

December 7, 2018

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, RIN 1615-AA22,
Comments in Response to Proposed Rulemaking:
Inadmissibility on Public Charge Grounds

Dear Ms. Deshommès:

The following comments are submitted on behalf of the Association of Schools and Programs of Public Health (ASPPH) in response to the Department of Homeland Security's (DHS) Notice of Proposed Rulemaking to express our strong opposition to the changes regarding "public charge," as published in the *Federal Register* on October 10, 2018 (DHS Docket No. USCIS-2010-0012, RIN 1615-AA22).

ASPPH opposes the proposed rule as it would have profound and negative consequences on the health of the many immigrant families that would be affected by limiting their access to critical and life-saving health and wellness services. As such, this proposal also will negatively affect the health and wellness of entire communities. We urge you to withdraw the rule in its entirety and that long-standing immigration policies remain in effect.

ASPPH's mission is to transform public health by strengthening and promoting the education, research, service, and practice activities of our member public health schools and programs. We advocate for investments needed to advance population health and more effective public health policies.

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The proposed public charge rule is a dramatic shift from decades of immigration policy. It would alter the long-standing meaning of a “public charge” as a person who depends on the government for subsistence, changing it to anyone who simply receives assistance with health care, nutrition, or housing. The rule also makes other major and unprecedented changes, such as introducing an income test and weighing negatively other factors that have never before been considered relevant, such as language abilities, having a preexisting medical condition, or being part of a large family.

While the proposed rule suggests that its purpose is to ensure that immigrants are “self-sufficient,” and “do not depend on public resources to meet their needs,” it would alter the public charge test to instead attempt to predict whether a person is likely to use virtually any health care, nutrition assistance, or housing support. According to a Cato Institute [analysis](#) by David Bier, the proposed rule would impact immigrants “who are up to 95% self-sufficient.” Specifically, Bier states: “while the rule states that having an income 250 percent of the poverty line or greater will be a ‘heavily weighted’ positive factor, even people above this line could be deemed public charges if they received \$2.50 per day per person [in assistance] in a family of four. Thus, even immigrants who are 95 percent self-sufficient could still be considered public charges.”

The proposed rule specifically targets low-income and vulnerable immigrants, individuals who already have significant barriers to housing, health care, and other resources. Moreover, fear of being judged for using available benefits and services is creating a chilling effect even before the rule is finalized. There are documented reports from health centers and Women, Infant and Children (WIC) clinics of families shying away for using needed services for fear of the Administration’s policies.

We are particularly concerned that the proposed rule will significantly harm the health and wellbeing of immigrant students who may forego enrollment in the programs covered by the rule for fear of harming their eligibility to stay in the U.S. In addition, covered international students would be subject to new and onerous additional tests and barriers each time they extend or change their status. For example, the rule would require USCIS to conduct public charge assessments each time covered individuals –including international students– make a request to extend or change their status.

We urge the Department to withdraw this proposal and to instead work to advance policies that strengthen, rather than harm, the ability of families to support themselves. For communities to

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thrive, everyone – including those immigrants covered by the proposed rule – must have access to critical benefits that advance their health and wellness, promote self-sufficiency, and enrich their communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Petersen", with a long horizontal flourish extending to the right.

Donna Petersen, ScD, MHS, CPH
Dean, University of South Florida College of
Public Health, and Chair, ASPPH Board of
Directors

A handwritten signature in black ink, appearing to read "Sandro Galea", enclosed in a thin black rectangular border.

Sandro Galea, MD, DrPH, MPH
Dean, Boston University School of Public
Health, and Chair-Elect, ASPPH Board of
Directors