



HARVEY EPSTEIN
Assemblymember 74th District

THE ASSEMBLY
STATE OF NEW YORK
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**Comment on the Proposed Rulemaking by U.S. Department of Homeland Security Re:
Inadmissibility on Public Charge Grounds (RIN 1615-AA22)
Office of Assemblymember Harvey Epstein
December 6th, 2018**

These proposed regulations pose an existential threat to the hundreds of thousands of non-citizens and their family members—many of whom are lawful permanent residents—who call New York home. Based on conservative estimates, these revisions could negatively affect up to 1.3 million New York City residents by precipitating the withdrawal of eligible beneficiaries from healthcare, nutrition, and housing entitlements. In fact, the damage that these proposed regulations would inflict if enacted has already begun due to confusion around their effects. Many eligible New Yorkers and individuals across the country have withdrawn from vital benefits that keep their families healthy, housed, and sustained with nutritious food out of fear that remaining on the welfare rolls will impact their immigration status. All people should be able to access the benefits that they need and for which they qualify—they should not be punished with draconian, politically motivated policies that make no improvement to the lives of Americans, regardless of their immigration status.

The potential impact these proposed regulations would have on pregnant women, new mothers, infants, and children are significant and disturbing. Under the proposed regulations, the enrollment of a non-citizen's citizen child in Medicaid or Head Start would be weighed negatively in determining whether an individual would be considered a public charge. Fearing the consequences, many would likely choose disenrollment, which could significantly worsen health outcomes for children, who may only seek care at later stages of illness. In New York alone, there are close to 700,000 non-citizen Medicaid beneficiaries and 12,000 Children's Health Insurance Program (CHIP) enrollees who may be forced to choose between healthcare or becoming a lawful permanent resident. New York has made great strides in reducing the number of uninsured people in the State by half over the last 5 years. Enacting the proposed rule would almost certainly reverse this progress.

There are equally grave concerns for non-citizen beneficiaries of the Women, Infant and Children (WIC) nutrition program, which has repeatedly proven to be a cost-effective program that improves the health of at-risk women, infants, and children. A mass disenrollment of the estimated 54,000 non-citizen WIC beneficiaries, including 4,600 pregnant women, in New York would have disastrous effects, with an estimated total impact of over \$65 million in increased healthcare costs and lost revenue in local economies.



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Beneficiaries of the Supplemental Nutrition Assistance Program (SNAP) and Supplemental Security Income and the state supplement (SSI/SSP) spend their benefits at local small businesses, which provide essential goods, as well as employment, to members of the communities they serve. If just 20 percent of the non-citizen beneficiaries—fearing that their chances of obtaining a green card would be harmed—discontinued their use of SNAP and SSI/SSP, the New York City Mayor’s Office of Economic Opportunity predicts a loss of up to \$235 million in benefits going to eligible recipients, which could lead to a reduction in New York City’s economic activity of as much as \$420 million. This would be an enormous blow to the State’s economic engine, not to mention the health and well-being of benefit recipients.

To punish New Yorkers or any individual on a path toward permanent residency goes against the values on which our state and country were built. Beyond being morally corrupt, jeopardizing the future of non-citizens who are seeking a better life for themselves and their families has the potential to create public health and economic crises that will disproportionately affect women and children and whose burden will have to be borne by all New Yorkers and Americans across the country. Weighing reliance on essential non-cash benefits in public charge determinations will have grave health and economic impacts on New York and states across our country. I urge the withdrawal of these regulations in the strongest possible terms.