that this regulation would cause far more harm than good; based on the evidence provided, we are morally and theologically obligated to oppose its implementation. The Episcopal Church urges the Department of Homeland Security to immediately withdraw its proposal, noting once again that if it moves forward, the regulation will have negative ripple effects on the health, development, and economic outcomes of our entire country for decades to come, not on just immigrant populations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Linder Blachly".

Rebecca Linder Blachly  
Director  
Episcopal Church Office of Government Relations

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<sup>12</sup> [https://www.episcopalarchives.org/cgi-bin/acts/acts\\_resolution.pl?resolution=1997-D081](https://www.episcopalarchives.org/cgi-bin/acts/acts_resolution.pl?resolution=1997-D081)