

DRAFT SUPPORT LETTER

January 14, 2019

The Honorable Rob Bonta
California State Legislature
State Capitol, Room 2148
Sacramento, CA 95814

RE: ACR 1 (Bonta) Immigration: public charges. – SUPPORT

Dear Assemblymember Bonta:

I am writing to you on behalf of the Monterey County Board of Supervisors to offer our strong support for your bill ACR 1 which condemns regulations proposed by the Department of Homeland Security (DHS) to prescribe how a determination of an alien's inadmissibility is made based on the likelihood that the alien will become a public charge and urges the federal government to reconsider and roll back the proposed regulations.

As you know, DHS has proposed a rule that seeks to define "public charge" and the types of public benefits that are considered in public charge inadmissibility determinations. In October 2018, our Board adopted a resolution opposing the proposed rule.

The proposed rule would define a public charge as an "alien who receives one or more public benefits" and would define public benefits to include cash assistance for income maintenance, government-funded institutionalized long-term care, and certain health, nutrition, and housing programs that were previously excluded from public charge determinations. These programs would include non-emergency Medicaid in California, the Medicare Part D Low-Income Subsidy Program, the Supplemental Nutrition Assistance Program (SNAP), and several housing support programs. The rule would also add a complex set of factors to the existing public charge test that determines whether an individual is likely to become a public charge, including considering factors such as income level, education level and English language proficiency, along with receiving public benefits.

Monterey County has a long and rich history of immigrants who have contributed to our local economy and have become leaders in agriculture, tourism, the military, education, business, healthcare and government. Immigrants comprise over 30% of the total population of Monterey County. The County's immigrant population, including undocumented immigrants, is a critical component of the local labor force, especially for the County's two largest industries — agriculture and hospitality.

Many of our residents, including many immigrant families, will be harmed by the effect of this proposed rule, whether the rule applies to them directly or not. In recent months, even the rumor of such changes has had an adverse effect throughout our immigrant communities, pushing too many out of the social safety net and out of services they and their families need and are eligible to receive. We have already seen families legally eligible for services now depriving themselves of healthy food, safe housing, and regular medical care in fear of the possible impacts of a change to the public charge rule. Our Agricultural Commissioner has expressed concern that farmworkers, the vast majority of whom are foreign born, will be less likely to seek medical care when they become ill, leading to an increase in the contamination of fresh produce.

Disenrollment of eligible public benefit recipients would especially impact Monterey County's youngest and most vulnerable residents. One in four children in Monterey County live in poverty, and nearly half of the children in the County rely on Medicaid and the Children's Health Insurance Program (CHIP) to meet their basic healthcare needs. Monterey County administers eligibility for these programs in California, as CHIP is embedded in our Medicaid program. CHIP is a program for working families who earn too much to be eligible for Medicaid without a share of cost. Making the receipt of CHIP a negative factor in the public charge assessment or including it in the

"public charge" definition, would likely lead to many eligible children foregoing health care benefits, both because of the direct inclusion in the public charge determination as well as the chilling effect detailed above.

The proposed public charge rule, if adopted as a final rule, would undercut the County's efforts to provide benefits and services that ensure the health and wellbeing of all County residents, including immigrants. It will deter immigrants from using the programs their tax dollars help support, prevent access to healthy, nutritious food, healthcare services, and secure housing.

For these reasons, we strongly support ACR 1 (Bonta) and thank you for your leadership on this important effort.

Sincerely,

John Phillips
Chair, Board of Supervisors

Cc: Senator Bill Monning
Senator Anna Caballero
Assemblymember Mark Stone
Assemblymember Robert Rivas