

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.

Opposing the proposed “Public Charge” rule)
released by the U.S. Department of Homeland)
Security.)

WHEREAS, the “Public Charge” rule is a term used in federal immigration law to refer to a test designed to identify people who are likely to become primarily dependent on the government as their main source of support to meet their basic needs; and

WHEREAS, if the government determines that a person is likely to become a Public Charge, it can deny that person admission to the United States or Lawful Permanent Resident status; and

WHEREAS, currently, the only benefits considered in determining who is likely to become a Public Charge are cash assistance, such as Supplemental Security Income and Temporary Assistance for Needy Families, and government-funded institutional long-term care; and

WHEREAS, on September 22, 2018, the United States Department of Homeland Security released proposed changes to the Public Charge rule, expanding the definition of benefits that could be considered in a Public Charge determination to include key health care, nutrition, and housing programs that help participants meet their basic needs, including Non-Emergency Medicaid (with some exceptions), Supplemental Nutrition Assistance Program, Medicare Part D Low Income Subsidy, and Housing Assistance (public housing or Section 8 housing vouchers and rental assistance), and increasing the income level for applicants who hope to overcome the Public Charge test; and

WHEREAS, the proposed changes will have a direct negative effect on local economies and well-being by discouraging immigrants from using essential public programs to secure food, health care, and shelter for which they are eligible in fear of jeopardizing the opportunity to gain Lawful Permanent Resident status in the future; and

WHEREAS, the proposed Public Charge rule was published in the Federal Register on October 10, 2018, and public comment will be accepted by the Federal Register until December 10, 2018; and

WHEREAS, the County of Monterey desires authorization to take the necessary actions to oppose the proposed expansion of the Public Charge rule that will limit the ability of immigrants to obtain Lawful Permanent Resident status; **NOW, THEREFORE**,

BE IT RESOLVED by the Board of Supervisors for the County of Monterey as follows:

1. The Board of Supervisors opposes the proposed Public Charge rule released by the U.S. Department of Homeland Security and published in the Federal Register on

October 10, 2018.

2. The County Administrative Office is directed to provide comments in opposition to the proposed Public Charge rule on behalf of the Board of Supervisors during the public comment period.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____ and carried this ____ day of _____ by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board Supervisors duly made and entered in the minutes thereof of Minute Book ____, for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy