



November 13, 2018

The Honorable Gary Peters
U.S. Senate
Senate Office Building
Washington, DC 20510

Dear Senator Peters:

As you may already be aware, the Administration is proposing to dramatically change how the current definition of a “public charge” is applied for immigrants seeking lawful permanent status (i.e., green cards) or to join their families in the United States. This will have a considerable impact on the well-being of children and families in our state and country. The undersigned organizations urge you to actively oppose the rule and be prepared to submit comments in opposition when the rule is officially published.

Immigrants strengthen Michigan in many ways. They tend to be highly entrepreneurial, creating jobs, revitalizing investment in areas that have declined and providing needed resources to the community. Immigrants are significant contributors to the economy; they are 7% of the state workforce, 12% of all business owners and 20% of all Main Street business owners. Foreign-born entrepreneurs generated \$65.5 billion in business in 2014.¹ These numbers are in stark contradiction to the rhetoric that immigrants are draining our economy and our government’s resources.

Ensuring that immigrant families have access to important health, nutrition and housing services is important for children, families and communities to thrive. The public charge test is designed to exclude immigrants who might primarily depend on the government for subsistence. Traditionally, it’s only included those who rely on cash assistance or receive Medicaid for long-term care. Adoption of the proposed regulations would mark a departure from longstanding interpretation of the public charge rule. If the draft rule is adopted, benefits that could be considered in a public charge determination would include virtually any public service such as Medicaid (emergency Medicaid is excluded), the Supplemental Nutrition Assistance Program (SNAP), housing assistance such as Section 8 housing vouchers, and the Low Income Subsidy for prescription drug costs under Medicare Part D. DHS asks for input on inclusion of the Children’s Health Insurance Program (MICHild in Michigan), but this program is not included in the current regulatory text.

We are deeply concerned about the impact of this rule on child health and well-being. In Michigan, almost 46% of U.S.-born children, almost 48% of noncitizen immigrant children and over 40% of naturalized citizen children participate in at least one or more of the following public programs: TANF, SSI, SNAP and Medicaid/CHIP.² The proposed rule would place children at the greatest risk of not enrolling or disenrollment from programs aimed to improve well-being and development. It is estimated that in Michigan approximately 283,000 noncitizen immigrants and their family members, including over 114,000 children, would likely stop participating in programs for which they are eligible.³

The proposed rule also adopts a new bright-line threshold for households that hope to overcome a “public charge” test—by requiring that the immigrant (not just the sponsor) earn at least 125% of the federal poverty level—and by weighing as “heavily positive” a household income of 250% of the federal poverty level. This means, to avoid scrutiny under the public charge test, a family of four would need to earn nearly \$63,000 annually. The rule would essentially punish families who are struggling to make ends meet, and essentially make green cards and certain visas available to the highest bidder by introducing an unprecedented income test.

Finally, your constituents may be hearing about the proposed change that is causing disenrollment in some communities. It is important to share the available resources to ensure that your constituents receive accurate information regarding the proposed change. Again, we urge you to oppose the proposed rule change on public charge and submit comments when it is published. The change could jeopardize access to healthcare, adequate food and nutrition and safe, affordable housing for thousands of Michigan children, which will negatively impact their educational, health and economic outcomes.

Thank you for your consideration. Please do not hesitate to reach out to our organizations as resources on this issue.

Sincerely,

Arab Community Center for Economic and Social Services (ACCESS)
Michigan Immigrant Rights Center
Michigan League for Public Policy
Detroit Hispanic Development Corporation
American Civil Liberties Union of Michigan
Accounting Aid Society
African Bureau for Immigration and Social Affairs (ABISA)
Berrien Immigrant Solidarity Network
Center for Civil Justice
Committee on Peace and Justice, CUMCDet
The Community Economic Development Association of Michigan (CEDAM)
Cristo Rey Church
Dominican Sisters ~ Grand Rapids
Health Net of West Michigan
Holland United Church of Christ
Immigrant Connection at City Light Church
Intercultural Communities Collaborative
International Refugee Assistance Project, Michigan Law Center
Lighthouse Immigrant Advocates
Making Space Hakomi
Michigan Coalition Against Homelessness
Michigan Immigration & Labor Law Association
Michigan UU Social Justice Network
Michigan's Children
Mid-Michigan Immigration Coalition
Noor's Heaven of West Michigan Services
Office of Social Justice
People Power

SafeHouse Center
Showing Up for Racial Justice (SURJ) of Southwest Michigan
Sisters, Servants of Immaculate Heart of Mary - Justice, Peace and Sustainability Office
United Way of Washtenaw County
Voces de la Comunidad
Washtenaw Health Plan
Washtenaw Interfaith Coalition for Immigrant Rights

¹Crouse, Victoria. *Building a Thriving Main Street: Charting Success for Michigan's Immigrant Entrepreneurs*, Michigan League for Public Policy, <https://mlpp.org/immigration-issues/building-a-thriving-main-street-charting-success-for-michigans-immigrant-entrepreneurs/> (August, 2018).

²Batalova, Jeanne, Michael Fix, and Mark Greenberg. *Chilling Effects: The Expected Public Charge Rule and Its Impact on Legal Immigrant Families' Public Benefits Use*, Migration Policy Institute, <https://www.migrationpolicy.org/research/chilling-effects-expected-public-charge-rule-impact-legal-immigrant-families> (June 2018).

³Analysis by Center on Budget and Policy Priorities and Fiscal Policy Institute.